

IN THE MATTER OF: Law Enforcement Review Act
Complaint No. 2012/240

BETWEEN:

[REDACTED]

Complainant,

-and-

CONSTABLE [REDACTED],
CONSTABLE [REDACTED],
CONSTABLE [REDACTED],

Respondents.

TRANSCRIPT OF PROCEEDINGS had and taken before The Honourable Associate Chief Judge Hewitt-Michta, held at the Brandon Courthouse, 1104 Princess Avenue, in the City of Brandon, Province of Manitoba, on the 24th day of February, 2015.

APPEARANCES:

MR. D. JOHNSTON, by teleconference, for the Commissioner.

MS. D. MAZOR, by teleconference, for the Brandon Police Association.

INDEX

Page

PROCEEDINGS

1

1 FEBRUARY 24, 2015

2

3 THE COURT: Counsel, we have a second matter and
4 that's Ms. [REDACTED]?

5 MR. JOHNSTON: Yes.

6 MS. MAZOR: Yes, Your Honour.

7 THE COURT: All right. I received some
8 information that that matter is not proceeding and that Ms.
9 [REDACTED] has advised that she is withdrawing her
10 application. Is that your understanding Mr. Johnston?

11 MR. JOHNSTON: Yes, that's my understanding. She
12 got in touch with the Law Enforcement Review Agency
13 indicating that she was no longer intending to pursue the
14 matter. I certainly can't purport to speak on her behalf,
15 but that was our understanding.

16 THE COURT: All right.

17 Would you page [REDACTED] please, madam clerk,
18 just for the record and out of an abundance of caution.

19

20 (CLERK PAGES [REDACTED])

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22 THE COURT: For the record the courtroom is empty
23 at this point in time, other than members of the court
24 party.

25 There appears to be no response to the page.

26 Is the suggestion then that the matter be
27 dismissed by the Court or that it be shown as withdrawn by
28 Ms. [REDACTED]?

29 I am inclined to dismiss it because she is not
30 here to pursue it, but if you feel, Mr. Johnston, that you
31 agreed to do something else for her then I'll hear from you
32 about that.

33 MR. JOHNSTON: No. I think we had agreed to
34 relay the information that she provided to us, but as I say

1 I don't think we can really purport to articulate a
2 position on her behalf. At the end of the day I think it's
3 a distinction without a difference, so I think a dismissal
4 of the complaint is appropriate under the circumstances.

5 THE COURT: All right. I agree. I think it
6 should properly be reflected as having been dismissed by
7 the Court and we will close that file this afternoon.

8 I think that's everything then counsel, right?

9 MR. JOHNSTON: Those are my only matters.

10 MS. MAZOR: Yes, mine as well.

11 THE COURT: Okay. Thank you. Good afternoon.

12 MR. JOHNSTON: Good afternoon.

13 MS. MAZOR: Good afternoon, Your Honour.

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15 (PROCEEDINGS CONCLUDED)

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CERTIFICATE

28 I hereby certify the foregoing pages of printed
29 matter, numbered 1 to 2, are a true and accurate transcript
30 of the proceedings, transcribed by me to the best of my
31 skill, ability and understanding.

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