

FINDINGS REPORT

West Grey Police Service Board: Chair Kevin Eccles

Section 106(1) Board Member Conduct Investigation (INV-24-9)

Submitted to:

Ryan Teschner Inspector General of Policing of Ontario

Table of Contents

ABOUT THE INSPECTOR GENERAL OF POLICING AND THE INSPE	CTORATE OF
POLICING	3
INTRODUCTION	4
OVERVIEW OF INVESTIGATION	4
The Complaint	4
The Subject Police Service Board Member	5
Applicable Legislative and Regulatory Provisions	5
SUMMARY OF THE INVESTIGATION CONDUCTED	6
Complainant Interview	6
The Subject Police Service Board Member Interview	8
Additional Material Collected and Reviewed	10
INVESTIGATION FINDINGS	12

ABOUT THE INSPECTOR GENERAL OF POLICING AND THE INSPECTORATE OF POLICING

The Inspector General of Policing drives improved performance and accountability in policing and police governance by overseeing the delivery of adequate and effective policing across Ontario. The Inspector General ensures compliance with the province's policing legislation and standards, and has the authority to issue progressive, risk-based and binding directions and measures to protect public safety. Ontario's Community Safety and Policing Act embeds protections to ensure the Inspector General's statutory duty is delivered independently from government.

The Inspector General of Policing leads the Inspectorate of Policing (IoP). The IoP provides operational support to inspect, investigate, monitor, and advise Ontario's police services, boards and special constable employers. By leveraging independent research and data intelligence, the IoP promotes leading practices and identifies areas for improvement, ensuring that high-quality policing and police governance is delivered to make everyone in Ontario safer.

In March 2023, Ryan Teschner was appointed as Ontario's first Inspector General of Policing with duties and authorities under the Community Safety and Policing Act. Mr. Teschner is a recognized expert in public administration, policing and police governance.

For more information about the Inspector General of Policing or the IoP, please visit www.iopontario.ca.

INTRODUCTION

This is a report to the Inspector General of Policing by an Inspector appointed by the Inspector General, who has completed an investigation under Part VII of the <u>Community</u> <u>Safety and Policing Act</u>, <u>2019</u> (CSPA).

OVERVIEW OF INVESTIGATION

The Complaint

A written complaint was received by the Inspector General of Policing alleging that the Chair of the West Grey Police Service Board (WGPSB), Kevin Eccles, contravened the Ontario Regulation 408/23: <u>Code of Conduct for Police Service Board Members</u> (Code of Conduct) after he publicly made inappropriate comments on two separate occasions.

This complaint was regarding the conduct of WGPSB Chair Kevin Eccles. Kevin Eccles is also the Mayor of the Municipality of West Grey.

The issue surrounding the complaint is in relation to the partial closing and re-allocation of resources from the local hospital located in the Town of Durham, which is located within the Municipality of West Grey. The hospital is one of four hospitals under the direction of the South Bruce Grey Health Centre (SBGHC).

The Municipality of West Grey held a special council meeting on April 30, 2024, to discuss the issues surrounding the SBGHC Durham Site. The council meeting was open to the public and broadcast live via YouTube. During the meeting Kevin Eccles openly stated: "One statement that I've put out there verbally has been I told the CEO and President of the South Bruce Grey Association to keep her hands off the Durham Hospital and I'll promise to keep my hands off your throat."

On May 7, 2024, Kevin Eccles stated in a radio interview with Adam Bell (who subsequently released a news article), "The public is still angry, not connecting with the information coming forward. The community itself is ready to go to battle in this, whether it's political or legal. The gun is fully loaded and we're ready to fire shots. We're going to hit the target to keep our hospital open." Further in his comments, Mr. Eccles stated, "Dangerous is an appropriate word being used in this. Got me very emotional, as well as fired up for the protection of our community. There's no benefit to my community or any surrounding communities on this action that's being taken."

The Subject Police Service Board Member

Name of Police Service Board: West Grey Police Service Board

Subject Board Member: Kevin Eccles

Length of Service (Term): Appointed 2006 – 2018 (Chair)

Reappointed: 2022 (Chair)

Specific Roles Held on Police Service Board: Chair & Board Member

Previous Substantiated Misconduct: None

Appointing Authority: Municipality of West Grey Council

Applicable Legislative and Regulatory Provisions

<u>Section 35(6)</u> of the CSPA provides that every member of a police service Board shall comply with the prescribed code of conduct.

Ontario Regulation 408/23: Code of Conduct for Police Service Board Members (Code of Conduct) sets out a series of conduct requirements persons appointed to police service boards in Ontario.

The sections in the Code of Conduct applicable to the complaint include:

- 3. (1) A member of a police service board shall not conduct themselves in a manner that undermines or is likely to undermine the public's trust in the police service board or the police service maintained by the board; and
- 3. (2) A member of a police service board shall not be subject to discipline for a contravention of subsection (1) if, on a balance of probabilities, their conduct was in the good faith performance of their duties as a board member.

SUMMARY OF THE INVESTIGATION CONDUCTED

As part of the investigation process, interviews were conducted with the complainant and the Subject, Kevin Eccles, each of whom provided supporting documentation. Additionally, [redacted – s 1(1)2 – O Reg 317/24], the Integrity Commissioner report, open-source media were analyzed and reviewed.

Complainant Interview

An interview was conducted with the complainant regarding their complaint.

The complainant stated that as a result of a nursing staff shortage, the SBGHC made the difficult decision to relocate ten hospital beds from the SBGHC Durham Site to other locations. This decision also affected the operating hours of the SBGHC Durham Site emergency room. The complainant stated that prior to the hospital issues that arose in April 2024 they had a professional working relationship with Kevin Eccles.

On April 24, 2024, a virtual meeting was held between the SBGHC Executive's and town council members of the affected communities to discuss the bed closures. This meeting was not recorded. Both the complainant and Kevin Eccles were present for the meeting. The complainant stated that during the meeting, Kevin Eccles raised his voice and described his tone as aggressive. The complainant also stated that Kevin Eccles began to yell at her and told her that she needed to change her decision. The complainant stated that she told Kevin Eccles that they needed to work together to be collaborative and as a group.

On April 25, 2024, the complainant attended a Foundation hospital meeting. The Chief of the West Grey Police Service, Robert Martin, was present at the meeting. The complainant stated that Chief Martin told her at the meeting that it was not safe for her to attend Durham as he would have to "have everybody working" and that "You should be concerned for your safety, I'm not joking, they're going to burn effigies of you in the street." After this encounter, the complainant did not attend the SBGHC Durham Site and became fearful for her personal safety. The complainant advised that she was in the company of two of her directors who overheard Chief Martin's comments. As a result of Chief Martin's comments, the complainant advised the chair of the SBGHC Board and their legal team of her concerns.

The complainant stated that these events affected her daily routine as she routinely visited all four hospital sites. The complainant further stated that the hospital issues were at the forefront of local media, as a result police were required to provide security at hospital meetings and that pre-planned entrance and exit routes were established for safety.

The complainant advised that she was not present at the West Grey Special Council Meeting, on April 30, 2024, where the comments were made by Kevin Eccles. She found out about the comments the following day. She felt that Kevin Eccles' comments could incite violence and that it was at that time that she received numerous harassing phone calls and hateful emails. She also felt that whether it was intentional or unintentional the comments were direct and that they left her "shaken and afraid." [redacted – s 1(1)2 – O Reg 317/24]

The complainant advised that she not only took steps to ensure her safety, she also took additional steps to ensure the safety of her staff members, such as canceling all visits to the SBGHC Durham Site and ensuring that her administration staff did not travel alone.

The complainant acknowledged that she received a "one liner" apology on May 5, 2024, from Kevin Eccles for the comments he made on April 30, 2024, at the West Grey Special Council Meeting, however she did not find the apology to be genuine or personal. In her interview, the complainant also advised that she was told that certain people approached Kevin Eccles and advised him that he should apologize for his comments. She was unable to identify these individuals. Kevin Eccles stated in the apology "I would like to address a phrase that I used in conveying my displeasure with the announcement of the hospital bed transitioning at the Durham site. Using the phrase I did was inappropriate. I apologized to all I offended. I will continue to improve and be conscious of my choice of words going forward and I will work tirelessly to achieve a positive outcome in this very urgent situation. Again, I apologize to those I have offended."

The complainant advised that there was a Facebook post which depicted both Kevin Eccles and Chief Martin holding shovels for a groundbreaking ceremony for the new West Grey police / ambulance station. One comment made by a member of the public in the comment thread read, "great place to bury that new CEO." The complainant felt as if the comment was encouraged. The complainant advised that her legal counsel sent a request to the WGPS to remove the comment from the page, however the comment remained when she checked the following week. Eventually, the comment was removed however the complainant was unaware when this occurred.

The complainant stated that in her 30 plus year career in hospital administration she has never experienced the need for heightened security and police presence. The complainant also advised that she hired a firm for safety and communications strategies while she attended a meeting at the Durham site, a meeting that required eight police officers to be present for security.

The Subject Police Service Board Member Interview

An interview was conducted with the subject, Kevin Eccles.

Kevin Eccles advised that beginning in 2023, hospitals across Ontario had been experiencing staffing issues, including the nearby SBGHC Chesley Site, which endured a number of hospital room closures. In February 2024, Kevin Eccles stated that he was made aware that changes were coming to the SBGHC hospitals due to staffing issues.

On April 25, 2024, Kevin Eccles stated that he was made aware that there would be an announcement that the SBGHC would be transitioning 10 beds from the SBGHC Durham Hospital to the Walkerton and Kincardine sites. A virtual meeting with the Complainant and community leaders was held later that day to discuss the upcoming changes.

In relation to his comments at the Municipality of West Grey special council meeting on, April 30, 2024, Kevin Eccles stated that he uses "metaphorical slang type of statements". In this instance, Kevin Eccles stated that he wanted to get the complainant's attention to do everything she could to keep the hospital open and that he would do everything he could from his end. Kevin Eccles re-iterated that what he said was metaphorical and that there was no malice to his words.

Kevin Eccles further indicated during the same meeting – which was held specifically to address the hospital issue – that there was standing room only in council chambers. Kevin Eccles further stated that his comments were applauded by the general public and that they understood where he was coming from with the strength of his words. Kevin Eccles stated that he did not consider any safety concerns in relation to the complainant or hospital staff as a result of his comments.

Kevin Eccles stated that other elected officials contacted him and told him that although they understood what he was saying, his comments may have crossed a line and suggested that he apologize. Kevin Eccles stated that he undertook the advice to make an apology and that on May 5, 2024, he emailed an apology addressed both to the complainant and the Chair of the SBGHC. Kevin Eccles also indicated that on May 9, 2024, during a County Council meeting, he advised that he did in fact issue an apology.

Kevin Eccles was asked about the May 7, 2024 comments, "What people will hear is that we have no idea what's going on. We're going to be at this rally to show support. The public is still angry, not connecting with the information coming forward. Community itself is ready to go to battle on this, whether it's political, legal. The gun is fully loaded, and we're ready to fire shots. We're going to hit the target to keep our hospital open." In relation to this statement, Kevin Eccles once again stated that he was speaking metaphorically and referred to the battle being political or legal. With regards to the "big guns" comment, he stated that he was referring to Toronto lawyers as the big guns and that the ammunition and bullets was referring to the lawyers having information for legal means. Kevin Eccles stated that he made the comments to a reporter from CKNX radio.

Kevin Eccles stated in his interview that from his perspective there was no thought or consideration to "rally the militia", nor did he think that he was projecting that message. Kevin Eccles again stated that he did not consider any potential safety concerns about the complainant or her staff as a result of his comments. Kevin Eccles indicated that he received mainly positive feedback and thanks from the public.

In relation to section 3 of the Code of Conduct, Kevin Eccles stated that he did not feel that his comments violated this clause as he speaks in euphemisms and metaphors and that he had no intent or desire for his comments to be taken literally. Kevin Eccles went on to say that he could see how his words could be misinterpreted by others. He added that he used language that he believed his audience would understand. He also believes that 99.9% of the people in council chambers understood the meaning of his words.

In relation to section 10 of the Code of Conduct, Kevin Eccles stated that he did not feel that his comments violated this clause, nor did he feel that he was acting in the course of his duties as a Police Service Board member.

Kevin Eccles stated that his working relationship with the complainant since these incidents has been civil. There have been three in-person meetings in which the complainant and Kevin Eccles have been present. Kevin Eccles also indicated that the hospital beds at the SBGHC Durham Site have since been removed and for the most part, the emergency room has stayed open. There is currently a judicial review of the SBGHC's actions.

Kevin Eccles stated that in reflection, he would have made his statements as strong as he could without using metaphors. Kevin Eccles indicated that he has learned his lesson in that the language he grew up with isn't the same as it is in society now.

Kevin Eccles wished to point out that the complainant was not present during either comment that gave rise to this investigation and that the gun comment occurred over the telephone with a reporter. Kevin Eccles also indicated that the Integrity Commissioner's report showed that at no time did the complainant feel that he would act on his threats.

Additional Material Collected and Reviewed

The Integrity Commissioner's Investigation

On May 21, 2024, the complainant, in addition to the SBGHC, filed a complaint with the Integrity Commissioner in relation to the comments made by Kevin Eccles. The following excerpts are contained within the Commissioner's final report, dated July 25, 2024:

The Integrity Commissioner concluded their investigation by stating, "We find that both of the Mayor's statements constituted intimidation and harassment in contravention of the Code of Conduct. We find that the complaint against the Mayor is substantiated."

The penalty imposed by the Integrity Commission reads as follows, "The renumeration paid to Mayor Eccles be suspended for a period of 14 days (representing a two week pay period)."

[redacted - s 1(1)2 - O Reg 317/24]

Open-Source Information: Collection and Review

YouTube

The Municipality of West Grey held a special council meeting on April 30, 2024, which was broadcast live via YouTube and a recording was kept on file on the platform. Kevin Eccles commented, "One statement that I've put out there verbally has been I told the CEO and President of the South Bruce Grey Association to keep her hands off the

Durham Hospital and I'll promise to keep my hands off your throat," can be clearly heard at the twelve minute and five second mark of the video.

Sarnia News Today Article

Following the radio interview with Adam Bell on May 7, 2024, who later published in the Sarnia News Today, "Fever pitch in Durham as residents unite to challenge hospital service cuts". In this article, Kevin Eccles is quoted as saying "What people will hear is that we have no idea what's going on. We're going to be at this rally to show support. The public is still angry, not connecting with the information coming forward. Community itself is ready to go to battle on this, whether it's political, legal. The gun is fully loaded, and we're ready to fire shots. We're going to hit the target to keep our hospital open."

Source document: Fever pitch in Durham as residents unite to challenge hospital service cuts – May 7, 2024.

Owen Sound Sun Times Article

On June 27, 2024 protestors gathered at the SBGHC Annual General Meeting in order to show their dissent with the SBGHC's intent to remove hospital beds at the Durham Site. The article quoted "It's the latest display of discontent organized by the Save the Durham Hospital committee — a group created in April shortly after the SBGHC announced plans to move the Durham hospital's 10 in-patient beds to sites in Kincardine and Walkerton."

Source document: Protestors and police feature at hospital organization's AGM in Walkerton – June 27, 2024.

CBC Article

On May 30, 2024 the CBC reported that "The health centre's public statements stress they're not closing the Durham hospital site, many residents believe it could still happen, so have started a campaign to bring attention to the issue."

"White signs with "Save Our Hospital" written in red can be seen throughout the town, including along Highway 6 — a well-travelled road any day of the week, but particularly by people commuting to and from cottages — on front lawns, and in the windows of businesses including banks, retail stores and real estate offices."

Source document: Rural Ontario town feels 'blindsided,' in state of emergency over removal of hospital's in-patient beds — May 30, 2024.

INVESTIGATION FINDINGS

I make the following findings, relying on the material and information collected during the investigation and now contained in this report:

- 1. On April 24, 2024, the South Bruce Grey Health Centre (SBGHC) announced that there would be significant cuts to service at the SBGHC Durham Site, which would result in hospital beds being re-allocated to other SBGHC sites.
 - a. The SBGHC board was required to take action due to nursing staff shortages.
 - b. This decision led to community outrage and strained relations between the SBGHC and Kevin Eccles.
 - c. The decision was announced to the local mayors virtually, at which time the complainant described Kevin Eccles as being aggressive with his tone while raising his voice during the meeting.
- 2. The SBGHC decision to re-allocate beds and reduce services at the SBGHC Durham Site was a contentious decision that angered the community.
 - a. The complainant was advised by the Chief of West Grey Police Service that it was not safe for her in Durham and that residents would burn effigies of her. The complainant was further advised by Chief Martin he would have to "have everybody working" and that "You should be concerned for your safety, I'm not joking, they're going to burn effigies of you in the street."
 - b. A member of the community made a comment on a post on the West Grey Police Service Facebook site below a picture depicting the Chief and the Subject with shovels in the ground at a groundbreaking ceremony which stated, "great place to bury that new CEO."
 - c. The complainant received numerous hateful e-mails and harassing telephone calls, resulting in the Complainant canceling their home phone line.
 - d. The complainant avoided attending the SBGHC Durham Site and had to resort to ensuring safety plans for both her and hospital administration staff.

- 3. On April 30, 2024, at the Municipality of West Grey special council meeting, Kevin Eccles uttered the following, "One statement that I've put out there verbally has been I told the CEO and President of the South Bruce Grey Association to keep her hands off the Durham Hospital and I'll promise to keep my hands off your throat."
 - a. The April 30, 2024, Municipality of West Grey special council meeting was held to discuss the issues surrounding the SBGHC Durham Site.
 - b. The meeting was broadcast live via YouTube and at the time of this report, still readily available for viewing on the YouTube platform.
 - c. In his interview, Kevin Eccles readily admitted to making the statement. Kevin Eccles stated that he uses "metaphorical slang type of statements" and he wanted the complainant to do everything she could to keep the hospital open. Kevin Eccles emphasized that what he said was metaphorical and that there was no malice to his words. He believed his audience would understand. He also believes that 99.9% of the people in council chambers understood the meaning of his words.
 - d. In her interview, the complainant indicated that Kevin Eccles' comments left her shaken and afraid.
- 4. On May 7, 2024, Kevin Eccles Made the following comments during his radio interview with Adam Bell, "What people will hear is that we have no idea what's going on. We're going to be at this rally to show support. The public is still angry, not connecting with the information coming forward. Community itself is ready to go to battle on this, whether it's political, legal. The gun is fully loaded, and we're ready to fire shots. We're going to hit the target to keep our hospital open."
 - a. Kevin Eccles made the comments to reporter Adam Bell of CKNX News for the May 7, 2024 article titled "Fever pitch in Durham as residents unite to challenge hospital service cuts", published online at https://sarnianewstoday.ca.
 - b. Kevin Eccles stated that his comments were metaphorical and referred to the battle being political or legal. He indicated that he referred to Toronto lawyers as being "big guns" and that the ammunition and bullets referred to the information they will use for legal means.

- c. Kevin Eccles stated in his interview with IoP Inspectors that there was no thought or consideration to rally a militia, nor did he think that he was projecting that message.
- d. The complainant stated that the May 7, 2024 comments escalated her fear and uncertainty.



777 Bay Street, 7th Floor Toronto, ON M5G 2C8

Tel: +1-416-873-5930 or 1-888-333-5078

www.iopontario.ca

Improving policing performance to make everyone in Ontario safer.

Ce rapport est aussi disponible en français