



RESOLUTION 2018-04

Ontario Rail Death Response and Investigation Protocol (ORD-RIP)

Preamble:

Deaths on railways occur with alarming frequency across the thousands of kilometers of freight and passenger rail lines in Ontario. In major urban centres, the concentration of rail lines and associated rail traffic continues to grow at a rapid pace, and this is reflected in the increasing numbers of rail death incidents.

Rail deaths can fall into three main categories: accidental (or death by misadventure); intentional suicide; and, very rarely, as a result of criminal acts. In all three categories, a number of responsibilities fall to the police-of-jurisdiction on-scene, as well as investigative concerns that may extend beyond the scene itself. At the scene, police must also operate in a coordinated manner with other partners who hold certain shared and/or unique responsibilities, specifically: representatives of the Office of the Chief Coroner; and, railway operators, represented principally by special constables that comprise each respective rail carriers internal police and/or public safety units.

There currently exists a patchwork of internal, bi-lateral and multi-lateral protocols that have been adopted over the years among these primary response and investigative partners. Evidence shows that this uneven situation is contributing to long and often unnecessary delays in achieving both the mandated responsibilities of all partners on-scene, and the efficient restoration of full and uninterrupted operations to the rail system(s) affected by each occurrence. Such delays contribute to a number of undesirable outcomes, including:

- Increased costs and inefficient use of police and other partner resources;
- Increased costs and customer service issues for the railways; and
- Most notably, significant increases in risks to public and community safety caused by system backlogs, collateral traffic congestion and re-direction, and high-risk and high-volume pedestrian movement. Due to the complex and dynamic nature of rail traffic, such risks can quickly extend beyond the scene and even well outside of the responding jurisdiction.

WHEREAS the Office of the Chief Coroner, the rail carriers, and Ontario's police services as represented by the OACP Traffic Committee (collectively, "the primary parties") have recognized the need and urgency to establish a single, uniform and reliable protocol to guide the on-scene response and early investigative requirements associated with all categories of railway deaths; and

WHEREAS through recent collaboration and consultations, the parties have developed and achieved consensus on the elements required in a systems-based protocol, currently in development and being designed to meet the respective

operational needs and regulatory responsibilities of all partners, while delivering optimal efficiency and public safety on-scene; and

WHEREAS realizing and sustaining such a protocol will require Ontario police services, individually, collectively, and in collaboration with their other primary partners, to undertake several actions as part of an accompanying Implementation Plan, including but not limited to:

- continuing collaboration to refine the protocol and its related implementation requirements for all parties;
- staff training;
- regulatory and policy reviews;
- updating of operational procedures and service directives;
- internal and external communications and messaging tools; and,
- the collaborative development of shared metrics to monitor and guide performance and to drive continuous improvement across the system;

THEREFORE BE IT RESOLVED that the Ontario Association of Chiefs of Police urges the Ontario Ministry of Community Safety and Correctional Services, jointly with the Office of the Chief Coroner and the Policing Services Directorate, to

- acknowledge and advance the continued refinement and anticipated adoption of the provisional Ontario Rail Death Response and Investigation Protocol through an *All Chiefs Information Directive (ORD-RIP)*; and
- encourage as a provincial priority the timely completion by all police services, in collaboration with their related primary partners in this protocol, the refinement and implementation steps required, as well as any steps set out or to be determined under the *Policing Services Act* or the *Safer Ontario Act* and their associated regulations to establish and sustain ORD-RIP as a provincial policing standard.