



Suspension Without Pay Before Guilt - a Devastating Power

Letter to the Editor – July 11, 2013

The notion that one person, a Police Chief, should have the power to play judge and jury is a dangerous one. To suspend someone without pay before a finding of guilt delivers a devastating and unwarranted punishment.

Ontario Police Chiefs want the power to suspend without pay any police personnel charged with a serious criminal offence. It's important to remember that police officers can often be targets for malicious complaints, they are often cleared of charges, and like everyone else they deserve to be innocent until proven otherwise. Giving one person, the Chief, the power to suspend someone without pay before a finding of guilt is unfair and cruel. Leaving officers and their families under suspicion and without income is devastating. There are no shortcuts to a fair hearing and income should not be stopped without that due process. Once there is a finding of guilt, there is a process in place under the Police Services Act that can lead to suspension without pay or termination.

If Police Chiefs are truly worried about saving money, they should be reassigning officers to other duties while they are under investigation, instead of suspending them and sending them home, unduly punishing them and leaving the service understaffed. The Police Services Act recognizes that police officers' work puts them in jeopardy of malicious complaints, and allows that, if needed, a Chief can suspend with pay, until an investigation is concluded. But that tool is often over-used by Chiefs leading to a waste of money and undue strain on the service. The Police Association of Ontario advocates that in most circumstances Chiefs should use their power to reassign police personnel to other work, and only use suspension with pay when it is in the best interest of the public and the service.

If the Chiefs are worried about a waste of money, as they say, they already have the ability to stop the waste. But to suspend someone without pay is to sentence and to punish without a conviction. Police officers are obligated to enforce the law and in so doing must be independent of fear of any retaliation from anyone, including the Chief.

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