



BRITISH COLUMBIA
POLICE
COMPLAINT
COMMISSIONER

1998
ANNUAL REPORT

POLICE COMPLAINT COMMISSIONER

BRITISH COLUMBIA

1998 ANNUAL REPORT

DOC
BC
P5203
B
1998
c.5

BC
PS203
B
1998
c.5



Honourable Gretchen Mann Brewin
Speaker of the Legislative Assembly
Room 207, Parliament Buildings
Victoria, B.C.
V8V 1X4

Dear Madam Speaker:

Re: Annual Report for 1998

It is with pleasure that I present to you and the members of the Legislative Assembly my 1998 Annual Report.

Yours truly,

Don E. Morrison
Police Complaint Commissioner

#900 - 1111 Melville Street, Vancouver, B.C. V6E 3V6
Telephone: (604) 660-2385 Facsimile: (604) 660-1223
Toll Free enquiries through Enquiry BC at 1-800-663-7867 or 660-2421 (Vancouver)

Table of Contents

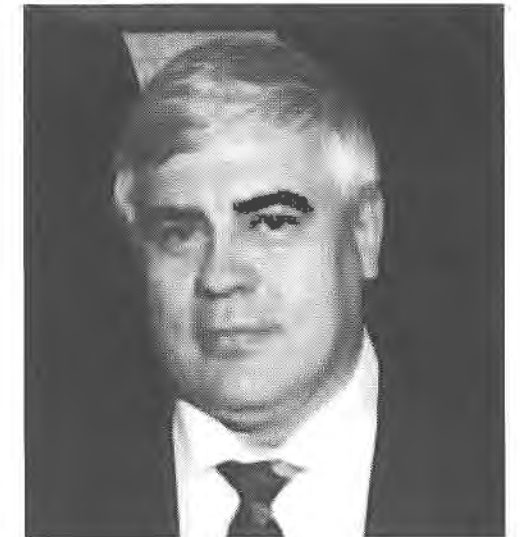
<i>Commissioner's Message</i>	7
<i>Our Origins: The Oppal Report</i>	8
<i>Civilian Oversight of Police Organizations in Canada</i>	9
<i>Background: Transition to the New Process</i>	10
<i>Spreading the Word</i>	11
<i>Deputy Commissioner's Comment</i>	12
<i>The Complaint Process</i>	13
<i>Overview and Summary of Complaints</i>	20
<i>Case Summaries</i>	21
<i>Conferences and Workshops</i>	26
<i>The Way Forward</i>	29
<i>Appendices</i>	
❖ <i>Statistics</i>	35
❖ <i>Organization Chart</i>	44
❖ <i>Budget</i>	44
❖ <i>List of Mediators</i>	45
❖ <i>List of Support Groups</i>	46
❖ <i>Contact Names and Numbers</i>	48

Commissioner's Message

An independent and accessible civilian oversight process was a key recommendation of Mr. Justice Wallace Oppal in his 1994 report, *"Closing the Gap: Policing and the Community."* That vision has become our mandate.

Policing is the art of the possible: what the municipal police in British Columbia can achieve with 2,006 police officers looking after 12 municipalities with 1,134,845 people and 148,411 crimes a year.

When police are called, whether to a crime scene or to deal with a dispute between neighbours, there is a sense of urgency. Someone needs help. Howard Cohen, in his book *"Overstepping Police Authority: Criminal Ethics,"* observed the following:



"Police authority is specific insofar as it is conferred by statute with respect to law enforcement and vague in the areas of peacekeeping and public safety where the variety of activities expected of police is, typically, not legislated. Police regularly step into situations in which neither their objectives nor their functions are particularly obvious."

The volume and varying nature of police work means there will be complaints.

The Office of the Police Complaint Commissioner provides an accessible way for the public to complain to an independent body about the conduct of any municipal police officer. The Office of the Police Complaint Commissioner is not a discipline authority for municipal police officers. We are here to ensure that the complaint process is conducted with impartiality and fairness, to members of the public and to members of the municipal police forces.

Experience has shown that people with complaints are most satisfied with informal resolutions. Many cases can be resolved with a simple exchange between the complainant and the officer. Our office has a list of mediators available to help.

In the coming year, the Office of the Police Complaint Commissioner will continue working to foster a positive relationship between the municipal police and the public they serve. We have seen convincing evidence that prevention is part of the positive relationship. We will continue working with police and the community, promoting reflection on issues before they arise. Our office will maintain a strong independent civilian oversight of the public complaint process.

Our Origins

The Oppal Report: "Closing the Gap"

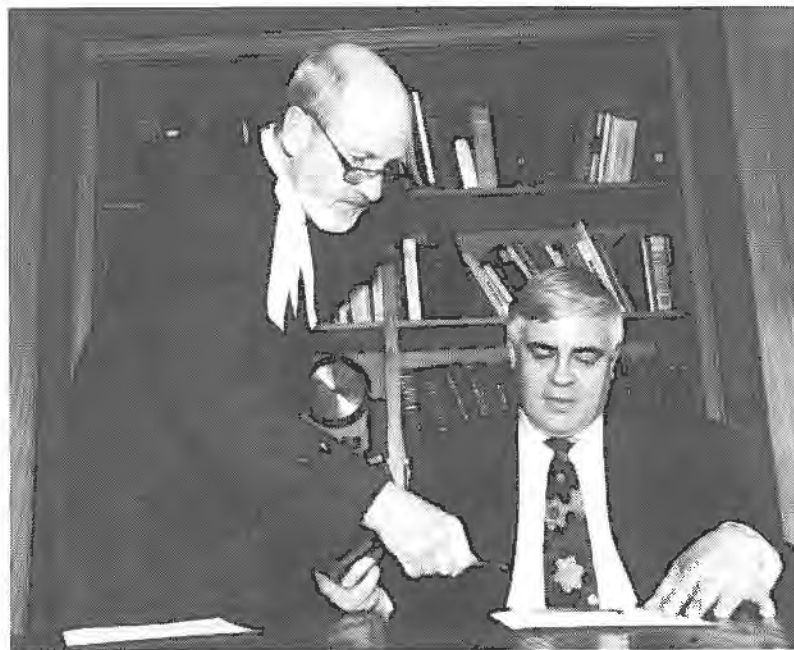
The new *Police Act* was proclaimed July 1, 1998, creating the Office of the Police Complaint Commissioner as an independent Officer of the Legislature. However, the genesis for the Office of the Police Complaint Commissioner can be found in Mr. Justice Wallace Oppal's Policing in British Columbia Commission of Inquiry.

Justice Oppal made numerous recommendations. He said there was a compelling need for independent and accessible civilian oversight of the police.

"There must be a strong element of civilian oversight in the public complaints process in order to safeguard the public perception that the process is legitimate. Police agencies should not feel uneasy with the public scrutiny of their actions. The presence of civilian oversight in the process in no way suggests that the police are not to be trusted. The public trust in the police is demonstrated by the special powers given at law by the public to the police. The Inquiry believes that our policing institutions will be strengthened and their credibility enhanced by civilian oversight and review of police conduct."

In a democratic society based on the rule of law, the police, who are often the guardians of our civil liberties, must be responsible to the public they serve.

Citizens and police must be treated and believe they are treated fairly. Allegations of misconduct must be investigated promptly, thoroughly, competently and neutrally. Police discipline hearings arising from public complaints must be timely, competently performed and fair to all participants."



E. George MacMinn, Q.C., Clerk of the Legislature, (left) at the swearing-in ceremony for Don Morrison, Police Complaint Commissioner

Civilian Oversight of Police Organizations in Canada

Most provinces in Canada have some form of civilian oversight of law enforcement. Although agency size, statutory authority and responsibilities vary from province to province, civilian oversight agencies share a common goal: a positive relationship between the public and the police.

This is achieved through an accessible and transparent complaint process, conscientiously monitored by independent and impartial civilian agencies. Commissions and provincial agencies responsible for civilian oversight of investigations into alleged police misconduct are mandated to ensure complaint investigations are thorough, fair and balanced to both the complainant and the respondent.

The British Columbia Civil Liberties Association identified the need for civilian oversight of law enforcement in its 1987 report, *"Policing the Police."*

"A community that is committed to the principles of a free and democratic society has a legitimate and compelling interest in satisfying itself that police powers are used only to the extent necessary."

The careful equilibrium that must be observed between the exercise of police powers and respect for fundamental freedoms is the most compelling argument for credible and effective civilian oversight where police wrongdoing is alleged."

Society has a fundamental interest in ensuring that the exercise of police powers is both legitimate and without excess.

Agencies responsible for civilian oversight across Canada include:

- ❖ Office of the Police Complaint Commissioner (British Columbia)
- ❖ Alberta Law Enforcement Review Board
- ❖ Saskatchewan Police Complaints Investigator
- ❖ Law Enforcement Review Agency (Manitoba)
- ❖ Ontario Civilian Commission on Police Services
- ❖ Le Commissaire à la déontologie policière
- ❖ New Brunswick Police Commission
- ❖ Nova Scotia Police Commission
- ❖ Royal Newfoundland Constabulary Public Complaint Commission

Background: Transition to the New Process

A new framework for dealing with public complaints about municipal police forces in British Columbia was created with the new *Police Act*, proclaimed July 1, 1998.

The B.C. Police Commission, which used to deal with complaints, was dissolved. Its functions concerning police complaints were transferred to the newly created Office of the Police Complaint Commissioner. These functions were expanded and new complaint procedures developed. The changes include:

- ❖ improved ways to informally resolve complaints
- ❖ recording of all concerns raised by complainants
- ❖ better ways to address complaints about the quality of police services and policies
- ❖ better reporting by police concerning the investigation of complaints
- ❖ stronger mechanisms to ensure that investigations are not conducted by those who are connected with the complaint
- ❖ review by the Police Complaint Commissioner to ensure all of the complainant's concerns are addressed appropriately
- ❖ increased opportunity for the Police Complaint Commissioner to investigate matters of public trust that do not come from a citizen complaint
- ❖ review by the Police Complaint Commissioner of summary dismissals of complaints by police

The Office of the Police Complaint Commissioner reports directly to the B.C. Legislative Assembly. It is independent from all municipal police forces and government ministries.

Police continue to investigate public complaints. However, the Police Complaint Commissioner provides independent civilian oversight and has the authority to oversee all aspects of an investigation. The Commissioner does not make findings on the validity of complaints, but monitors the manner in which police departments investigate and conclude complaints.

The Office of the Police Complaint Commissioner oversees complaints from all municipal police areas. British Columbia has 12 municipal forces: Abbotsford, Central Saanich, Delta, Esquimalt, Nelson, New Westminster, Oak Bay, Port Moody, Saanich, Vancouver, Victoria, and West Vancouver.

When the new *Police Act* was proclaimed, 57 files from the former B.C. Police Commission system were transferred to the new system. Two employees of the B.C. Police Commission worked with the Registrar of the Office of the Police Complaint Commissioner to ensure a smooth transition.

Transition provisions were provided for in legislation. Complaints not yet at the stage where a public inquiry date and place had been set were moved to the new complaint system.

The Office of the Police Complaint Commissioner sent letters to all complainants and officers who had public inquiries set under the former *Police Act*, asking whether they wished to come under the new legislation. None responded to the letter. As a result, there are 23 active files as of December 31, 1998 that are being processed under the former *Police Act*.

The federal *Royal Canadian Mounted Police Act* provides a separate process for complaints about members of the RCMP.

Guidelines Created

Staff from the Office of the Police Complaint Commissioner and representatives from the municipal police forces are developing guidelines to assist police in interpreting the new *Police Act* when processing filed complaints. Guidelines have been completed on the following:

- ❖ Discipline proceedings
- ❖ Duty reports and statements
- ❖ Extension of investigations
- ❖ Informal resolution
- ❖ Internal discipline proceedings
- ❖ Mediation
- ❖ Procedural fairness
- ❖ Receiving a record of complaint
- ❖ Service or policy complaints
- ❖ Service of notices
- ❖ Summary dismissal
- ❖ Suspension of proceedings
- ❖ Withdrawn complaints

Spreading the Word . . .

The Office of the Police Complaint Commissioner has reached out to police and community groups to build relationships and share information about the complaint process.

- ❖ Community outreach included contact between the Office of the Police Complaint Commissioner and organizations and agencies representing specific social or cultural groups or the public at large. Cultural or social agencies and organizations often reflect unique contact points between a community and its police. Community outreach is undertaken so that every citizen is aware of the complaint process and every complaint is heard.

- ❖ *Police outreach* included ongoing contact between the Office of the Police Complaint Commissioner and police departments, police boards, individual police officers and police organizations. Initiatives included a committee for the establishment of *Police Act* guidelines, *Police Act* orientation for police officers, and staff liaison with each police department.

Deputy Commissioner's Comment

A key principle guiding the work of the Office of the Police Complaint Commissioner is: "if you have a complaint against the police in British Columbia, you have the right to say what happened and to be listened to."

This right can only be exercised if the public is aware of it and if the complaint process is easily accessible.

The Office of the Police Complaint Commissioner has taken steps to make the public aware of the right to have complaints heard.

These steps include printing information brochures in 10 languages and distributing them to community agencies, MLA and MP constituency offices, and police departments. Our written information is available to community groups and organizations.

The Commissioner's staff has met with community groups, police boards, and police officers to explain the complaint process.

Some complainants are hesitant and unsure when dealing with those in authority due to personal, language, or cultural factors. As this could hinder the proper resolution of their complaint, community agencies have been asked to provide support services to complainants who request assistance when dealing with the police. At this time, our office wishes to acknowledge the following agencies for providing these services:

- ❖ Inter-Cultural Association of Greater Victoria
- ❖ British Columbia Civil Liberties Association
- ❖ S.U.C.C.E.S.S.
- ❖ Vancouver Police and Native Liaison Society

Complainants requiring the assistance of an interpreter can access this service through the Commissioner's office.

Although significant progress has been made, much remains to be done to ensure that the complaint process is accessible to all members of the public.

The Complaint Process

Where can a complaint be made?

A person may submit a complaint to any of the following:

- ❖ the Police Complaint Commissioner; or
- ❖ the senior constable on duty at the time the complaint is submitted, at the municipal police department where the constable complained of is employed; or
- ❖ the *discipline authority*. The *discipline authority* is either the chief constable or his delegate, or the chair of the police board, depending on the respondent.

Receiving Complaints

The Office of the Police Complaint Commissioner receives complaints from people either in person, by mail or by fax. Staff provide information and brochures about the police complaint process at the time a complaint is received. Staff inform complainants that they can submit their complaint to the police department and provides the name and telephone number or address of the appropriate contact person at the department. Complaints received by staff at the Office of the Police Complaint Commissioner are sent to the chief constable of the appropriate police department. The internal investigation or professional standards staff of the department receive the complaint for the purposes of informal resolution or investigation, depending on the circumstances alleged in the complaint.

Complaints may be resolved informally between the police department and the citizen. If the citizen chooses to pursue a formal complaint, he or she is to be provided with information about the *Police Act* process. The *Police Act* requires that officers provide any help needed by a person submitting a complaint. Officers must also advise the person that the complaint may be filed with the Office of the Police Complaint Commissioner.

The Vancouver Police Department has advised that staff direct all complainants to the department's Internal Investigation Section. The section is responsible for the processing and investigation of complaints against Vancouver police officers.

The Vancouver Police Department reports that staff at their police station public information counters have been provided copies of the statutory complaint form (Form 1 - Record of Complaint) and the information brochure issued by the Office of the Police Complaint Commissioner. Staff have been directed to provide these pamphlets to all people wanting to make a complaint.

The Abbotsford, Delta, New Westminster and Port Moody Police Departments have advised that information brochures and complaint forms are available at their police station public information counters, and that staff are directed to provide these upon request by a member of the public. Should a complainant wish to discuss the matter, they are referred to the department's Professional Standards Officer.

The Central Saanich, Saanich, Esquimalt, Victoria, Oak Bay, Nelson and West Vancouver police departments have advised that staff receive citizen's complaints at the reception area or front desk. The senior constable on duty is responsible for receiving complaints. Every citizen's complaint made to that officer is noted in a log book. All departments have the Office of the Police Complaint Commissioner information pamphlet, in one or more languages, available in a pamphlet rack in the reception area.

What is a complaint?

A complaint is an allegation of police misconduct that affects, or is witnessed by, a citizen. A complaint may also be about the quality of service provided by police.

A complaint is not officially lodged until a signed complaint on a Form 1 document has been completed and submitted to the municipal police, or to the Office of the Police Complaint Commissioner. All Form 1's submitted to municipal police departments are forwarded to the Office of the Police Complaint Commissioner.

Types of Complaints

There are three types of complaints defined in the *Police Act*. They are:

- ❖ public trust
- ❖ internal discipline
- ❖ service or policy complaints

Most complaints are about police actions that affect citizens. They are usually public trust complaints.

A complaint may be made regarding:

- ❖ a municipal constable
- ❖ a chief constable or deputy chief constable, or
- ❖ a municipal police force.

Public trust complaints affect the relationship between a police officer and the community. These complaints allege a breach of one of the disciplinary defaults in the *Code of Professional Conduct*.

The *Code of Professional Conduct* sets out the core values of policing. Officers must follow the *Code*, which defines "disciplinary default" as:

- a) discreditable conduct
- b) neglect of duty
- c) deceit
- d) improper disclosure of information
- e) corrupt practice
- f) abuse of authority
- g) improper use and care of firearms
- h) damage to police property
- i) misuse of intoxicating liquor or drugs in a manner prejudicial to duty
- j) conduct constituting an offence
- k) being a party to a disciplinary default, or
- l) improper off-duty conduct

Internal discipline complaints concern the relationship between a police officer and his or her employer.

Service or policy complaints are allegations that the policies, procedures and services provided by a municipal police department are inappropriate or inadequate.

Role of the Police Complaint Commissioner

The Office of the Police Complaint Commissioner provides information about mediation, support services or other assistance that may be available, including translation.

If there is a complaint against municipal police in British Columbia, the Office of the Police Complaint Commissioner can assist either party in:

- ❖ understanding what is happening
- ❖ making sure they are aware of their rights and what these rights mean
- ❖ giving information that may be missing or helping to find information, and
- ❖ helping to find a support person, if necessary.

The Police Complaint Commissioner:

- ❖ confirms or recharacterizes a complaint
- ❖ reviews all decisions made by a discipline authority
- ❖ may overturn the decision of a discipline authority
- ❖ may order further investigation into a complaint
- ❖ may order an external investigation by another police department and may appoint an observer to that investigation, and
- ❖ determines whether a public hearing will be held or recommends a public inquiry under the *Inquiry Act*

What happens to a public trust complaint?

Resolving complaints informally

Complaints may be resolved informally by face to face discussions, by letter, by telephone, or with the assistance of a professional mediator. The Office of the Police Complaint Commissioner has a list of mediators. The list must be provided to the complainant.

The person making the complaint may withdraw his or her complaint at any time by notifying the discipline authority or the Office of the Police Complaint Commissioner, or both.

The complaint is resolved when both the complainant and respondent give their signed consent. The complainant is the person alleging a grievance; the respondent is the officer complained of.

Either party has 10 days to withdraw his or her consent in writing. Otherwise, the informal resolution set out in the letter is final and binding.

Summary dismissal

Under the *Police Act*, a discipline authority may dismiss a public trust complaint if satisfied that:

- ❖ it is frivolous or vexatious
- ❖ there is no reasonable likelihood that further investigation will produce evidence of a public trust default, or
- ❖ the complaint concerns a matter that occurred more than 12 months before the complaint was made

If a discipline authority summarily dismisses a public trust complaint, the reasons must be provided to the complainant, the officer and the Police Complaint Commissioner within 10 business days of making the decision.

If a complainant disagrees with the decision to dismiss the complaint, he or she can apply for a review of the decision by the Police Complaint Commissioner.

The Police Complaint Commissioner examines all decisions and reasons for summary dismissals, even if no review is requested by the complainant. The Police Complaint Commissioner either confirms the decision or orders the discipline authority to investigate the complaint.

Investigation of public trust complaints

The discipline authority must investigate the complaint if:

- ❖ informal resolution is not attempted or is unsuccessful, or
- ❖ the Police Complaint Commissioner orders an investigation

The investigation can be referred to another municipal police department for an external investigation, if it is in the public interest. A discipline authority can refer the investigation to another police department, or the Police Complaint Commissioner can order it.

An observer from the Office of the Police Complaint Commissioner may be appointed to observe an investigation.

Pre-hearing Conferences

The discipline authority can offer the officer a pre-hearing conference to determine whether the officer is willing to admit a public trust default and, if so, what disciplinary or corrective measures the officer is willing to accept.

The officer can accept the disciplinary or corrective measures suggested by the discipline authority. The complainant will be informed of this, and can request a public hearing. Unless the Police Complaint Commissioner orders a public hearing, the resolution is final.

Discipline Proceedings

A discipline proceeding for the officer must be held if a pre-hearing conference is not conducted, or if the pre-hearing conference did not result in the resolution of the complaint.

The complainant must receive at least 15 days notice of a disciplinary proceeding. The complainant is allowed to provide written and oral submissions prior to the disciplinary proceeding being held.

In selecting disciplinary or corrective measures, a discipline authority must choose measures to correct and educate officers, rather than measures intended to blame and punish.

Unless the Police Complaint Commissioner orders a public hearing, the resolution is final.

Request for a Public Hearing

An officer has a right to a public hearing regarding any disciplinary or corrective measures imposed greater than a verbal reprimand.

Both the officer and the complainant have the right to apply to the Police Complaint Commissioner for a public hearing in all other matters.

In deciding whether such a hearing is necessary in the public interest, the Police Complaint Commissioner must consider:

- ❖ the seriousness of the complaint
- ❖ the seriousness of the harm alleged to have been suffered by the complainant
- ❖ whether there is a reasonable prospect that a public hearing would assist in ascertaining the truth
- ❖ whether an arguable case can be made that:
 - there was a flaw in the investigation
 - the disciplinary or corrective measures proposed are inappropriate or inadequate, or
 - the discipline authority's interpretation of the *Code of Professional Conduct* was incorrect, and/or
- ❖ whether a hearing is necessary to preserve or restore public confidence in the complaint process or in the police

Public Hearings

The *Police Act* empowers the Police Complaint Commissioner to order public hearings on complaints, based on whether such a hearing is in the public interest.

The Office of the Police Complaint Commissioner and the Office of the Chief Judge of the Provincial Court of British Columbia have co-operated in producing rules that will guide public hearings. Public hearings may be held in Victoria or Vancouver, and are before a judge of the Provincial Court named as an adjudicator.

The steps in the public hearing process are:

1. The Police Complaint Commissioner orders a public hearing and informs the Chief Judge of the Provincial Court.
2. The Chief Judge assigns a judge and schedules a place and time for the public hearing.
3. The Police Complaint Commissioner notifies all interested parties.
4. The Police Complaint Commissioner counsel develops an agreed statement of facts and issues with the respondent and the complainant.
5. The public hearing takes place.
6. The judge's decision in the matter is communicated to all interested parties.
7. An appeal on a question of law only may be made to the B.C. Court of Appeal.

Internal Discipline Complaints

The principles of labour law apply to investigating and processing internal discipline complaints. The public trust complaint process does not apply.

In serious matters involving an officer's duty to the public, the Police Complaint Commissioner is likely to re-characterize internal discipline complaints as public trust complaints.

Service or Policy Complaints

Service or policy complaints are the responsibility of each police board. A board may:

- ❖ request that the chief constable investigate and report to the board
- ❖ initiate a study
- ❖ initiate an investigation
- ❖ dismiss the complaint with reasons

The police board must advise the Police Complaint Commissioner and the complainant of the results, including what course of action, if any, was taken. A summary of the results of any investigation or study must also be provided.

The Police Complaint Commissioner cannot require a board to take any particular course of action regarding a service or policy complaint, but may make recommendations.

The Complaint Process

HOW PUBLIC TRUST COMPLAINTS CAN BE RESOLVED				
COMPLAINT MADE	INVESTIGATION	PRE-HEARING CONFERENCE	DISCIPLINARY PROCEEDING	PUBLIC HEARING
<ul style="list-style-type: none">• Informal resolution■• Complaint resolved■• Complaint dismissed■• Complaint formally lodged▶	<ul style="list-style-type: none">• Informal resolution with or without mediation■• Complaint dismissed■• Complaint unresolved▶	<ul style="list-style-type: none">• Discipline or corrective measures proposed for police force member▶	<ul style="list-style-type: none">• Complaint resolved■• Complaint dismissed■• Discipline or corrective measures proposed for police force member■• Request for a public hearing▶	<ul style="list-style-type: none">• Complaint resolved■• Discipline or corrective measures imposed on police force member■• Complaint dismissed■

Overview and Summary of Complaints

During 1998, the Police Complaint Commissioner exercised statutory powers and duties in relation to public trust complaints of diverse allegations. The Commissioner:

- ❖ confirmed and overturned characterizations and summary dismissals
- ❖ confirmed and ordered the suspension of proceedings pending the conclusion of criminal trials
- ❖ reviewed requests for public hearings and inquiries
- ❖ ordered investigations
- ❖ appointed an observer to an investigation
- ❖ reviewed the withdrawal of complaints to determine if duress was involved in the withdrawal

Complaints ranged from allegations of uncivil behaviour to concerns about an emergency response team or crowd control unit.

The Office of the Police Complaint Commissioner had 205 complaint files to deal with in the first six months of operation. Of that, 148 were new complaints, lodged between July 1, 1998 and Dec. 31, 1998. The remaining 57 were complaint files carried over from the previous police complaint process. Forty-eight per cent of the complaint files were concluded in 1998.

There are 2,006 municipal police officers in British Columbia. On average, there was one complaint for every 10 officers in 1998.

Almost all the complaints lodged were classified as public trust complaints. Most complaints were of abuse of authority (54 per cent of complaints), followed by neglect of duty (22 per cent), and discreditable conduct (14 per cent). The remaining complaints were for conduct constituting an offence, improper off-duty conduct and improper disclosure of information.

Case Summaries

Informal Resolution of Complaints

- ❖ The complainant attended a large public event. Afterwards, he tried to leave the downtown area in his car. His efforts were blocked by a traffic barricade. The complainant alleged that the police officer working traffic duty at the intersection prevented him from exiting the block, threatened the complainant with a violation if he attempted to exit, and failed to remove the barricade in a timely fashion.

The complainant subsequently indicated that "time heals all" and that he had no desire to take the matter any further. The complainant indicated that he was satisfied with the investigation of his complaint, and that the traffic officer had been made aware of his concerns. An informal resolution was agreed to and signed by the complainant and the officer.

- ❖ The complainant called 911 to report a theft-in-progress. The attending officer was told that two individuals were attempting to remove property belonging to the complainant. The officer accepted the explanation given by the two individuals and allowed them to leave with what was later confirmed to be the property of the complainant.

The complainant subsequently wished that the matter be informally resolved. He wanted only that the officer be made aware of his concerns and that a report of the theft be taken for insurance purposes. The internal investigation identified that the officer's actions had placed the police department in a position of liability for loss of the property. The department reimbursed the complainant for the insurance deductible costs.

- ❖ The complainant said that an unmarked police vehicle drove through an intersection against a red light without using emergency lights or siren. The same vehicle sped through a second intersection, cutting off oncoming traffic and narrowly missing a concrete divider, again without using emergency equipment. The vehicle description given by the complainant was identical to the vehicles used by four departments in the area. The investigator was unable to identify the particular vehicle or driver involved in the incidents complained of.

The complaint was informally resolved between the investigator and the complainant. The investigator met with all department members, bringing to their attention department policy on the use of warning lights and sirens when crossing intersections against traffic.

- ❖ The complainant alleged that a traffic patrol officer had "staged a mock emergency vehicle situation ... [using] a shocking, deafening siren... in order to test driver response." The officer had pulled over the complainant's vehicle and yelled, "That's not the way to stop for an emergency vehicle." The complainant said that "[w]hat is most disturbing is the rage within which this officer operated. ... [i]f I had deserved a ticket, I would have received it honourably. Public image is very crucial to police work. This type of behaviour is demeaning and destructive."

The complainant consented to an informal resolution of the complaint. The constable's supervisor explained the department's roadside stop policy and procedure to the complainant. The supervisor also spoke to the constable about the complainant's view.

- ❖ The complainant said two police officers detained her in a busy restaurant, grabbing her arm and shouting at her to stand back from them and hand over her identification. They concluded that she was not the female they were looking for but did not apologize for their treatment of her. Instead, one officer loudly lectured her on the kind of treatment she should expect for frequenting known hangouts of prostitutes and drug dealers.

The officers apologized to the complainant, explaining that they may have over-reacted under the circumstances. They had been investigating a serious stabbing incident involving a blonde female who was reported to be at the restaurant at the time they questioned the complainant.

- ❖ The complainant left a nightclub in the early morning hours with a group of friends. The complainant alleged that, while standing on the sidewalk, a police car suddenly mounted the sidewalk and ran over his right foot. The complainant alleged that he received bruising to his foot and damage to his shoes.

After speaking to the officer and several independent witnesses, the investigator disputed the complainant's version of the facts, most notably that the police vehicle ever mounted the curb at any time. The complainant indicated his desire to informally resolve the complaint. The complainant was compensated for the repair of his shoes.

- ❖ Police responded to a 911 call from a person at a nightclub, advising of a visible minority male threatening a patron with a handgun. The club was in the process of closing. The officers allowed all the patrons to exit before performing high-risk takedowns on two males who met the description given by the caller. These males had left the club separately. One man was in possession of a handgun. The second male and his vehicle were searched but nothing was found. The second man was allowed to leave. Police did not give him an explanation for their actions. The man made a written complaint, alleging that he had been targeted because of his skin colour. He said the instructions given by police during the takedown had been unclear and added to his confusion and frustration.

The complainant met with a police representative who reviewed the circumstances of the incident with him and the procedures followed by police in such cases. The police department agreed that refresher training on takedowns would be given to officers. This was satisfactory to the complainant.

Summary Dismissal of Complaints

- ❖ The complainant alleged that an officer submitted a false or unfounded police report that resulted in criminal charges against the complainant. The complainant stated that he was "disappointed in [the officer's] irresponsible, thoughtless handling of this most serious matter."

The investigator found that the officer's investigation had been thorough. The chief constable summarily dismissed the complaint, as there was no reasonable likelihood that further investigation would produce evidence of a disciplinary default.

- ❖ The complainant alleged that a constable had telephoned him to attempt to coerce him into dropping a civil lawsuit. The caller allegedly advised the complainant that there were criminal charges forthcoming against him, but if the complainant dropped his civil lawsuit against X, the caller would work something out on the pending charges.

The investigator found no substance or foundation to the allegations and summarily dismissed the complaint as being frivolous and vexatious.

- ❖ A complainant said he observed two police officers detaining a man on the street. He felt they were using unnecessary force. He approached the officers, and told them there was no reason for such violence. He alleged one officer hit him in the chest with both hands, pushing him onto the street. The complainant stated he was hit with such force that his chest was still sore three days later. He said he had done nothing to provoke the assault, and that the officer was unjustified in using force against him.

The chief constable dismissed the complaint because the investigation found no disciplinary default by the officer. This was an arrest of a person known to police to be violent, who could have gotten out of control. The officers were responding to the risk that anyone approaching them from the crowd might actively interfere or distract them sufficiently to lose control of the arrest situation. The suspect was not handcuffed when the complainant approached close behind the officer. The officers exercised their discretion in response to the overall situation. In hindsight, the officer's decision to push the complainant away may not have been the best or only course of action.

Investigated and Concluded

- ❖ The complainant alleged that he was a victim of police violence and harassment. He said that he was arrested by three officers while standing at a bus stop. He complained that one officer twisted his arm and threw him onto the ground and another officer hit him with his knee in the back of his neck, causing him to strike his face on the ground. The complainant also said he was held in custody for 36 hours.

The investigation into the complaint was hindered by the complainant having moved. Efforts were made to contact him but were unsuccessful. The complainant's counsel cited client privilege and declined to assist the investigator in contacting the complainant. The complaint investigation was completed without the complainant's input, and was concluded as unfounded.

Withdrawal of Complaint

- ❖ The complainant alleged that the officers treated her rudely and with excessive force when she was arrested in her apartment. She had been awakened by the officers. She described her arrest: *Officer X was pretty testy. Decided I was under arrest. No chance to even wake up and light a smoke or put my shoes on.*

The complainant withdrew the complaint five days later, after meeting with the arresting officer and the sergeant responsible for internal investigations. She was satisfied with the officer's explanation of events surrounding her arrest.

- ❖ The complainant said that he was walking down the street when he was struck from behind by a police officer, taken to the ground and placed under arrest. The complainant alleged that his knee and face struck the pavement, and that he continues to have pain in his back and leg. The complainant met with a police investigator, and some time later withdrew his complaint. Not long afterwards, he contacted the Office of the Police Complaint Commissioner claiming that the withdrawal had been made under duress.

The Police Complaint Commissioner issued a bulletin on duress for the future guidance of the police departments.

Disciplinary Action Taken

- ❖ A police constable was asked by a friend whether the friend's neighbour was known to police. The police constable inquired within the department as to the neighbour's involvement in criminal activity and passed this information to his friend.

The police investigation found that the information disclosed was inconsequential but recommended the formal implementation of a system within the detective division to prevent any future misunderstandings with regards to disclosure of records.

- ❖ A police constable, after advising a 16-year-old female about the dangers of hitchhiking, posed inappropriate personal sexual questions during a conversation that took place in the police vehicle. The complainant did not want to lodge a formal complaint against the constable, but wanted an explanation why the constable asked personal, inappropriate questions.

The police department recommended direction to the constable to undertake special training, and delivered a verbal reprimand.

- ❖ A female complainant reported that, during a personal relationship with a police officer, he had run a criminal record check on her. The constable claimed "police officers should only associate with people who are of good character and moral ethics," and that because of past dealings he had, he wanted to ensure that he only dealt with that kind of person.

The constable received a verbal reprimand. It was suggested the correct course of action would have been to contact his supervisor. He could then have requested that a formal background check be conducted since it would then have been an issue of agency security.

- ❖ A complainant alleged an on-duty officer entered his residence and assaulted him. The complainant and the officer were personally acquainted. Another police department conducted an external criminal investigation into the officer's conduct. Crown counsel declined to proceed with criminal charges against the officer.

The officer admitted to being at fault. He began counselling immediately after the incident. The circumstances that led to the incident were unusual and unlikely to reoccur. The officer received a verbal reprimand. The complainant was satisfied with this outcome.

Service or Policy Complaints

- ❖ During a motor vehicle stop, a complainant was arrested and transported to jail, where she was held for three hours before being released. The complainant alleged that "after my release I couldn't remember where they had parked my car and I was stranded late at night in an unsafe section of downtown."
- ❖ A complainant was arrested at a downtown nightclub and taken to police cells. She was held for several hours and then released. The complainant said "it was about 4:30 a.m. when I was finally let out into a back lane ... it was horribly frightening to be left alone with no way to get home at that time of night in that part of town."
- ❖ During a motor vehicle stop, a complainant was arrested for outstanding parking tickets, transported to jail, and released. The complainant alleged she was "left to exit in alley at 2:30 a.m. to wait for taxi in a dangerous neighbourhood. Had to walk one block to find him."

The police department reports it has instructed that a jail policy be enacted to ensure that individuals leaving the jail who request a taxi will be allowed to remain in the building until the taxi arrives. They will be escorted to the taxi if that is requested.

Conferences and Workshops

Conferences

As part of the ongoing commitment to education and training, staff members of the Office of the Police Complaint Commissioner attended the following conferences during 1998:

- ❖ 9th Annual Meeting and Conference, Canadian Association of Police Boards, Edmonton, Alberta, Aug. 20-22, 1998
- ❖ Legal Issues in Policing: Recent Developments, Salt Spring Island, B.C., Sept. 25, 1998
- ❖ Police Futures Group, Canadian Association of Chiefs of Police, Toronto, Ontario, Oct. 1-2, 1998
- ❖ Canadian Association for Civilian Oversight of Law Enforcement (CACOLE), Vancouver, B.C., Oct. 15-17, 1998
- ❖ 7th Annual Ethics Conference, The Southwestern Law Enforcement Institute, Dallas, Texas, Oct. 28-30, 1998
- ❖ Regina Police Service, Internal Affairs and Ethics Seminar, Regina, Saskatchewan, May 11-14, 1998

CACOLE Annual Conference

The Canadian Association for Civilian Oversight of Law Enforcement (CACOLE) held its annual conference in Vancouver.

Representatives from across Canada participated in panel discussions on First Nations and Civilian Oversight, Issues Facing Oversight Agencies and Administrative Tribunals, Informal Resolutions, Audits and Police Standards, and Police Shootings. Guest speakers included MP for Notre-Dame-de-Grace-Lachine, Marlene Jennings; British Columbia Attorney General Ujjal Dosanjh; B.C. Supreme Court Justice Wallace Oppal; Inspector General and Chief of the National Police of Haiti, Eucher Luc Joseph; and retired New York City Police officer Frank Serpico.

7th Annual Ethics Conference

Deputy Commissioner Matt Adie represented the Office of the Police Complaint Commissioner at the 7th Annual Ethics Conference of the Southwestern Law Enforcement Institute, held in Dallas, Texas.

Presentations on ethics and police work were made at the conference. Topics ranged from the importance of ethics in recruit training and the beneficial impact of women in policing, to ethical considerations in hostage negotiations and armed standoffs.

Canadian Association of Police Boards

The Canadian Association of Police Boards held its 9th Annual Meeting and Conference in Edmonton. The conference provided delegates with the opportunity to learn about the different ways the public complaints process is delivered in Canada.

Don Morrison, the Police Complaint Commissioner for B.C., and Murray Chitra, Chair of the Ontario Civilian Commission on Police Services, spoke about their respective province's complaint systems. Ontario and B.C. had new complaint systems instituted within one year of each other. Although the systems are quite different, both Mr. Morrison and Mr. Chitra said informal resolution is crucial to the success of a complaint system. Mr. Patrick Knoll, Chairman of the Alberta Law Enforcement Review Board, and a member of the Board of Directors of the Canadian Association for Civilian Oversight in Law Enforcement (CACOLE), gave an overview of the public complaint system, emphasizing that the police service is strengthened through vigilant oversight. Alberta has a formal third-party mediation model that has resulted in over 50 successful mediations in the last three or four years. The B.C. Office of the Police Complaint Commissioner is looking into that process.

Workshops

Police Futures Group

The Police Futures Group of the Canadian Association of Chiefs of Police held a workshop in Toronto on a proposed code of police practice.

The workshop was chaired by Chief John Lindsay of the Edmonton Police Service. Presentations were made by Chief Robert Lunney (retired), Police and Security Consultant; Deputy Chief Ron Bain, Peel Regional Police; Mr. D.D. Graham Reynolds, Criminal Prosecutions, Toronto Regional Office, Department of Justice; Dr. Margaret Beare, Director, Nathanson Centre for the Study of Organized Crime and Corruption; Professor Dianne Martin, Osgoode Hall Law School; Mr. Don Morrison, B.C. Police Complaint Commissioner; and Superintendent Robert A. Connell and Ms. Tonita Murray of the Police Futures Group.

Presentations stimulated vigorous discussion, and a number of inter-related questions about a code of police practices. There was general agreement that a code could be useful, coupled with warnings that it would not be a panacea. While a code might encourage greater uniformity and better police practices across Canada, it is not enough on its own to bring about systemic or cultural change.

❖ The focus and form of a code

There was debate about whether a code should take the form of model policies, checklists, or some other structure. There was no definitive answer on whether a code should concentrate on legal authorities or quality control.

❖ Standards

There are currently no standard practices. Attaining national practice uniformity will be difficult and perhaps impossible, but should still be sought.

❖ Accountability

Police may now be challenged to show how they have changed their practices as a result of Charter decisions, the recommendations of inquiries, and other public policy decisions. If a code were developed, it is likely that police would be judged by the degree to which they adhered to it.

❖ Training and Education

There was considerable discussion about the importance of training and education to ensure investigative competence, accountability, ethical and lawful conduct and understanding of the rule of law.

❖ Credibility

Given that many professions and occupational groups develop their own standards of performance and conduct, there was some question of why it should be different for the police. The public credibility test would be whether or not the code was found to be efficacious in encouraging good police practices.

❖ Liability

Liability was discussed in a number of contexts: the potential liability of police for negligent investigations, the possibility of their being held liable for not following a code of police practice if it were in existence, and the possibility of CACP liability for endorsing a code subsequently found to be faulty or inadequate.

❖ Role of Government

There were several suggestions that government, in particular the Solicitor General of Canada, be engaged once more in giving policy direction and leadership in policing.

❖ Systemic Problems

It was recognized that there are factors beyond the orbit of individual police officers that contribute to less than perfect investigations. These include limited resources spread too

thinly, lack of prioritization of investigative demands, absence of common case management systems, faulty information sharing, and lack of leadership.

❖ Culture, Core Values and Ethics

A common thread through the workshop was the importance of police culture, core values and ethics in determining the quality of police investigations. Changes in police practice start with organizational change, such as hiring and promotion of police officers. There is a need for more research on predisposing factors in police corruption and on leadership in organizations.

The Way Forward . . .

The Police Complaint Commissioner has set a number of goals to be achieved in 1999. Following are some of the key areas which have been targeted.

Web Page (www.opcc.bc.ca)

The Office of the Police Complaint Commissioner will have a web page online in 1999. It will contain essential information on the Office of the Police Complaint Commissioner, including: the legislation and necessary forms, *Police Act* guidelines, the annual report, decisions from public hearings, how to contact the Office of the Police Complaint Commissioner, information on making a complaint, organization charts, staff responsibilities, and statistical information. Complainants will be able to communicate with the Office of the Police Complaint Commissioner electronically.

Receiving Complaints

The office will ensure that lodged complaints (Form 1's) forwarded to police agencies meet standards of completeness so a proper investigation of the complaint can be done. This will be done by increasing staff availability to assist complainants in filling out the required form. Information brochures will be produced and distributed to meet the needs of identified language groups.

Tracking Complaints

The Office of the Police Complaint Commissioner will implement a computerized complaint tracking system. The new system will enhance abilities to track complaints at each stage of the process. The Office of the Police Complaint Commissioner will be able to quickly and easily produce statistical reports in an easy to understand format. The reports will be available to the public.

Outreach

Community Outreach

Closer links will be established with the Victim Services Branch of the Ministry of Attorney General and training will be made available to them.

Office staff will continue to participate in community sessions.

Police Outreach

By the end of 1999, all municipal constables in British Columbia will have participated in information sessions on the new complaint process presented by the Office of the Police Complaint Commissioner. Links will be maintained with the B.C. Federation of Police Officers, the B.C. Association of Municipal Police Chiefs, and with the 12 municipal chief constables.

External Outreach

Representatives from the Office of the Police Complaint Commissioner will present papers at the CACOLE (Canadian Association of Civilian Oversight of Law Enforcement) conference, this year hosted by Saint John, New Brunswick and at the 8th Annual Ethics Conference, hosted by the Southwestern Legal Foundation in Dallas, Texas. Training courses for staff include "Internal Affairs: Legal and Operational Issues" offered by the International Association of Chiefs of Police, and "Internal Affairs, Professional Standards and Ethics" offered by the Southwestern Law Enforcement Institute.

The Office of the Police Complaint Commissioner will participate in the "Internal Affairs" course in British Columbia, presented by the Justice Institute.

Getting the Information . . .

The Police Complaint Commissioner is required to establish and maintain a record of complaints pursuant to s. 50(2)(b) of the *Police Act*, and include the dispositions related to those complaints.

In order that a proper record of complaints and their dispositions, whether lodged or not, is established and maintained, the Police Complaint Commissioner will work with the municipal police departments:

- ❖ To establish a consistent complaint data collection and reporting process that represents all complaints, and
- ❖ To ensure that each internal discipline complaint and its disposition is reported and reflected in the Police Complaint Commissioner's record of complaints.

Research projects that will be initiated or supported by the Police Complaint Commissioner in 1999, as part of an ongoing analysis of the complaint and complaint investigation process, will include:

- ❖ A review of complaints and complaint dispositions not reflected by currently reported complaint statistics, and
- ❖ A survey of complainant and respondent satisfaction with the complaint process.

Appendices

Statistics

Table 1

Active Complaint Files

	<i>Abbotsford</i>	<i>Central Saanich</i>	<i>Delta</i>	<i>Esquimalt</i>	<i>Nelson</i>	<i>New Westminster</i>	<i>Oak Bay</i>	<i>Port Moody</i>	<i>Saanich</i>	<i>Vancouver</i>	<i>Victoria</i>	<i>West Vancouver</i>	<i>TOTAL</i>
Files Transitioned on July 1, 1998 *	6	1	4	0	0	2	0	0	1	37	3	5	57
Files Opened July 1 to December 31, 1998	7	3	4	4	4	8	0	1	7	84	20	6	148
Total Lodged Complaints **	13	4	8	4	4	10	0	1	8	119	23	11	205
<i>Public Trust</i>	13	4	8	4	4	10	0	1	8	116	23	11	202
<i>Service and Policy</i>	0	0	1	0	0	1	0	0	0	4	0	0	6
<i>Internal Discipline</i>	1	0	0	0	0	0	0	0	0	0	0	0	1
Total Complaint Files Concluded	6	3	4	2	0	5	0	0	4	46	18	10	98
Active Complaint Files on January 1, 1999	7	1	4	2	4	5	0	1	4	73	5	1	107

Table 1 reflects the total lodged complaints under the new system for 1998. Of the 205 complaints, 57 were B.C. Police Commission files. The other 148 complaints were lodged during the July 1-December 31, 1998 period.

* As of July 1, 1998, there were 57 B.C. Police Commission complaint files still active. These were transitioned (i.e. "transferred") to the new system under the Office of the Police Complaint Commissioner.

** There are three categories of complaint under Part 9 of the *Police Act*. These categories are *public trust*, *service and policy*, and *internal discipline*. Complaints can also be characterized as compound complaints, meaning complaints in more than one category. There were five such complaints filed in 1998.

Chart 1
Lodged Complaints: July to December 1998

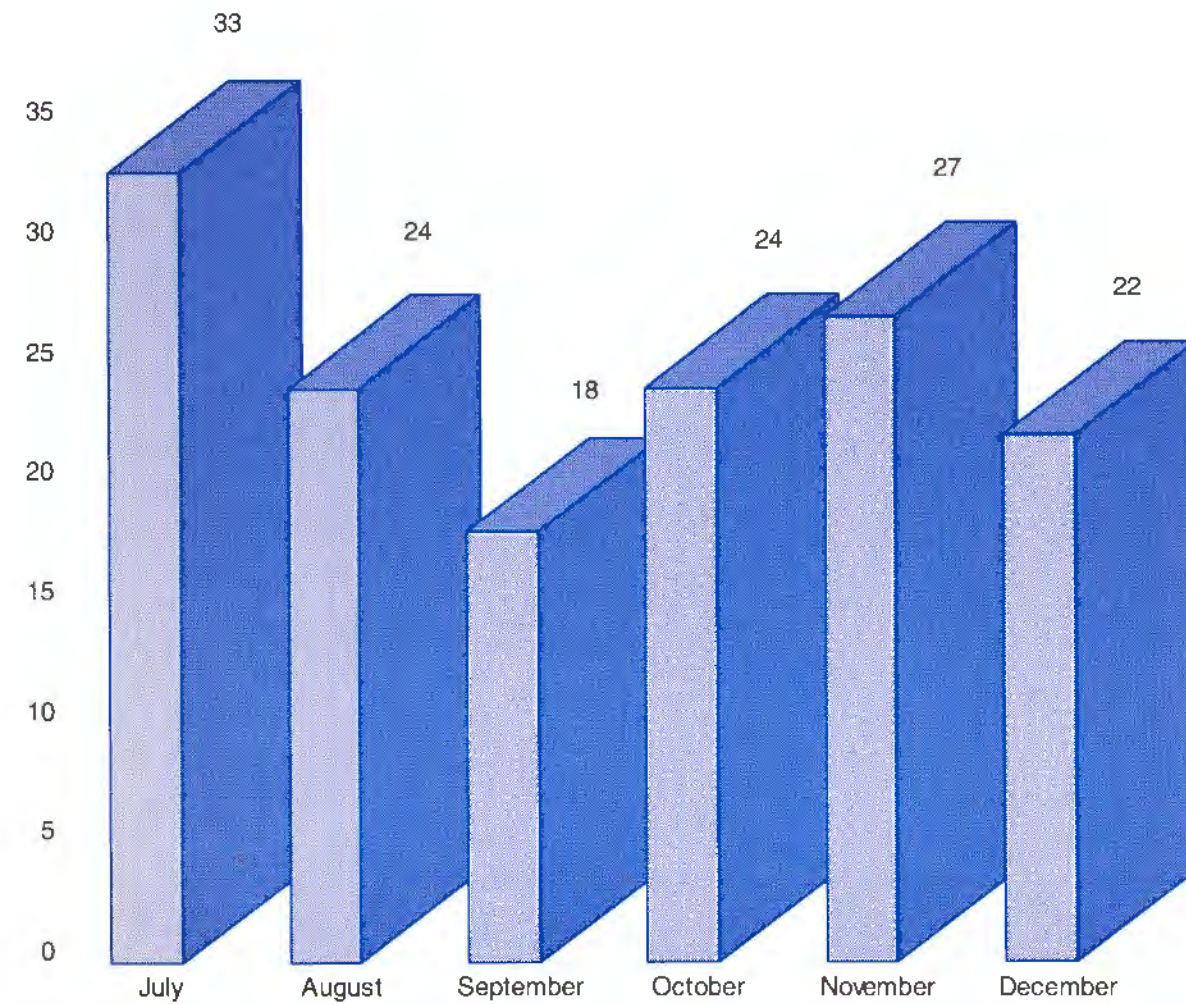
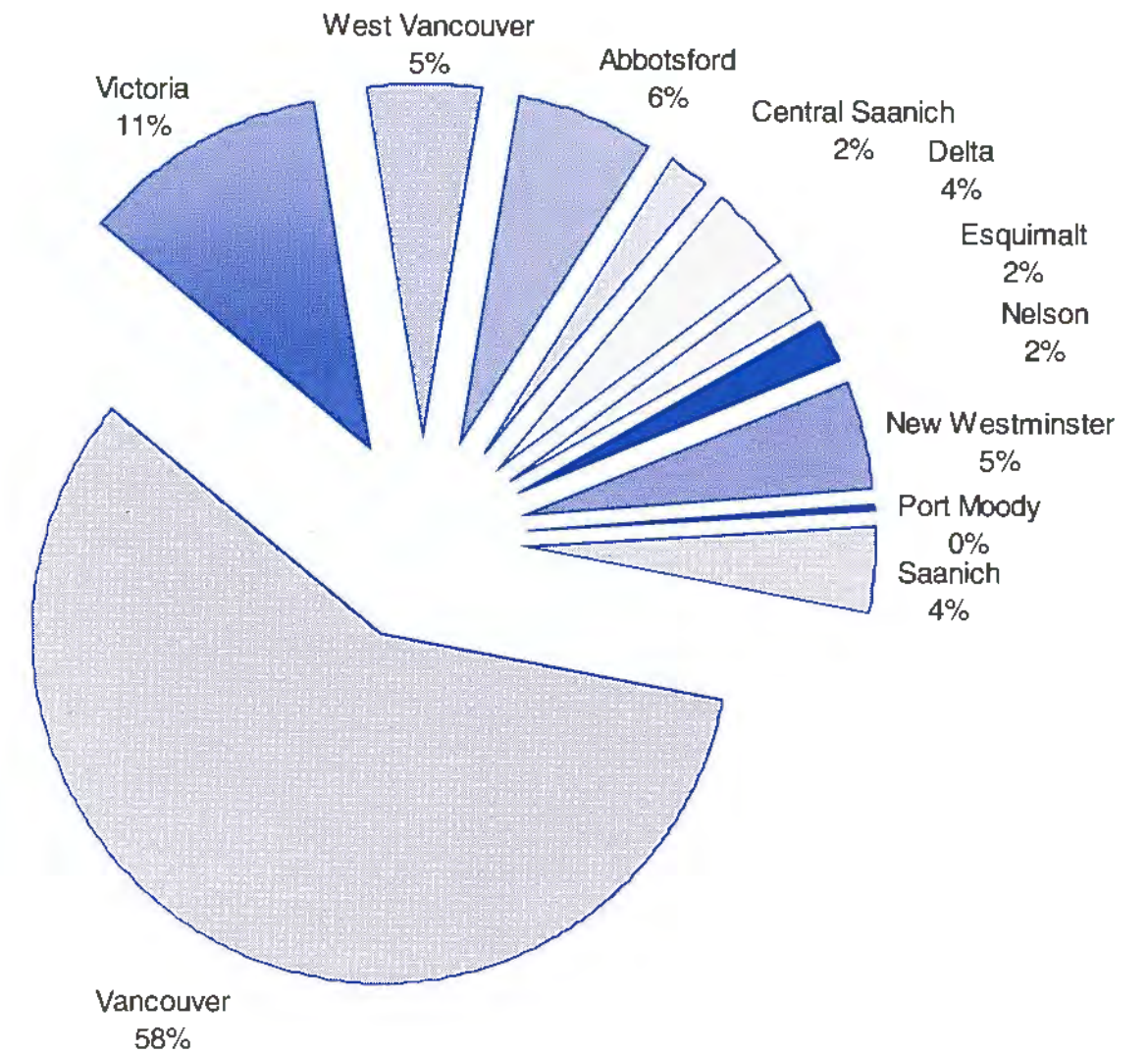


Chart 2
Complaints Lodged by Department



The Oak Bay Police Department is not represented on this chart, as that department did not receive any lodged complaints between July 1 and December 31, 1998.

The Port Moody Police Department received only one complaint during this time period, resulting in their 0% portion of the above chart.

Table 2

Complaint Clearance Rate by Department

	Complaint Files Opened	Complaint Files Concluded	Clearance Rate
<i>Abbotsford</i>	13	6	46%
<i>Central Saanich</i>	4	3	75%
<i>Delta</i>	8	4	50%
<i>Esquimalt</i>	4	2	50%
<i>Nelson</i>	4	0	0%
<i>New Westminster</i>	10	5	50%
<i>Oak Bay</i>	0	0	n/a
<i>Port Moody</i>	1	0	0%
<i>Saanich</i>	8	4	50%
<i>Vancouver</i>	119	46	39%
<i>Victoria</i>	23	18	78%
<i>West Vancouver</i>	11	10	91%
TOTAL	205	98	48%

Table 2 illustrates the complaint clearance rates of the 12 municipal police departments in 1998: the number of lodged complaints, including complaints carried over from the B.C. Police Commission, contrasted with the number of complaints concluded for the year.

Fifty-two percent of the complaints lodged in 1998 were still on-going as of January 1, 1999. The life span of a lodged complaint in 1998 ranged from three weeks to ten months.

Criminal proceedings can result in a complaint file remaining active until the proceedings are concluded, which may be longer than one year. This situation is rare. There were 10 complaint files suspended pending the outcome of criminal proceedings out of the 205 public trust complaints of 1998.

Table 3

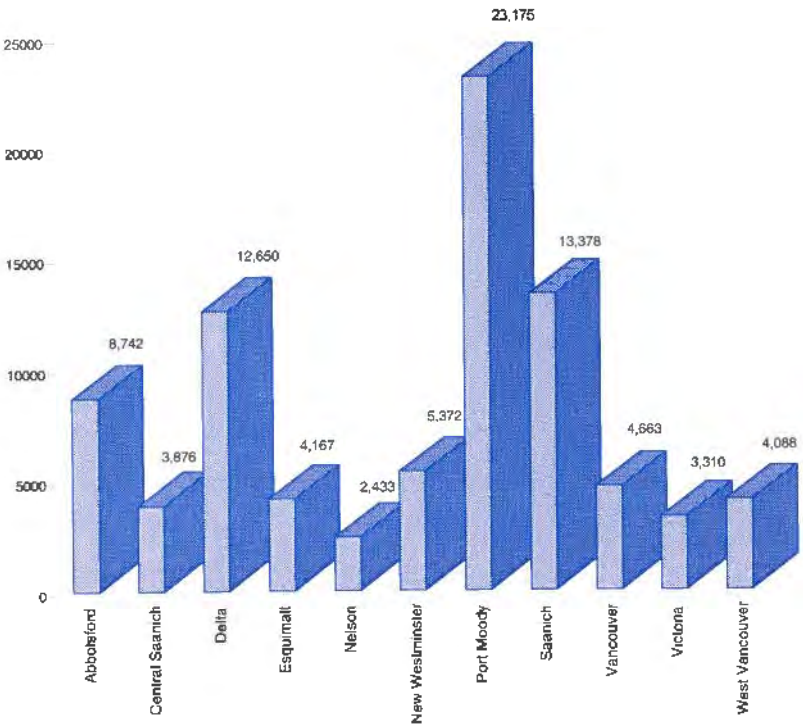
Police Strength and Population Served

The total number of lodged complaints should be considered in the context of the police member strength per department, and the population policed by each department. The population numbers are based on an estimate by Canada Census for 1998.

	Police Officers	Population	Number of Complaints
<i>Abbotsford</i>	137	113,645	13
<i>Central Saanich</i>	20	15,502	4
<i>Delta</i>	138	101,202	8
<i>Esquimalt</i>	26	16,667	4
<i>Nelson</i>	17	9,733	4
<i>New Westminster</i>	102	53,723	10
<i>Oak Bay</i>	22	18,173	0
<i>Port Moody</i>	32	23,175	1
<i>Saanich</i>	132	107,026	8
<i>Vancouver</i>	1125	554,900	119
<i>Victoria</i>	178	76,121	23
<i>West Vancouver</i>	77	44,968	11

Chart 3

Population per Complaint



Oak Bay is not included in these two charts, as the Oak Bay Police Department received no complaints in 1998.

Chart 4

Police Officers per Complaint

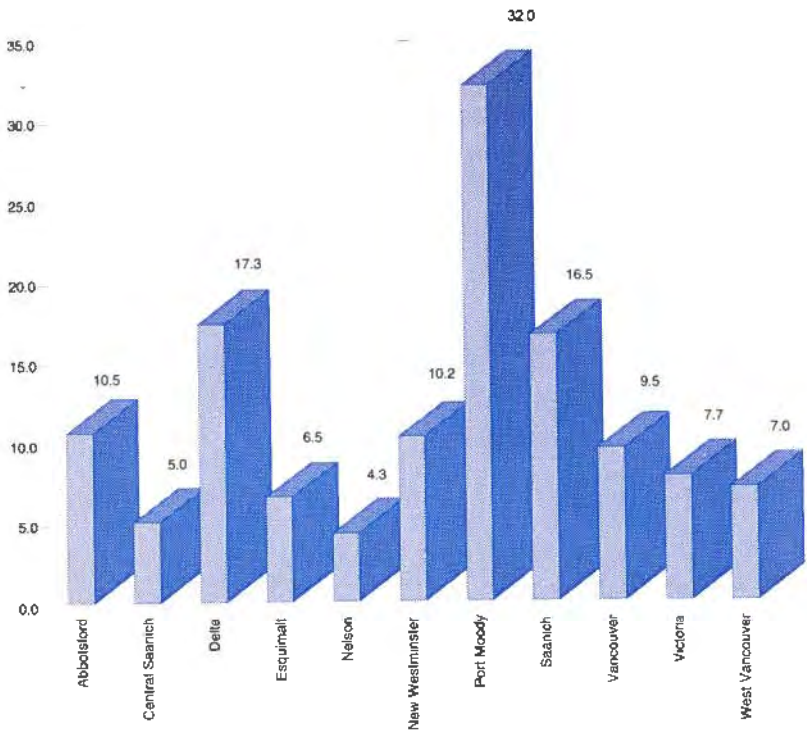
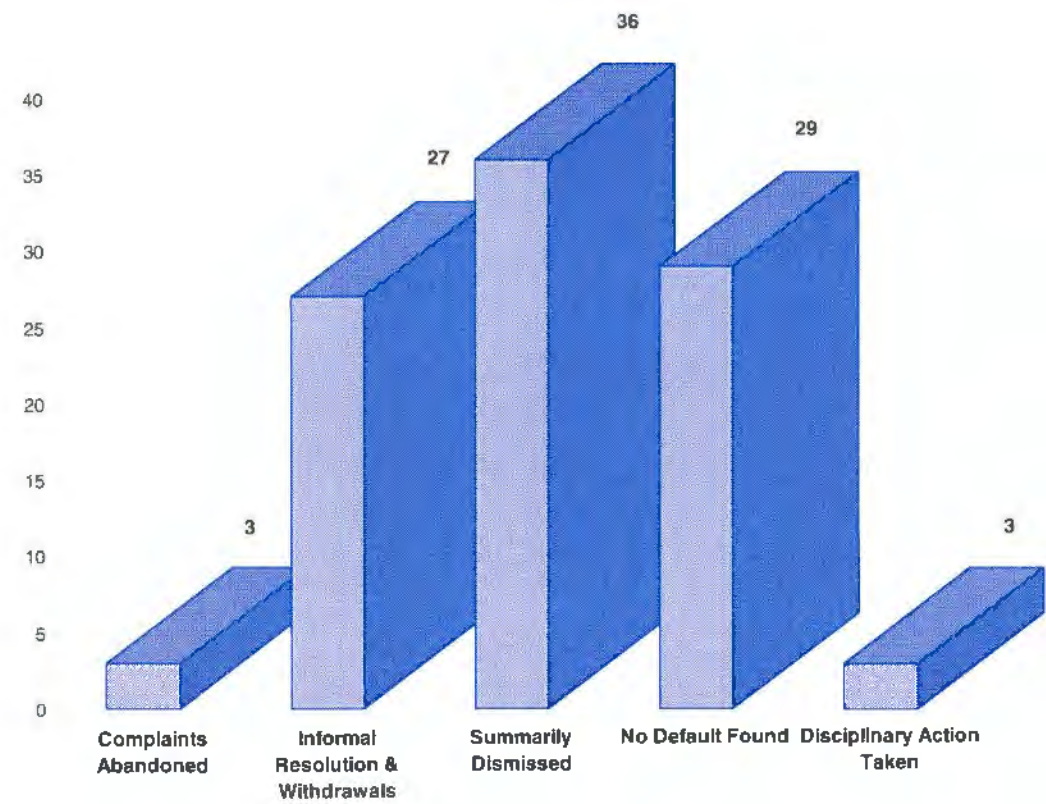


Table 4

Public Trust Complaint Disposition:
July 1 to December 31, 1998

	Abbotsford	Central Saanich	Delta	Esquimalt	Nelson	New Westminster	Oak Bay	Port Moody	Saanich	Vancouver	Victoria	West Vancouver	TOTAL
Total Public Trust Complaints	13	4	8	4	4	10	0	1	8	116	23	11	202
Complaints Abandoned	0	0	0	0	0	0	0	0	0	2	1	0	3
Informal Resolutions and Withdrawals	1	0	2	2	0	1	0	0	0	15	5	1	27
Summarily Dismissed	1	2	1	0	0	2	0	0	1	14	10	5	36
Investigated: No Default Found	4	1	1	0	0	0	0	0	3	15	1	4	29
Investigated: Disciplinary Action Taken	0	0	0	0	0	2	0	0	0	0	1	0	3
Verbal Reprimand	0	0	0	0	0	1	0	0	0	0	1	0	
Written Reprimand	0	0	0	0	0	1	0	0	0	0	0	0	
Suspension	0	0	0	0	0	0	0	0	0	0	0	0	
Training or Other	0	0	0	0	0	1	0	0	0	0	0	0	
Total Concluded Public Trust Complaints	6	3	4	2	0	5	0	0	4	46	18	10	98

Chart 5
Public Trust Complaint Disposition



Abandoned complaints are those that a police department cannot pursue because the citizen who filed the complaint cannot be located.

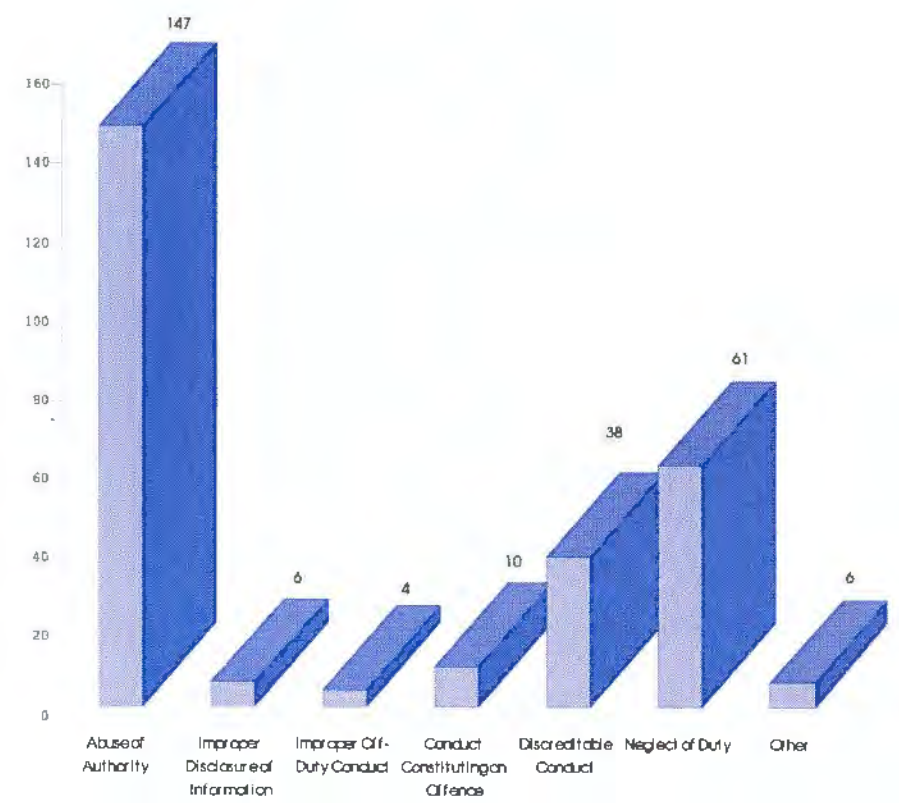
Informal resolutions are complaints that are resolved informally, usually without a full investigation of the allegations. A complaint cannot be informally resolved without the consent of both parties.

Summary dismissals are complaints where the discipline authority found no reasonable likelihood that further investigation would produce evidence of a public trust default, and dismissed the complaint prior to a full investigation.

No default found signifies complaints that were fully investigated, and where no default on the part of the police officer was found.

Disciplinary action taken signifies complaints that were fully investigated, a default was found, and disciplinary action was taken.

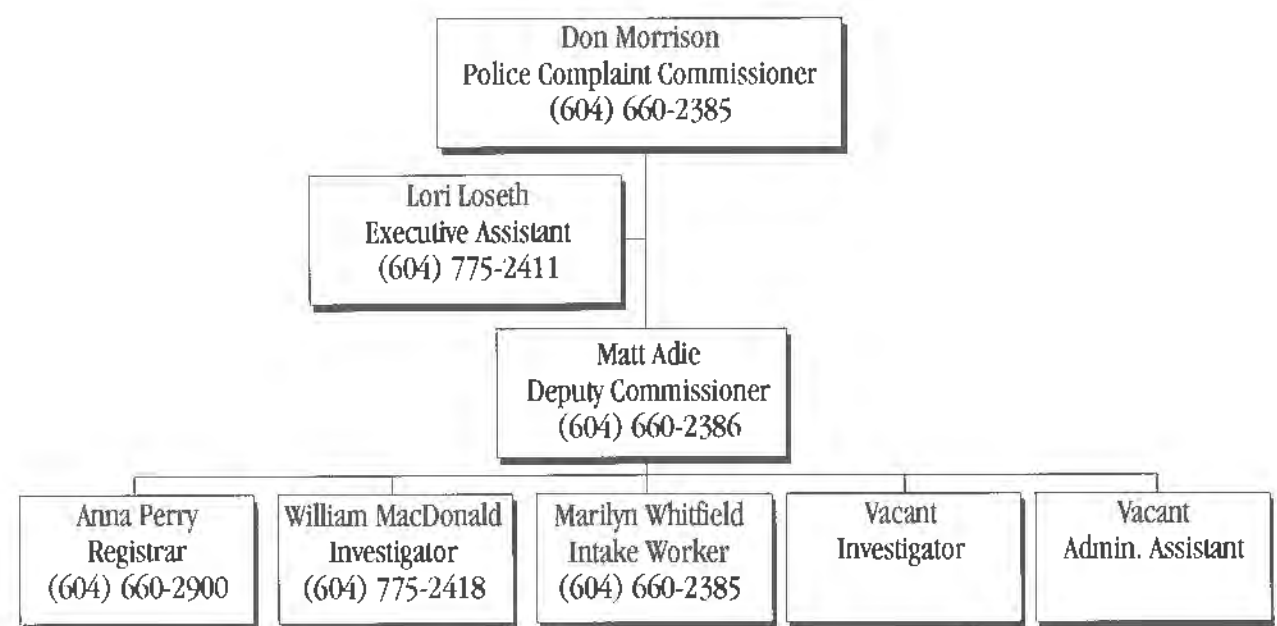
Chart 6
Public Trust Complaint Allegations of Disciplinary Defaults



Allegations are unproven disciplinary defaults as set out in the *Code of Professional Conduct*. The percentages above are based on a total of 202 public trust complaints lodged in 1998, including the 57 transitioned from the B.C. Police Commission.

A complaint may contain more than one allegation. The 202 public trust complaints for 1998 contained 272 allegations.

Organization Chart



Budget

Fiscal Year ending March 31, 1999

Number of Staff	6
Salaries and Benefits	\$437,807.00
Other Operating Expenditures	\$399,193.00
TOTAL	\$837,000.00

List of Mediators

Section 54.1 (8) of the *Police Act* requires that:

"The Police Complaint Commissioner must make available a list of support groups and neutral dispute resolution service providers and agencies that may assist complainants with the informal resolution process under this section, and the person with whom a public trust complaint is lodged must provide that list to the complainant when the complaint is lodged."

The following persons have agreed to be listed as neutral dispute resolution providers / mediators for this purpose:

Marilou Carrillo	(604) 875-9832
Terry Harris	(604) 683-3516
Jim Toogood	(604) 241-2601
Deborah White	(604) 515-7541
Ted Matthews	(250) 360-0685
Ron Monk	(250) 539-5404

The following sections of the *Act* directly relate to the use of neutral dispute resolution providers / mediators.

Section 54.1 (5) of the *Act* states:

"The discipline authority may, for the purposes of informally resolving a complaint under this section, do one or both of the following:

- (a) use any one or more means of alternate dispute resolution;
- (b) enlist the assistance of a neutral and independent person as mediator."

Section 54.1 (11) of the *Act* states:

"The complainant or respondent may ask the police complaint commissioner to appoint a mediator, if one has not already been enlisted under subsection (5) (b), and the police complaint commissioner may appoint a mediator if the police complaint commissioner considers it appropriate."

Should you require an *interpreter*, information or assistance with this or any other aspect of your complaint you may contact the Office of the Police Complaint Commissioner directly.

List of Support Groups

Section 54.1 (8) of the *Police Act* requires that:

"The Police Complaint commissioner must make available a list of support groups and neutral dispute resolution service providers and agencies that may assist complainants with the informal resolution process under this section, and the person with whom a public trust complaint is lodged must provide that list to the complainant when the complaint is lodged."

The following agencies have agreed to be listed as support groups for this purpose:

Inter-cultural Association of Greater Victoria

930 Balmoral Rd.
Victoria, B.C.
V8T 1A8

Contact: Jean McRae
Executive Director
Tel: (250) 388-4728
Fax: (250) 386-4395

British Columbia Civil Liberties Association

425-815 West Hastings Street,
Vancouver, B.C.
V6C 1B4

Contact: Murray Mollard
Policy Director
Tel: (604) 687-2919

S.U.C.C.E.S.S.

28 West Pender Street,
Vancouver, B.C.
V6B 1R6

Contact: Joseph Lau
Program Director
Tel: (604) 408-7238

Vancouver Police and Native Liaison Society

324 Main Street,
Vancouver B.C. V6A 2T2

Contact: Freda Ens
Executive Director
Tel: (604) 687-8411
Fax: (604) 682-2967

Complainants are not limited to this list in choosing a support group or person.

Section 54.1 (9) of the *Act* states:

"In the informal resolution process, a complainant may enlist the assistance of a support person of the complainant's choice or may ask the police complaint commissioner to appoint a support person for the complainant."

A support person's involvement in the informal resolution process is set out in Section 54.1 (10) of the *Act*:

"A support person, enlisted or appointed under subsection (9), may

- (a) be present at any interview about the complaint and at any mediation or informal resolution, and
- (b) participate at any of those sessions with the consent of the respondent."

Should you require an *interpreter*, information or assistance with this or any other aspect of your complaint you may contact the Office of the Police Complaint Commissioner directly.

Contact Names and Numbers

Office of the Police Complaint Commissioner
Suite # 900 - 1111 Melville Street
Vancouver, BC V6E 3V6

Phone: (604) 660-2385

Fax: (604) 660-1223

Toll free outside of Vancouver:
Call Enquiry BC @ 1-800-663-7867
and ask to be connected to the
Office of the Police Complaint Commissioner.

Contact municipal police forces directly in:

Abbotsford	(604) 859-5225
Central Saanich	(250) 652-4441
Delta	(604) 946-4411
Esquimalt	(250) 385-1441
Nelson	(250) 354-3919
New Westminster	(604) 525-5411
Oak Bay	(250) 592-2424
Port Moody	(604) 461-3456
Saanich	(250) 475-4321
Vancouver	(604) 717-3535
Victoria	(250) 995-7654
West Vancouver	(604) 925-5938

Complaints against the RCMP in British Columbia should be directed to:

7337 - 137 Street, Suite 102,
Surrey, BC
V3W 1A4

Phone: (604) 501-4080
Toll free: 1-800-665-6878