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The investigation into alleged cronyism at this police force has ended, but the public might never learn the results

Investigation launched in 2019 after “considerable and consistent information” received that senior leadership was favouring certain officers. Police leadership had denied accusations.

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The Ontario Civilian Police Commission launched the investigation in 2019 after saying it had received “considerable and consistent information” that senior leadership at Durham police were favouring certain officers.

R.J. Johnston/Toronto Star file photo

By Abby O'Brien Staff Reporter

An Ontario police watchdog has concluded its six-year investigation into allegations of cronyism, harassment and criminal activity within the Durham police force, but is not releasing its findings to the public.

The Ontario Civilian Police Commission (OCPC) launched the investigation in 2019 after saying it had received “considerable and consistent information” that senior leadership at the Durham Regional

Police Service (DRPS), including former chief Paul Martin, were favouring certain officers.

Senior leadership at the force had denied the allegations over the years.

Complainants alleged those favoured officers, who they said were internally referred to as “the untouchables,” had become impervious to complaints of workplace harassment and allegations of criminal activity.

Citing what it called a “crisis of confidence,” the OCPC also appointed an administrator to oversee promotions and internal discipline inside Canada’s ninth largest municipal police force.

A [preliminary report in 2019 from the OCPC](#), released ahead of the formal investigation, revealed “a deep sense of mistrust” toward the service’s leadership and board.

While the commission noted it did not have sufficient information to vet the merit of the allegations at the time, it said it had been provided clear evidence that members of the service had been deterred from reporting workplace misconduct due to fears they would become targets of bullying, harassment, marginalization or formal discipline.

The commission also said it had received “credible information” that suggested that the service’s top brass might have covered up, or attempted to cover up, alleged misconduct or criminal conduct committed by their subordinates.

On Tuesday, Tribunals Ontario, which took over from the now-shuttered OCPC last year, confirmed that the investigation had been completed and that its final report was delivered to Durham police, the police service’s board, and the Ministry of the Solicitor General. It declined to release a copy to the Star.

In internal correspondence forwarded to the Star, current Chief Peter Moreira said the OCPC has classified the report as privileged and confidential, preventing it from being shared.

“That is, in my view, problematic as it fails to answer questions that you and the community may have regarding the events, allegations, findings, and recommendations contained in their report,” Moreira wrote. He added he has written to both the Inspector General of Policing and the provincial watchdog seeking clarification on what, if any, public reporting will be made.

A spokesperson for Tribunals Ontario said the agency will not be providing any further public comment on its investigation at this time.

In a statement provided to the Star on Wednesday evening, spokesperson for DRPS Joanne McCabe said the report contained a number of recommendations to the service, “many of which were identified well before the report and actioned by the Command.”

“While we hoped the OCPC would have communicated publicly the report was completed, they did not,” McCabe said. “We have let our membership know.”

Peter Brauti, a lawyer for one of the complainants in the investigation, called the decision to shield the report “very strange.”

“I have never seen such a thing in my almost 30 years of experience,” Brauti said, adding that he’s currently seeking clarification from involved parties on what privilege is being claimed and why.

Seniors leaders denied allegations, retired

A number of senior leaders at Durham police, including then-Chief Paul Martin, have contested the allegations of favouritism and misconduct over the years.

In a statement to the Star in 2019, Sean Dewart, a lawyer representing Martin, dismissed the allegations as “baseless” accusations lobbed by disgruntled employees with axes to grind. Martin unsuccessfully attempted to challenge the commission’s order appointing the administrator in 2020, but Ontario’s Divisional Court dismissed the motion.

The former chief retired midway through 2020, while still under investigation.

At the outset of the investigation, Dewart was also representing one of the force’s deputy chiefs, Dean Bertrim, former deputy chief Uday Jaswal, chief administrative officer Stan MacLellan, and a law firm that had done legal work for the police force.

In 2023, Bertrim, who served 34 years with Durham police, was briefly charged with professional misconduct as a result of the probe. The tribunal withdrew the charges months later, however, citing no reasonable prospect of conviction. Bertrim retired later that year.

Deputy chiefs Uday Jaswal, Todd Rollauer and Insp. Nick Lisi, subjects of one of the complaints lodged to the OCPC, have also left the service since the launch of the investigation.

Jaswal went on to accept a role at the Ottawa Police Service, but retired in 2022.

In a letter sent out by current DRPS Chief Peter Moreira last week, it was announced that CAO Stan MacLellan’s last day on the job was Aug. 7.

Durham police did not respond to the Star’s questions on whether any of the senior leaders’ departures were a result of the investigation. The Star requested comment from Dewart, who said he no longer represents DRPS or its senior leaders.

Report should be released, says police accountability expert

Patrick Watson, assistant professor at the University of Toronto's centre of criminology, says the public deserves to know the contents of the OCPC's report.

"Just the public expenditure on it alone — the public must be on the hook for millions," Watson said. "Last summer, legal costs on this investigation were already estimated to be over \$2 million."

But the other and arguably more important element, he says, is the nature of the allegations at hand.

"These were very serious allegations ... and to simply say, 'OK, yeah, we've closed the book on that,' is probably not something that generates widespread trust in policing."

While Watson says Canadian police services do tend to be "more restrained" when it comes to releasing materials than their U.S. counterparts, a failure to do so risks jeopardizing public trust.

"There are communities who are going to see this as part of a pattern that the police don't tend to openly address foibles of some of the members or even, in this case, possible criminal allegations against the members of their service," Watson said.

"My understanding of this investigation was that it was meant to be public facing, and it was meant to address these issues of trust," he continued.

"So I don't understand the politics behind not trying to get in front of this and say, 'OK, we've heard these complaints, here are the steps we've taken to ensure they're not repeated.'"

In addition to Durham police and the OCPC, the Star has reached out to the Ministry of the Solicitor General for a copy of the report, but did not receive a response by publication.



Abby O'Brien is a Toronto-based general assignment reporter for the Star. Reach her via email: abbyobrien@thestar.ca

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