

January 25, 2023

Dear Mayor and Members of City Council,

It is with deep regret that I tender my resignation from the London Police Services Board as of January 31, 2023. Please know that when I put my name in for re-appointment, I fully intended to remain for the length of my appointment. Please accept my sincere apologies for having resigned only 2 months after my reappointment.

I sincerely hope, however, that there can be a silver lining to my resignation. I hope that City Council will consider this an opportunity to appoint a Black or Indigenous member.

In this vein, I'd like to try to proactively address a few "standard" responses that tend to occur when there are calls for greater diversity.

1. "Appointing Board members on the basis of a 'specific agenda' would set a dangerous precedent".

I strongly reject this comment. Diversity is not a "specific agenda". It is a recognition of the importance of a diverse group of voices with lived experience, especially in a policing context.

Diverse voices ensure that a Board has a multitude of viewpoints when making critical governance decisions. This is not an agenda, or at least, not an agenda that in any way contradicts the requirements to be a member of a police board.

In addition, this comment directly contradicts the new *Comprehensive Ontario Police Services Act, 2019*. Sections 28, 29 and 33 require municipalities and the province to consider diversity and representation on the Board.

Clearly, the Ministry of the Solicitor General, when drafting this legislation, understood that diversity is not a "specific agenda" and saw establishing greater representation as a positive precedent, not a dangerous one.

2. "There are women on the board – so that's diversity, right?"

While I am grateful that the current Board has three women, this no longer is sufficient to be considered truly representative. The issue of race in a policing context is as

important if not arguably more important than gender. It is disingenuous to claim that simply having more women on a Board, when those women are not Black, Indigenous or women of colour, is sufficient to address the need for greater diversity and representation on the Board.

3. “Members should be appointed by merit alone”

If only we lived in a vacuum where merit alone could indeed be the actual sole deciding factor.

However, here are some important statistics. In Toronto, where 8% of the population is Black, only 0.3% of Corporate Board members are Black.

Out of 2200 Board positions across Canada from 316 companies that disclosed the racial makeup of their Boards, only 8 were Indigenous. Are we really suggesting that in all of Canada only 8 Indigenous people or 0.3% Black people were sufficiently “meritorious” to serve on those Boards? No, we can’t be, because this would be blatantly false.

If this was truly about merit, the above numbers would reflect more closely the actual proportion of the population. They do not. As such, calls for “merit” ignore the systemic and historic reasons why Boards continue to lack representation. It is to ignore the factors that promote white people to positions of power. And it is to ignore that the current so-called “merit” based system has resulted in an abysmal lack of representation due to institutional inequities.

In addition, I would argue that merit should include context. We know that certain communities have greater likelihood of interaction with police. Why wouldn’t merit, therefore, include being part of those communities? In jobs searches, experience is lauded. Why isn’t that the case here? Why do we ignore lived experience only in this context?

Ask yourselves, when people say “merit” – what do they truly mean?

4. “We can only choose from those candidates that apply”

The *Comprehensive Ontario Police Services Act, 2019* directs municipalities to prioritize diversity and representation, and, in fact, “**take reasonable steps to promote the availability of the appointment to...historically underrepresented**” groupsⁱ. This will be a legislative requirement in a few short months.

This section of the legislation recognizes that it is no longer acceptable to simply say “if they don’t apply, we have no choice”. I beseech City Hall choose, from this moment, to ensure that diverse candidates apply. Instead of saying “we are stuck with whoever applies”, ask, “why aren’t Black and Indigenous people applying”? and “what can we do to attract those applicants?”

I urge city council to do whatever it takes to seek out excellent BIPOC candidates and ensure that London Police Service Board continues to reflect the wonderful diversity in London, Ontario.

I end my letter expressing my deep gratitude to this council and previous city councils for their vote of confidence in appointing me. It has been the privilege and honour of a lifetime. I sincerely hope that I have represented the Board well and upheld my oath under the *Police Services Act*. I have tried, for the past 6 years, to be ethical, fair, and committed. I will always feel thankful for this incredible opportunity.

I am glad to leave the Board in the capable hands of Chair Ali Chahbar. He is an exceptional leader and a person with great integrity. I know he will ably navigate the Board during this year of transition.

Sincerely, and with thanks,



Susan Toth

ⁱ Relevant sections of the *Comprehensive Ontario Police Services Act, 2019* for ease of reference:

28 (1) Every municipality that maintains a municipal board shall prepare and, by resolution, approve a diversity plan to ensure that the members of the municipal board appointed by the municipality are representative of the diversity of the population in the municipality.

29 (1) If the need to appoint a new member of a police service board by resolution of a municipality is reasonably foreseeable, the municipality shall take reasonable steps to

promote the availability of the appointment to members of demographic groups that have been historically underrepresented on police service boards, including racialized groups and First Nation, Inuit and Métis communities.

33 (1) In appointing or reappointing a member of a police service board, the appointing person or body shall consider,

- (a) **the need to ensure that the police service board is representative of the area it serves, having regard for the diversity of the population in the area;**
- (b) the need for the police service board to have members with the prescribed competencies, if any; and
- (c) any applicable diversity plan.