

ANNUAL ACTIVITY REPORT

**RNC PUBLIC COMPLAINTS COMMISSION
PANEL OF ADJUDICATORS**

April 1, 2010 – March 31, 2011

Message from the Chief Adjudicator

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

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

A handwritten signature in blue ink, appearing to read 'John McGrath', with a large, sweeping initial 'J'.

John McGrath
Chief Adjudicator

Background

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.

Section 29 of the *Royal Newfoundland Constabulary Act, 1992*, provides for the appointment of a panel of 12 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 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*. It states that 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.

Vision

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

Values

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

Fairness: Each adjudicator strives for consistency in approach to proceedings.

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

Primary Clients

The primary clients for the panel of adjudicators are the parties to a proceeding before an adjudicator. This includes the Commissioner (who shall have carriage of the matter), the complainant, the named officer, the Chief of Police (when the appeal is by an officer who is the subject of a complaint), or any other person who satisfies the adjudicator that he or she has a substantial interest in the complaint.

Activity

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.

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

Measure: Hearings held

Indicator	Actual Results
Hearings held as required by the <i>Royal Newfoundland Constabulary Act, 1992</i>	During this reporting period there was one public hearing in progress. Preliminary issues took two partial days. Further dates were reserved for evidence which will not be heard until the next reporting period.
Decisions issued within three months of hearings	The public hearing did not conclude and thus no decision was issued.

A new Activity Plan for the Royal Newfoundland Constabulary Public Complaints Commission's Panel of Adjudicators has been developed to guide its work from 2011-2014.

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.