

THE ROYAL NEWFOUNDLAND CONSTABULARY

PUBLIC COMPLAINTS COMMISSION

PANEL OF ADJUDICATORS

ACTIVITY PLAN

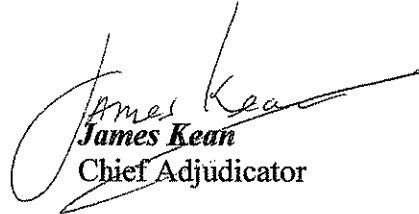
2007-2008

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 goals for the 2007-08 fiscal year. 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 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 I am accountable for the preparation of this plan and the achievement of its goals and objectives.


James Kean
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 their unbiased neutral manner in the delivery of their duties.

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

Confidentiality: Each adjudicator is committed to safeguarding the confidentiality of private information obtained and entrusted to them in the conduct of their 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 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 RNC Public Complaints Commission Panel of Adjudicators, as a Category III Government Entity, has the options of adopting the Department of Justice Mission indicating how it contributes to that mission, or developing its own mission. The Panel of Adjudicators remains neutral and unbiased in their relationship with Department and those they serve, and it is not appropriate to adopt the Mission Statement of the Department of Justice.

Given this, the intent of the mandate, and that this transition plan is for a one year period, development of mission with measures and indicators would be redundant of the objectives which are already developed in the current Activity Plan period. At the time of developing a multiyear plan (2008-2011) the Panel of Adjudicators will give further consideration to developing its own mission statement.

Issue

In consideration of Government's strategic directions and those of the Department of Justice, the following area has been identified as the key priority of the RNCPC Panel of Adjudicators. As this is an activity plan for one year the objective has an annual focus.

Issue: Adjudicate Hearings

An Adjudicator has the powers of a commissioner appointed under the Public Inquiries Act 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: By March 31, 2008, upon referral of a matter, the Adjudicator will have adjudicated matters referred to him or her.

Measure: Matters adjudicated.

Indicators: Number of Public Hearings held as required by the *Royal Newfoundland Constabulary Act, 1992*.
Number of decisions issued.