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**The Municipal Police
in
British Columbia**

Complaint Process

**Office of the
Police Complaint Commissioner**

If you disagree with the department's decision to dismiss your complaint, you can apply for a review of the decision by the Police Complaint Commissioner.

Investigation and Conclusion

Your complaint will be investigated if it is not informally resolved or summarily dismissed, or if the police complaint commissioner orders an investigation. Your complaint will be investigated by the police department involved, or may be referred by the Police Complaint Commissioner to another police department to investigate.

The investigation into your complaint must be completed within six (6) months after the date you filed the approved form. The Police Complaint Commissioner may grant an extension of this time.

If you are unhappy with the results of the investigation into your complaint, you may apply to the Police Complaint Commissioner for a public hearing.

Request for a Public Hearing

After receiving your request for a public hearing, the Police Complaint Commissioner will consider the following factors before making a decision:

- ◆ The seriousness of the complaint
- ◆ The seriousness of the harm done
- ◆ Whether a public hearing is needed to discover the truth
- ◆ Whether there was a flaw in the investigation into the complaint done by the police department
- ◆ Whether a public hearing is necessary to restore or preserve public confidence in the complaint process and in the police.

The Commissioner will then approve or deny the request for a public hearing. If approved, the public hearing is conducted before a retired judge, called an adjudicator. Once a decision has been reached at the Public Hearing, the only appeal available to that decision is by the Court of Appeal on questions of law only.

The *Police Act* and other information on the process is available on the Internet through our web page at www.opcc.bc.ca.

MUNICIPAL POLICE IN B.C. THE COMPLAINTS PROCESS

There are twelve municipal police forces in British Columbia, policing the communities of:

- ◆ Abbotsford
- ◆ Central Saanich
- ◆ Delta
- ◆ Esquimalt
- ◆ Nelson
- ◆ New Westminster
- ◆ Oak Bay
- ◆ Port Moody
- ◆ Saanich
- ◆ Vancouver
- ◆ Victoria
- ◆ West Vancouver

If you have a complaint about any member of these police departments, or a complaint about the department itself, this publication outlines the procedure for you to follow.

Most other areas of the province are policed by the RCMP. There is a separate process for complaints about a member of the RCMP. Their telephone number is located at the back of this guide.

How can this office help you?

If you have a complaint against municipal police in British Columbia, the Office of the Police Complaint Commissioner can:

- ◆ **help you understand** the complaint process
- ◆ make sure you are **aware of your rights** and what they mean
- ◆ assist you in ensuring you all have the **information** you need to file **your** complaint,
- ◆ help you find a **support** person, if necessary, and
- ◆ direct you or your complaint to the appropriate police department.

The Police Complaint Commissioner is:

- ◆ An Officer of the Provincial Legislature
- ◆ Independent of government
- ◆ Responsible to monitor investigations into complaints against police

The Police Complaint Commissioner is *not*:

- ◆ Part of the police
- ◆ An elected politician

Who can make a complaint?

Anyone who has concerns about the actions or comments of a municipal police officer or the service provided by a municipal police department may make a complaint.

How do I make a complaint?

A complaint must be made in writing, on an approved form. A sample of this form is attached. You can deliver this in person or by mail to the police department involved or to the Office of the Police Complaint Commissioner.

If you need assistance in making a complaint, the Office of the Police Complaint Commissioner will help you to fill out the form, and will provide you with information about mediation, support services and translation.

If you change your mind, you may withdraw your complaint at any time.

What happens to my complaint?

The Office of the Police Complaint Commissioner will send your complaint to the police department for investigation. They must report to the Police Complaint Commissioner at each stage of their investigation to advise him of what is happening with each complaint. You -- the complainant -- are also provided with ongoing information about your complaint.

Your complaint will be resolved in one of three ways:

1. Informal Resolution
2. Summary Dismissal
3. Investigation and Conclusion

Informal Resolution

Complaints may be resolved informally by face to face discussions, by letter, by telephone, or with the assistance of a professional mediator. A complaint is resolved when both parties to the complaint (you and the police officer) have given their signed consent, after which either party has 10 days to withdraw his or her consent in writing. Otherwise, the informal resolution is final and binding.

Summary dismissal

Your complaint may be dismissed if there is no likelihood that further investigation would produce evidence which could substantiate your complaint, or if the complaint concerns a matter that occurred more than twelve (12) months ago.

CONTACT NUMBERS

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

Ph: (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.

The Office of the Police Complaint Commissioner can also be reached
through our web page at www.opcc.bc.ca.

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) 925-7300

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

If you know someone who may require assistance in a language other than English, the Office of the Police Complaint Commissioner can help arrange for translation services.