

ANNUAL ACTIVITY REPORT

ROYAL NEWFOUNDLAND CONSTABULARY
PUBLIC COMPLAINTS COMMISSION

APRIL 1, 2010 – MARCH 31, 2011

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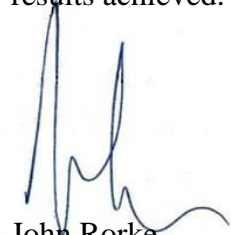
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Message from the Commissioner

I am pleased to present the Annual Activity Report on behalf of the Office of the Royal Newfoundland Constabulary Public Complaints Commission for the period April 1, 2010 to March 31, 2011.

I am honoured to have been reappointed Commissioner in September 2010 for a term of five years and I look forward to many new challenges, as well as the ongoing business and activities set out in the activity plan of the Commission for the period 2011-14.

As Commissioner, and in accordance with government's commitment to accountability, I hereby submit the 2010-11 Annual Activity Report which reports on the activities of the Commission. This activity report was prepared under my direction, and I accept accountability for the actual results achieved.



John Rorke
Commissioner

Who Are We?

The Royal Newfoundland Constabulary Public Complaints Commission was established by legislation in May 1993 and operates pursuant to Part III of the *Royal Newfoundland Constabulary Act, 1992*. Its purpose is to provide members of the public with an independent forum for their complaints against Royal Newfoundland Constabulary officers.

The Royal Newfoundland Constabulary Public Complaints Commission functions independently of both the Department of Justice and of the Royal Newfoundland Constabulary, reporting directly to the people of Newfoundland and Labrador through the Speaker of the House of Assembly. The role of the Commissioner, under powers conferred through the *Royal Newfoundland Constabulary Act, 1992*, is to receive and maintain a registry of complaints made by members of the public against police officers, and to ensure that they are dealt with in accordance with the provisions of Part III of the *Act* which provides a framework for investigating, hearing and deciding complaints and handling appeals. Additionally, it is open to the Commissioner to make recommendations to appropriate authorities respecting matters of public interest related to police services.

An essential component of a civil society is an effective police service in which citizens have implicit confidence. Civilian oversight of police actions, like that carried out by this Commission, helps to maintain this public confidence.

The Commission is comprised of a part time Commissioner, full time Manager, half time administrative support, contractual investigators and a panel of adjudicators.

To Reach Us

We can be reached by mail, email, telephone, or in person at:

RNC Public Complaints Commission
Suite E160, Bally Rou Place,
280 Torbay Road
St. John's, NL
A1A 3W8

Telephone: (709) 729-0950
FAX: (709) 729-1302

Web Page: www.gov.nl.ca/rncpcc
E-mail: RNCCComplaintsCommission@gov.nl.ca

Our Mandate

The mandate of the Commission is dictated by statute, Part III of the *Royal Newfoundland Constabulary Act, 1992*; the Regulations made under that *Act*; the decisions of the panel of adjudicators; decisions of the law courts arising directly from appeals of the decisions of the Commission and its adjudicators; and decisions affecting the governance of administrative bodies generally.

The Commission's mandate is to investigate, hear and decide complaints from the public alleging unbecoming conduct on the part of members of the Royal Newfoundland Constabulary which is liable to discredit the force and bring it into public disrepute. A second equally important role is to process appeals made by Royal Newfoundland Constabulary members who have been subjected to internal discipline as the result of a public complaint and are themselves dissatisfied with the decision made or the punishment meted out by the Chief of Police or his delegate.

The role of the Commission is to receive and maintain a registry of all complaints received, and to ensure that they are all advanced and concluded appropriately and in a timely manner.

Our Primary Clients

The Commission serves members of the public who are affected by the conduct of members of the Royal Newfoundland Constabulary, providing them with a public avenue to voice their dissatisfaction about conduct unbecoming to Royal Newfoundland Constabulary members of all ranks which is improper or liable to discredit the force.

In turn, we provide to those same police officers an opportunity to appeal decisions made and disciplinary measures meted out by the Chief of Police in response to the public complaints.

Our Vision

An environment where the public has access to established mechanisms of review of complaints concerning police conduct.

Our Values

The Commission strives for excellence in providing high standards of professional service to all persons engaged in its process.

At the core of our activities are these guiding values:

Transparency: Each person communicates openly to ensure a fair and just process.

Independence: Each person ensures the independence of this office by acting in an unbiased, neutral manner in the delivery of duties.

Fairness: Each person strives for consistency in approach to clients.

Confidentiality: Each person is committed to safeguarding the confidentiality of private information obtained in the conduct of work.

Complaints and Appeals

The following table provides an overview of operational activities of the Commission during this review period.

Activity	Total
Complaints carried forward from previous years	19
Complaints filed during 2010-11	32
Total active public complaints as of March 31, 2011	19
Files concluded	31
Appeals filed	10
Appeals carried forward	3
Appeals concluded	2
Total active appeals as of March 31, 2011	7
Public hearings in progress	1
Referrals to Chief Adjudicator to conduct a public hearing	1
Appeals to the Trial Division of the Supreme Court of NL	1

Eleven requests to have a complaint form mailed were received. Of the 11 forms distributed, only four completed complaints were returned.

General Inquiries

Commission staff responds to all inquiries concerning public complaints and assists all persons who need information or redirection regarding their concerns. There were 16 inquiries to the Commission that were handled without a formal complaint process.

Activities

Objective: By March 31, 2011 the RNC Public Complaints Commission will have enhanced awareness of its role to the police and to the public.

Measure: Enhanced awareness

Indicator	Results
Updated Information Brochure	A review of information contained in the brochure indicated that all information is still current, making updates unnecessary.
Distributed brochure to key locations	Key locations maintained a supply of brochures from the initial distribution and did not need additional copies. Brochures were distributed to eleven individuals requesting information on filing a public complaint or the public complaint process. The Commission also participated in Law Day Activities by providing brochures for public display and use.
Delivered information sessions to Royal Newfoundland Constabulary recruits	During July 2010 the Commissioner gave a presentation to Royal Newfoundland Constabulary recruits on the role and responsibilities of the Commission.
Number of participants at information sessions	Approximately 25 recruits attended this session.

The 2008-11 Activity Plan of the Royal Newfoundland Constabulary Public Complaints Commission has now concluded. A new Activity Plan covering the period 2011-2014 has been developed which will provide strategic direction for the Commission for that period.

In consideration of Government's strategic directions and those of the Department of Justice, the Royal Newfoundland Constabulary Public Complaints Commission will continue its focus on enhancing access by the public to the Commission.

In keeping with this focus, the Commission maintains a long standing association with other national and international oversight agencies who also share the same commitment of advancing the concept, principles and application of oversight of law enforcement.

- **Canadian Association for Civilian Oversight of Law Enforcement (CACOLE)**
CACOLE is a national non-profit organization of individuals, commissions and agencies involved in the oversight of law enforcement of federal, provincial, municipal and First Nations police officers in Canada. This office maintains an annual membership with CACOLE and the Commission's Manager is a long time member of the Board of Directors of CACOLE. For more information, please visit CACOLE's website at www.cacole.ca.

Opportunities and Challenges

The Commission will continue to be guided by its mandate to provide for greater public accountability by police.

In our 2009-10 Activity Report we noted that the majority of complaints from members of the public made directly at the office of the Royal Newfoundland Constabulary were not being formalized as 'public complaints' under Section III of the *Royal Newfoundland Constabulary Act, 1992*. We are pleased to report that during this reporting period we met with Royal Newfoundland Constabulary representatives and have a commitment that they will advise us of all complaints from the public received directly by their office.

Financial Statements

Expenditure and revenue figures included in this document are based on public information provided in the Report on the Program Expenditures and Revenues of the Consolidated Revenue Fund for Fiscal Year Ended 31 March 2011 (unaudited).

4.1.03. PUBLIC COMPLAINTS COMMISSION

	Estimates		
	Actual	Amended	Original
	\$	\$	\$
01. Salaries.....	102,324	102,500	86,900
02. Employee Benefits.....	975	1,000	400
03. Transportation and Communications.....	2,997	6,100	7,900
04. Supplies.....	1,647	1,900	1,500
05. Professional Services.....	103,728	139,300	140,000
06. Purchased Services.....	41,433	44,900	44,600
07. Property, Furnishings and Equipment.....	611	700	700
Total: Public Complaints Commission.....	253,715	296,400	282,000