

ANNUAL ACTIVITY REPORT

RNC PUBLIC COMPLAINTS COMMISSION
PANEL OF ADJUDICATORS

April 1, 2009 – March 31, 2010

Message from the Minister

As Minister of Justice and Attorney General and the Minister with responsibility for the Royal Newfoundland Constabulary Public Complaints Commission Panel of Adjudicators, I hereby submit the 2009-10 Annual Activity Report of the Panel which details its activities from April 1, 2009 to March 31, 2010. In accordance with the *Transparency and Accountability Act* my signature below is indicative of the Panel's accountability for the results reported.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized loop that crosses itself, followed by a horizontal line extending to the right.

Felix Collins
Minister of Justice and
Attorney General

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 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*. 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. Eleven days or partial days were dedicated to scheduling and calling of evidence. This hearing did not conclude at the end of this reporting period.
Decisions issued within three months of Hearings	The public hearing did not conclude and thus no decision was issued.

As stated in the 2008-11 Activity Plan of the Royal Newfoundland Constabulary Public Complaints Commission, the Commission will report on this objective and indicators again in 2010-11.

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.