

Office of
the Police Commissioner



Prince Edward Island

2012

Annual Report of the Police Commissioner

Annual Report of the Police Commissioner for 2012

The office of the Police Commissioner (OPC) consists of Commissioner Hon. Gerard Mitchell, Deputy Commissioner Mr Roy Ridlington, and Manager/Senior Investigator Mr Paul Stetson.

The OPC deals with Requests for Review under Part VII and Complaints under Part VIII of the *Police Act*. [all references within to sections (s.) or subsections (ss.) are to the *Police Act*]

Section 19 of the *Police Act* requires the Police Commissioner to file an annual report for the preceding calendar year with the Attorney General within six months after the end of each calendar year. This is the report for the calendar year 2012.

Information Required by ss. 19(1)(a)-(e)

During the year 2012:

1. The Police Commissioner received five requests under s. 28 for review of a decision of a chief officer concerning complaints about the conduct of members of a police department. Four of the requests involved complaints containing allegations of unfair treatment on the part of police officers. One involved a complaint alleging inappropriate conduct in relation to a minor. All 5 requests for review were dismissed by the manager/investigator pursuant to ss. 29(3)(c)(i)(A) upon finding that the decision of the chief officer in each case was appropriate.
2. The Police Commissioner received no requests under s. 28 for review of any decision of the Director of the Atlantic Police Academy concerning complaints about instructing officers.
3. The Police Commissioner received one complaint under s. 35 concerning the conduct of a chief officer. The one complaint alleged unfair treatment in relations to picketing at a public event. The manager/investigator investigated the matter and dismissed the complaint pursuant to ss.40(3)(a) because in his opinion it was unfounded.
4. The Police Commissioner received no complaints under s.35 concerning the conduct of the Director of the Atlantic Police Academy.
4. The police Commissioner received one complaint under s. 35 concerning the conduct of a security police officer. The one complaint alleged inadequate investigation of a motor vehicle incident that occurred in a parking lot on the UPEI campus. This matter was informally resolved by the manager / investigator to the satisfaction of the parties pursuant to s.40(2).

5. The Police Commissioner did not have to make any decisions under s.32(8) or 43(8).

6. The manager of the OPC opened 24 assistance files. These relate to various individuals and organizations who raised a variety of issues or questions about policing on Prince Edward Island. The manager gave these individuals and organizations such assistance, advice, and direction as was appropriate in the circumstances.

Outline of Expenditures pursuant to s. 19(1)(f)

An outline of the expenditures incurred by the Police Commissioner in carrying out his functions under the *Police Act* during the calendar year 2012 is attached to this report as "Appendix A".

CACOLE

The OPC is a member of the Canadian Association for Civilian Oversight of Law Enforcement (CACOLE). The Police Commissioner, the deputy and manager of the OPC attended the 2012 annual meeting of CACOLE in Toronto, Ontario. The OPC hosted the 2013 annual convention of CACOLE from May 26 to 29, 2013 at the Rodd Charlottetown Hotel. A great deal of the work of the OPC in the latter part of 2012 involved making arrangements to host that convention.

Recommendations

1. It is recommended that the *Police Act* be amended to provide that complaints under Parts VII be made to the Police Commissioner who will then forward the complaint to the appropriate chief officer. The reasons for this recommendation are: (1) the public find it confusing that the Police Commissioner cannot receive their complaints against police; (2) some people are timid about having to file their complaint with the police department where the officer being complained about works; (3) the change would enable the Office of the Police Commissioner to be aware at all times of the complaints that are in the system; and (4) in most other jurisdictions complaints against police are initially filed with the office of the relevant civilian oversight body.

2. It is recommended that legislative changes to ss.40(1) and ss. 43(5)(g) suggested at page 5 of the **2010 Annual Report of the Police Commissioner** be brought forward.

June 27 2013
Date


Hon. Gerard Mitchell
Police Commissioner

Appendix A

Office of the Police Commissioner Summary of Actual Expenses for the period January 1 - December 31, 2012

Account #	Account Name	Jan 1 - Mar 31, 2012	Apr 1 - Dec 31, 2012	Total - Jan 1 - Dec 31, 2012
100-3010	Advertising	\$ -	\$ -	\$ -
100-3020	Benefits	\$ 230.58	\$ 862.85	\$ 1,093.43
100-3080	CACOLE Conference 2013	\$ -	\$ 397.60	\$ 397.60
100-3110	Cleaning	\$ -	\$ -	\$ -
100-3120	Commissioners	\$ 4,455.00	\$ 11,850.00	\$ 16,305.00
100-3190	Computer Equipment & Supplies	\$ -	\$ -	\$ -
100-3200	Computer Maintenance	\$ -	\$ -	\$ -
100-3260	Furniture & Equipment	\$ -	\$ -	\$ -
100-3280	Insurance	\$ -	\$ -	\$ -
100-3370	Memberships	\$ 450.00	\$ -	\$ 450.00
100-3380	Office	\$ 922.34	\$ 2,728.92	\$ 3,651.26
100-3400	Postage	\$ -	\$ 348.75	\$ 348.75
100-3410	Printed Supplies	\$ 658.34	\$ 121.06	\$ 779.40
100-3440	Professional Fees	\$ 2,100.00	\$ 6,300.00	\$ 8,400.00
100-3460	Publications	\$ -	\$ 257.96	\$ 257.96
100-3480	Rent	\$ 5,281.98	\$ 15,845.94	\$ 21,127.92
100-3500	Salaries	\$ 9,000.00	\$ 33,771.80	\$ 42,771.80
100-3600	Telephone	\$ 775.87	\$ 2,622.28	\$ 3,398.15
100-3700	Travel - Local	\$ 50.67	\$ 262.01	\$ 312.68
100-3750	Travel - Out of Province	\$ 3,834.00	\$ 4,975.33	\$ 8,809.33
	TOTAL EXPENSES	\$ 27,758.78	\$ 80,344.50	\$ 108,103.28