



02-14 Civil Warrants

Status: Amended

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Replaces: 2013.10.30

Rationale

This Procedure deals with civil warrants for arrest or committal.

Procedure

Small Claims Court Warrants

These warrants are sent from Small Claims Courts in Toronto to Records Management Services – Operations (RMS – Ops) where they are entered onto CPIC and retained until the expiry date, if specified, or until it is executed or rescinded. The warrant is then scanned and attached to the related eReport, and a notification is sent to the unit responsible for executing the warrant.

Civil Warrants – Other

Civil warrants, other than small claims court warrants, are classed as either warrants to arrest (Contempt) or warrants of committal.

Police Officer

1. Upon arresting a person on a civil court warrant shall
 - comply with Procedure 01–03
 - contact RMS – Ops to advise of the arrest and make arrangements for the retrieval of the original warrant
 - complete the applicable eReports
 - scan and attach all memorandum book notes and hardcopy reports to the original eReport
 - comply with the instructions contained within the body of the warrant
 - provide the eReport number to the Unit Commander
 - transport the person and warrant to the appropriate court or detention centre as directed by the warrant
2. If unable to execute a civil court warrant shall
 - complete the applicable eReports or add supplementary information to the original eReport, indicating the reason for not executing the warrant
 - provide the eReport number to the Unit Commander

Officer in Charge

3. Upon notification of a civil court warrant shall ensure an officer is assigned to execute the warrant.
4. When a person is arrested on a civil court warrant shall ensure compliance with
 - Procedure 01–03
 - the instructions contained within the body of the warrant
5. Upon receiving notification that a civil court warrant has been rescinded shall ensure efforts to arrest the person are ceased.

Unit Commander

6. Upon completion of the assigned officer's investigation shall ensure
 - a "Civil Warrant – Response" (Appendix A) is completed
 - the warrant, signed Civil Warrant – Response and any relevant notes and forms have been scanned and attached to the original eReport

Supervisor – Records Management Services – Operations

7. Upon receipt of a civil court warrant shall ensure
 - compliance with unit–specific policies
 - the warrant contains
 - a surname and first name
 - the date of birth or approximate age
 - the person's sex
 - the person's address
 - the CPIC specialist is contacted for direction if information is missing from the warrant
 - the warrant is
 - entered onto CPIC
 - scanned and attached to the related eReport
 - assigned to the division in which the individual named in the warrant resides
8. Upon receiving notification that a civil court warrant has been rescinded shall ensure the warrant is removed from CPIC and that the assigned unit is notified.

Appendices

Appendix A – Civil Warrant – Response

Supplementary Information

Governing Authorities

Provincial: Courts of Justice Act, O.Reg. 258/98, Rules of the Small Claims Court; Courts of Justice Act, O.Reg. 194/90, Rules of Civil Procedure.

Associated Governance

TPS Procedures: 01–03 Persons in Custody; 17–05 Correspondence and File Management.

Forms: eReports.

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