



## Resolving Complaints about the Conduct of Municipal Police Officers in Prince Edward Island

This brochure was developed in consultation with the PEI Association of Chiefs of Police, PEI Police Association and the Office of the Attorney General and Public Safety of PEI

*A fair, accessible and transparent means to address complaints against police in order to ensure the efficiency, adequacy and effectiveness of police services in Prince Edward Island*

### 1) If the complaint is about a municipal police officer

You can speak with the police officer's supervisor to try to resolve the issue.

Another option is to make a written complaint under the *Police Act*. You must write out your complaint, sign it and send the complaint to the chief of the police service where the officer works. You must ensure the complaint is received by the chief of the police service within six months of the incident. There are four municipal police services on Prince Edward Island: Charlottetown, Summerside, Kensington and Borden-Carleton. The chief will review your complaint and attempt to resolve it. For your convenience a complaint form is attached.

If you are not satisfied with the decision made by the chief about your complaint, you may contact the Manager, Office of the Police Commissioner, and ask that the decision be reviewed. Your request for a review must be in writing. You have 30 days to request a review of the chief's decision. The police officer, who is the subject of your complaint, can also request a review of the chief's decision in the same manner and within the same time limits.

### 2) If the complaint is about the chief of a municipal police service

You can contact the chief administrator of the municipality where the chief works to resolve your complaint.

Another option is to make a written complaint under the *Police Act*. To do so, send your complaint to the Manager, Office of the Police Commissioner. You must write out your complaint, sign it and ensure the complaint is received by the Manager, Office of the Police Commissioner, within six months of the incident. For your convenience a complaint form is attached.

### Who can make a complaint under the *Police Act*?

Anyone who is 18 years of age and over and has been directly affected by the conduct of the officer or the chief of police can make a complaint. A parent or guardian may file a complaint on behalf of a person who is under the age of 18. Where the person directly affected by the conduct of the police officer or the chief of police is mentally incompetent, a parent or guardian may make a complaint on the person's behalf.

**NOTE:** The Prince Edward Island *Police Act* complaints process does not apply to the RCMP. As a national entity, there is a separate process for addressing complaints about members of the RCMP.

If the complaint is against the RCMP, you can make it at any RCMP detachment in Canada. If you are uncomfortable making the complaint at an RCMP office, or if you are not satisfied with the response you receive from the RCMP, you can contact the Commission for Public Complaints Against the RCMP (CPC). The Commission for Public Complaints against the RCMP is an independent agency created by Parliament to ensure that public complaints made about the conduct of RCMP members are examined fairly and impartially.

Anyone with concerns about the conduct of an RCMP member can call the CPC at 1-800-665-6878, or email them at [org@cpc-cpp.gc.ca](mailto:org@cpc-cpp.gc.ca). More information on the complaints process and an online form to make a complaint against the RCMP are available on the CPC website at: [www.cpc-cpp.gc.ca](http://www.cpc-cpp.gc.ca)

## How can you resolve your complaint about the police?





What type of behaviour can be the basis of a complaint filed under the Police Act?

If you have reasonable grounds for believing the conduct of a police officer or chief of police goes against the Code of Professional Conduct and Discipline, you may file a complaint.

The Code of Professional Conduct and Discipline can be found at the website: [www.policemissioner.pe.ca](http://www.policemissioner.pe.ca). Printed copies are available from any Prince Edward Island municipal police service, or the Office of the Police Commissioner. (Please see end of brochure for locations.)

Is your complaint under the Police Act confidential?

The police officer or chief of police who is the subject of your complaint will receive a copy of the complaint. If your complaint proceeds to a hearing before the Police Commissioner, the hearing will be open to the public unless the Police Commissioner, in accord with the Police Act, decides to close the hearing to the public. You could be called as a witness at a hearing about your complaint.

Does it cost anything to file a complaint under the Police Act?

Filing a complaint against a police officer or a chief of police is a serious matter. It does not cost anything to file a complaint under the Police Act. If a complaint requires a hearing before the Police Commissioner, the Police Commissioner may award costs. Costs may include the legal or other expenses which a complainant or a person subject to a complaint may incur during the process of having a complaint resolved.

What will happen upon you filing a complaint under the Police Act?

When you file a complaint, you will receive a letter confirming that your complaint has been received and also a document which describes the complaint process. If an investigation determines there is evidence the Code of Professional Conduct and Discipline was violated, the officer(s) or the chief would be subject to the disciplinary and corrective measures set out in the Code of Professional Conduct and Discipline. If the complaint is not of a serious nature, there will be an attempt to informally resolve the complaint. All decisions will be provided in writing and a reason for the decision will be provided.

Can you withdraw your complaint made under the Police Act?

To withdraw a complaint against a police officer, you must make a request, in writing, to the chief of police with whom you filed the complaint. In the instance of a complaint against a chief of police, you must make your request to withdraw the complaint, in writing, to the Manager, Office of the Police Commissioner. Please note, a request to withdraw a complaint may be refused.

Once completed, send this form to one of the following:

**Borden-Carleton Police Services**  
244 Borden Ave.  
PO Box 69, Borden-Carleton, PE C0B 1X0  
Tel: (902) 437-2228 Fax: (902) 437-6049

**Charlottetown Police Services**  
10 Kirkwood Drive  
PO Box 98, Charlottetown, PE C1A 7K2  
Tel: (902) 629-4172 Fax: (902) 629-4164

**Kensington Police Services**  
55 Victoria Street, East  
PO Box 494, Kensington, PE C0B 1M0  
Tel: (902) 836-4499 Fax: (902) 836-4261

**Summerside Police Services**  
270 Foundry Street  
Summerside, PE C1N 1G1  
Tel: (902) 432-1201 Fax: (902) 436-4118

**Office of the Police Commissioner**  
114 Kent Street (access from 2nd level Confederation Court Mall)  
PO Box 427  
Charlottetown, PE C1A 7K7  
Tel: (902) 368-7200 or 1-877-541-7204  
Fax: (902) 368-1123

COMPLAINT FORM  
(To be submitted by the person making a complaint under the PEI Police Act)

Your information:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone(s): \_\_\_\_\_

Email: \_\_\_\_\_

Name of police officer(s) OR chief of police and the police service they represent (if known)  
\_\_\_\_\_  
\_\_\_\_\_

Date of the incident:

\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
(Day) (Month) (Year)

Please describe your complaint:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Attach additional paper, if needed, to describe your complaint)

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
(Day) (Month) (Year)

Signature of person making complaint (Reminder: you must sign the complaint)

If acting on behalf of an eligible complainant, please provide the name of the person for whom you are acting and your relationship to that person.

\_\_\_\_\_  
Name of person for whom you are acting

\_\_\_\_\_  
Relationship of the directly affected person to you

