

**THE ROYAL NEWFOUNDLAND CONSTABULARY
PUBLIC COMPLAINTS COMMISSION**

PANEL OF ADJUDICATORS

ACTIVITY PLAN

2014 - 2017

Message from the Chief Adjudicator:

I am pleased to present the Activity Plan for the Royal Newfoundland Constabulary Public Complaints Commission Panel of Adjudicators (RNCPC Panel of Adjudicators) which outlines the objective for the period 2014-17. This plan was prepared under my direction and in accordance with the provisions of the *Transparency and Accountability Act*.

Adjudicators appointed in accordance with the *Royal Newfoundland Constabulary Act, 1992* are classified as a Category 3 Government Entity and, as such, must prepare an activity plan taking into consideration the strategic directions of the Provincial Government as communicated by the Minister of Justice. I have taken those strategic directions into account and have determined that none are applicable at this time.

As the Chief Adjudicator, and on behalf of the entire panel, I accept accountability for the preparation of this plan and the achievement of its objective.

A handwritten signature in blue ink, appearing to read 'J. McGrath', with a large, sweeping flourish above the name.

John McGrath, Q.C.,
Chief Adjudicator

Introduction/Overview

Section 29 of the *Royal Newfoundland Constabulary Act, 1992*, provides for the appointment of a panel of twelve lawyers to serve the Commission as adjudicators with one being named as chief adjudicator.

As per Section 28 of the *Act*, the Commissioner will forward matters to the chief adjudicator when a public hearing is deemed necessary. The chief adjudicator will hear the matter him/herself or assign it to another adjudicator. Hearings are considered public; however if it is considered by the adjudicator that for reasons outlined in Section 32 of the *Act*, all or part of the hearing may be held in private.

Mandate

The mandate of the panel of adjudicators is contained in the *Royal Newfoundland Constabulary Act, 1992*. Hearings are to be conducted without delay giving full opportunity to all parties to present evidence and make representations. It is the responsibility of the Commissioner of the Royal Newfoundland Constabulary Public Complaints Commission to determine which matters are referred to the adjudicators for hearing.

Values

Independence: Each adjudicator ensures their independence through his/her unbiased neutral manner in the delivery of their duties.

Fairness: Each adjudicator strives for consistency in his/her approach to all parties in proceedings before them.

Confidentiality: Each adjudicator is committed to safeguarding the confidentiality of private information obtained and entrusted to him/her in the conduct of his/her work.

Primary Clients

The primary clients of an adjudicator are defined in Section 30(1) of the *Act* as parties to a proceeding. They are:

- (a) the commissioner
- (b) the complainant
- (c) the subject officer(s)
- (d) the Chief (in the case of an appeal by the police officer)
- (e) a person who satisfies the adjudicator that he or she has a substantial interest in the complaint.

Vision

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

Mission

The Panel of Adjudicators for the Royal Newfoundland Constabulary Public Complaints 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's adjudicators do not have direct role at this time.

Development of a mission with measures and indicators would be redundant to the objective which is already developed in the current activity plan.

Issue – Inquiring into Complaints

The strategic directions of Government have been considered and none are applicable at this time. The following area has been identified as the key priority of the RNCPCCC Panel of Adjudicators. This is an activity plan for the period 2014-17 and each year the panel will report on the results achieved. The specific mandate given to the adjudicators as directed by the *Royal Newfoundland Constabulary Act, 1992*, will keep the focus of the adjudicators consistent over the next three years.

An Adjudicator has the powers of a commissioner appointed under the *Public Inquiries Act, 2006* when holding a hearing. These powers require that hearings be held without delay giving full opportunity to all parties to present evidence and make representations in person or through counsel.

Objective: Upon referral of a matter, the Adjudicator will have held public hearings to inquire into all matters referred to him or her and give full opportunity for the presentation of evidence.

Measure: Hearings held.

Indicators: Number of hearings held as required by the *Royal Newfoundland Constabulary Act, 1992*.
Number of decisions issued within three months of hearings.

The focus of the Royal Newfoundland Constabulary Public Complaints Commission's Panel of Adjudicators will be consistent over the three years of this Activity Plan period. This objective and associated measure and indicators will be utilized for the 2014-15, 2015-16, and 2016-17 fiscal years. Each year, the RNCPCCC Panel of Adjudicators will report on the results of its objective in its annual report.