



**HEARING DECISION
SENTENCE**

Name: Benjamin ARDILES

Rank: Police Constable

Badge Number: 8863

Case Number: 2012.34

Hearing Date: 2014.08.14

Hearing Officer: The Hon. Judge W. GONET

Prosecutor: Stockwoods

**Defence Counsel:
Or Representative** Mr. Harry BLACK

In the matter of the *Police Services Act*
R.S.O. 1990, c.p. 15 (as amended)

TO: Police Constable Benjamin Ardiles (8863)

YOU ARE ALLEGED TO HAVE COMMITTED MISCONDUCT IN THAT YOU DID WITHOUT GOOD AND SUFFICIENT CAUSE MAKE AN UNLAWFUL OR UNNECESSARY ARREST; contrary to Section 2(1)(g)(i) of the Schedule Code of Conduct of Ontario Regulation 123/98 and therefore, contrary to Section 80(1)(a) of the *Police Services Act*, R.S.O. 1990, as amended.

DISPOSITION

I acknowledge the submissions made by counsel and the statement of Michael Williams.

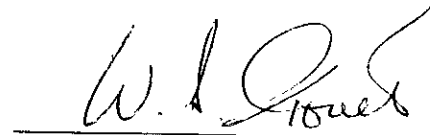
The lawlessness perpetrated upon the City of Toronto on Saturday, June 26, 2010, was unprecedented and found the Toronto Police Service unprepared to meet this violent activity.

As a result, certain instructions given to the officers in respect to the activity expected on Sunday, June 27th, failed to emphasize that the requirements of the Criminal Code in regards to arrest and detention had to be followed.

P.C. Ardiles found himself in a situation that required review, ie. discussion with Sgt. Sova, resulting in the release of Mr. Williams at the scene and preventing further unlawful arrest and detention.

I therefore accept the joint submissions of counsel and order that P.C. Ardiles receive a reprimand for his conduct on Sunday, June 27th, 2010, pursuant to the provisions of section 85(7)(a) of the *Police Services Act*. There will be no further order.

DATED at Toronto this 14th day of August, 2014.

A handwritten signature in black ink, appearing to read 'W. S. Gonet', written over a horizontal line.

Walter S. Gonet
Hearing Officer

AND TO:

Prosecution:	B.J. Van Niejenhuis E. Marrocco
P.C. Benjamin Ardiles:	H.G. Black, Q.C.
Michael Williams:	Rebecca Studin