

**The Royal Newfoundland Constabulary
Public Complaints Commission**

Activity Plan

2011-14

Message from the Commissioner:

The Royal Newfoundland Public Complaints Commission is pleased to submit its activity plan for the period 2011-14.

I have prepared this plan in accordance with the provisions of the *Transparency and Accountability Act* which classifies the Commission as a Category 3 Government Entity and requires the preparation of performance-based plans every three years.

The enclosed plan has been prepared following consideration of the strategic directions of the Department of Justice, of which none are applicable at this time. My signature below is indicative of the Commission's accountability for this Plan, as well as for the achievement of the objective contained therein.

A handwritten signature in blue ink, appearing to read 'John Rorke', is written over a faint, light blue horizontal line that spans across the page.

John Rorke,
Commissioner

Overview

The Royal Newfoundland Constabulary Public Complaints Commission operates pursuant to Part III of the *Royal Newfoundland Constabulary Act, 1992*. The sole Commissioner is appointed by the Lieutenant Governor in Council and serves on a part-time basis, supported by a team consisting of a full-time manager, a half-time secretary, and investigators and adjudicators. The Commission functions as an independent, quasi-judicial body. The Commissioner and the adjudicators make considered and reasoned decisions at arms-length from Government, and the Commission is required by Section 39 of the *Royal Newfoundland Constabulary Act, 1992* to report at least annually to the House of Assembly.

According to the *Estimates of the Program Expenditure and Revenue of the Consolidated Revenue Fund 2011-12*, the Commission operates with a budget of approximately \$286,000. The Commission is located at Bally Rou Place, Torbay Road, St. John's and is open to the public. The location is visibly removed from the precincts of Government and the forts of the Royal Newfoundland Constabulary (RNC). The suite includes a large room furnished and equipped for the conduct of public hearings.

The Commission provides civilian oversight to public complaints made against the conduct of members of the Provincial police force, and offers redress by appeal to members of the public or police officers who are dissatisfied with the disciplinary decisions of the Chief of Police.

The process made available by the Commission is designed to be a user-friendly avenue for the public expression of dissatisfaction with the conduct of police officers employed by the Province. The Commission is normally reactive, acting on written and signed complaints from persons claiming to be adversely affected by the police actions. Occasionally the Commission may independently make recommendations to the RNC respecting matters of concern or interest to the public relating to police services.

Our Mandate

The mandate of the Commission is dictated by statute, Part III of the *Royal Newfoundland Constabulary Act, 1992* and the Regulations made there under; the decisions of the panel of adjudicators, and decisions of the law courts arising directly from appeals of the decisions of the Commission and its adjudicators; as well as 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 RNC which is liable to discredit the force and bring it into public disrepute. A second equally important role is to process appeals made by RNC members who have been subjected to internal discipline as the result of a public complaint and are themselves dissatisfied with the decision made 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

Section 26(7) of the *Royal Newfoundland Constabulary Act, 1992* identifies those that are party to a public complaint as the Chief, the complainant and the police officer against whom the complaint was made.

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 through his/her unbiased neutral manner in the delivery of their duties.

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

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

Our Mission

The Royal Newfoundland Constabulary Public Complaints Commission, as a Category III Government Entity, has the option of adopting the Department of Justice Mission indicating how it contributes to that mission, or developing its own mission. The Commission acts as an arm's length entity and it is not appropriate to adopt the Mission Statement of the Department of Justice. The Departmental Mission is focused on the work of the Department and the Commission does not have a direct role in delivering that work. Development of a mission with measures and indicators would be redundant to the objectives which are already developed in the current activity plan.

Issue: Complaints as per Part III of the Royal Newfoundland Constabulary Act, 1992

The Royal Newfoundland Constabulary Public Complaints Commission has considered the strategic directions of the Department of Justice in the development of this plan and determined that none are applicable at this time.

As required by its enabling legislation, the Commission serves as an avenue of redress for members of the public wishing to complain about the conduct of an officer or the operational policies or procedures governing the manner in which a police officer discharges her or her duties.

Objective: By March 31, 2012, the RNC Public Complaints Commission will have responded to complaints from the public as per Part III of the *Royal Newfoundland Constabulary Act, 1992*.

Measure: Complaints responded to as per Part III of the *Royal Newfoundland Constabulary Act, 1992*

Indicators: Complaints reviewed to ensure compliance with Part III of the *Royal Newfoundland Constabulary Act, 1992*;
Compliant complaints registered;
Registered complaints investigated or delegated, as required;
All appeals investigated; and
Decisions on appeals rendered.

The focus of the Royal Newfoundland Constabulary Public Complaints Commission will be consistent over the three years of this Activity Plan. Each year the Commission will report on the results of the 2011-12, 2012-13 and 2013-14 indicators of this objective.