

IN THE MATTER OF: *The Law Enforcement Review Act*
Complaint #2010/66.

AND IN THE MATTER OF: **An Application pursuant to s. 13 of *The Law***
Enforcement Review Act, C.C.S.M., c.L75.

BETWEEN:

L.L.,)	Ms L.L. in person
<i>Complainant,</i>)	Self-represented
)	
and -)	
)	
CST. S. M. and)	Mr. P. McKenna
CST. T.L.)	Counsel for the Respondents
)	
)	Decision date: November 28, 2011

<p>Restriction on Publication This Decision is subject to a ban on publication of the Respondent's names pursuant to s. 13(4.1).</p>

HEINRICHS, P.J.

[1] Referral of this matter has been made by the Commissioner of the Law Enforcement Review Agency to a Provincial Judge to determine the merits of a complaint made against Constable S. M. and Constable T. L. by Ms L.L., alleging the commission of the following disciplinary defaults, namely:

- (a) That on or about the 10th day of February, 2010, the Respondents abused their authority by using oppressive or abusive conduct or language on the Complainant contrary to s. 13 of *The Law Enforcement Review Act*.

[2] This Section 13 Application to a Provincial Court Judge asks that I review what the Commissioner did in making a decision that they were not going to take any further action with respect to Ms. L.L.'s complaint from the day that the police came to her apartment and rammed her door down, prior to picking her up on a warrant that they had.

[3] I have reviewed their findings, I have reviewed the materials that Ms. L.L. has filed and I have reviewed the binders that have been filed. I find that in this particular case I am satisfied that the decision that the Commissioner made was well within the decisions that they are able to make and that there is no reason to proceed further with this particular matter.

[4] So with respect to this particular matter coming before me as a Provincial Court Judge, I am going to be dismissing Ms. L.L.'s Application and that is going to be the end of the Law Enforcement Review Agency complaint.

[5] I heard Ms. L.L. with respect to her concerns about the Winnipeg Regional Health Authority and how that warrant was obtained.

[6] All I am dealing with is what happened after the warrant was obtained and how the police acted on that warrant and came to her residence that day.

[7] I do not want to encourage you nor do I want to discourage you to proceed further with that matter. That is a separate matter. I know that it feels like it is tied in to this matter but it really is a separate matter.

[8] Most certainly, speak to a lawyer about it, speak to the Ombudsman or whoever else you can about that to see what could be done to deal with that particular situation. As I heard from you, Ms. L., you said that you did not want this to happen to anybody else, and if you can do something that helps have that be the case, that is, that it does not happen to anybody else, then I wish you well on that.

Original signed by:
HEINRICHS, ROBERT, P.J.