

**Royal Newfoundland Constabulary Public  
Complaints Commission Panel of Adjudicators**

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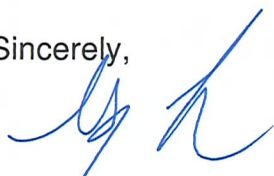
Annual Report 2020-21

## Message from the Chief Adjudicator

As Chief Adjudicator, and in accordance with government's commitment to accountability, I am pleased to submit the Annual Report on behalf of the Panel of Adjudicators for the Royal Newfoundland Constabulary Public Complaints Commission for the period April 1, 2020 to March 31, 2021.

The report is submitted in accordance with the Panel of Adjudicators' obligations as a Category Three Entity under the **Transparency and Accountability Act**. This Annual Report was prepared under my direction and I accept accountability for the actual results reported on behalf of the entire Panel of Adjudicators.

Sincerely,

A handwritten signature in blue ink, appearing to read 'G. French', written over a faint, illegible stamp.

**Gregory A. French, Q.C.**  
Chief Adjudicator

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## Overview

Section 29 of the **Royal Newfoundland Constabulary Act, 1992** (the “Act”), provides for the appointment of a panel of 12 lawyers to serve on the Panel of Adjudicators for the Royal Newfoundland Constabulary Public Complaints Commission (the Panel) 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 may hear the matter or may assign it to another adjudicator. Hearings are open to the public. If, however, it is considered by the adjudicator that the conditions set out in section 32 of the Act apply, all or part of the hearing may be held in private.

During fiscal year 2020-21, the Panel of Adjudicators was comprised of the following persons:

- Gregory A. French, Q.C., Chief Adjudicator
- Lisa Anne Byrne, Q.C.
- Andrew Conway
- Raymond Critch
- Kellie Cullihall
- Colleen Anne Hanrahan
- Kimberley R. Horwood
- Kimberly Mackay
- Mark Mills
- David A. Mills, Q.C.
- John V.B. O’Dea, Q.C.
- Andrew Wadden, Q.C.

## Mandate

The mandate of the Panel of Adjudicators is contained in the Act. It states that hearings are to be conducted without delay giving full opportunity to all parties to present evidence and make representation. It is the responsibility of the Commissioner of the Royal Newfoundland Constabulary Public Complaints Commission to determine which public complaints made under section 22 of the Act are referred to the adjudicators for hearing. Section 22 provides for public complaints to be made regarding the conduct of a police officer or the operational policies and procedures of the Royal Newfoundland Constabulary.

## Highlights and Partnerships

The Panel works in tandem with the Commissioner of the Royal Newfoundland Constabulary Public Complaints Commission to ensure that the requirements of the Act are fulfilled.

The Panel of Adjudicators also works with the Department of Justice and Public Safety on certain matters such as the reporting requirements under the **Transparency and Accountability Act** and the appointment of adjudicators.

## Activity Report

### Issue – Inquiring into Complaints

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. The Objective for the Panel of Adjudicators is consistent for the 2020-2023 planning period and the associated indicators will be reported on for each year of planning period. This report presents the activities of the Panel of Adjudicators during fiscal year 2020-21.

**Objective:** By March 31, each year, upon referral of a matter, the adjudicator will have held public hearings to inquire into all matters referred to him or her and given full opportunity for the presentation of evidence.

Indicators	Results
Number of hearings held as required by the Act.	Two hearings commenced during the reporting period as required by the Act. These hearing were in October 2020 and November 2020, respectively.
Number of decisions issued within three months of hearings.	During the reporting period, there were two decisions rendered. One hearing took place on October 1, 2020, and the decision was rendered October 18, 2020. The second matter was heard on November 3, 2020, and the decision was rendered November 6, 2020.

## Opportunities and Challenges

The terms of many of the Panel's adjudicators expired in 2020-21. While the adjudicators can continue until reappointed or replaced, updating the Panel's membership is important to it functioning effectively. The Panel is working with the Department of Justice and Public Safety to ensure the Panel duly constituted. There is an opportunity for new members to join which would bring new perspectives and experiences to the work of the Panel. Any returning members would offer the skills and experiences to ensure continuity is maintained.

## **Financial Report**

The Panel of Adjudicators does not have a separate budget. Expenses are captured under the budget of the Royal Newfoundland Constabulary Public Complaints Commission. For fiscal year 2020-21 no expenditures were required for the Panel of Adjudicators.