

STATEMENT OF THE COMPLAINT PROCEDURES AND RIGHTS OF THE COMPLAINANT

This statement briefly sets out the procedures that will be followed upon receipt of your complaint against **[an officer of a municipal police force / an instructional officer of the Atlantic Police Academy]** in PEI and your rights under the Police Act and Regulations.

Who Sees Your Complaint?

1. Your complaint was received by the **[Chief of Police of the municipal police force involved in your complaint / Director, Atlantic Police Academy]**. A copy of the complaint will be provided to the **[police officer(s) / instructional officer(s)]** who are the subject of your complaint (**PLEASE NOTE: the person who is the subject of your complaint will be referred to as the “respondent” in any documents related to this complaint. You will be referred to as the “complainant”**).

Withdrawal of a Complaint

2. Should you wish to withdraw your complaint, you can deliver a signed, written notice to the **[Chief of Police / Director of the Atlantic Police Academy]**. You will receive written confirmation of the withdrawal. However, if the **[Chief of Police / Director of the Atlantic Police Academy]** has commenced disciplinary proceedings against the respondent(s), the **[Chief of Police / Director of the Atlantic Police Academy]** may refuse to consent to the withdrawal of the complaint. You will be notified of the refusal to withdraw your complaint in writing within 15 days of the receipt of the withdrawal.

Investigations and Reports

3. Provided the complaint was received within six months after the conduct of the complaint occurred and you or the person who you are acting on behalf of (minor or a mentally incompetent person) were directly affected by the conduct, the **[Chief of Police / Director of the Atlantic Police Academy]** will have the complaint investigated. The investigator will interview you, the **[police officer / instructional officer]** concerned and any other relevant witnesses.
4. The investigator has approximately 90 days to complete the investigation. Every thirty days you will be notified of the progress of the investigation. If further time is required to complete the investigation, you will be notified of the requirement for more time and the revised completion date of the investigation. The investigator will submit a report to the **[Chief of Police/ Director, Atlantic Police Academy]**.

Informal Resolution

5. The **[Chief of Police / Director of the Atlantic Police Academy]** or their delegate will consider whether the complaint can be resolved informally and will attempt to do so, but only with your consent and the consent of the **[police officer(s) / instructional officer(s)]** concerned.
6. A complaint can be resolved informally only if the matter of complaint is not of a serious nature and both you and the police officer concerned agree in writing to the resolution.

Decision of the Chief of Police or Director of the Atlantic Police Academy

7. The Chief of Police or Director will review all investigation reports and may:
 - a) dismiss the complaint if the complaint is found to be unsubstantiated, trivial, frivolous, vexatious, unfounded or made in bad faith;
 - b) dismiss the complaint if the complainant has refused to accept a fair and reasonable resolution of complaint; or
 - c) begin disciplinary proceedings against the officer.

8. You will be informed in writing of the decision made by the Chief of Police.

Review by the Police Commissioner

9. If you are not satisfied with the decision of the ***[Chief of Police/ Director, Atlantic Police Academy]***, with respect to the complaint, you may contact the Office of the Police Commissioner to request an independent review of the decision. A request for review of a decision must be made in writing and be delivered to the Office of the Police Commissioner within 30 days of being notified of the decision.