

**ROYAL NEWFOUNDLAND CONSTABULARY
PUBLIC COMPLAINTS COMMISSION
PANEL OF ADJUDICATORS
ACTIVITY PLAN
2020-2023**

Message from the Chief Adjudicator:

I am pleased to present the Activity Plan for the Royal Newfoundland Constabulary Public Complaints Commission Panel of Adjudicators (Panel of Adjudicators) which outlines the objective for the period 2020-23. This plan was prepared under my direction and in accordance with the provisions of the **Transparency and Accountability Act**.

The Panel of Adjudicators is appointed in accordance with the **Royal Newfoundland Constabulary Act, 1992** and is classified as a Category 3 Government Entity. As such, it must prepare an Activity Plan taking into consideration the strategic directions of the Provincial Government as communicated by the Minister of Justice and Public Safety. Those strategic directions have been taken into account in the development of this plan.

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.



Gregory A. French, Q.C.
Chief Adjudicator

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Overview

Section 29 of the **Royal Newfoundland Constabulary Act, 1992** (“Act”), provides for the appointment of a panel of 12 lawyers to serve on the Royal Newfoundland Constabulary Public Complaints Commission (RNCPC) 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. The Panel of Adjudicators does not have a separate budget. Expenses are captured under the budget of the Royal Newfoundland Constabulary Public Complaints Commission.

As of April 1, 2020, 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

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 RNC. The Panel of Adjudicators does not present separate Lines of Business as they are reflected in the Mandate.

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.

Strategic Issue

Issue 1: Inquiring into Complaints

The strategic directions of Government have been considered. The following objective has been identified as the key priority of the Panel of Adjudicators for 2020-23. Over the next three years, the Panel of Adjudicators will discharge the specific mandate directed by the Act. 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 and given full opportunity to all parties to present evidence and make representations in person or through counsel. This objective and associated indicators will be utilized for 2020-23. Each year, the Panel of Adjudicators will report on the results of its objective in its annual report.

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:

- Number of hearings held as required by the Act.
- Number of decisions issued within three months of hearings.