

2016 LAW ENFORCEMENT REVIEW AGENCY ANNUAL REPORT RELEASED

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Complaints Down from 2015: Commissioner

In 2016 a total of 122 formal complaints were received, down from 139 a year earlier. The most common complaint is the use of unnecessary violence or excessive force followed closely by being discourteous or uncivil.

Max Churley, Commissioner of The Law Enforcement Review Agency (LERA) said that the average timeframe for completion of an investigation increased from 7 months in 2015 to 9 months in 2016.

LERA does not investigate criminal matters or service complaints, as they focus on the way municipal police officers conduct themselves on duty, promoting a high standard of professional conduct among officers and providing citizens with an independent investigation and review of conduct complaints when they arise. Criminal matters presently must be referred to the Crown for investigation by the police and service complaints fall under the authority of the Chief of Police. Manitoba's civilian-led Independent Investigation Unit (IIU) conducts transparent and independent investigations of all serious incidents involving police.

The 122 formal complaints registered in 2016 included allegations as follows:

- breaches of *The Canadian Charter of Rights and Freedoms*;
- making an arrest without reasonable or probable grounds;
- using unnecessary violence or excessive force;
- using oppressive or abusive conduct or language;
- being discourteous or uncivil;
- discrimination;
- making false statement;
- improperly disclosing information;
- damaging property or failing to report damage; and
- failing to provide assistance.

Complaints can be concluded by referral to a Provincial Court Judge for a hearing; admission of a disciplinary default by an officer; or resolution through an informal mediation process. Of the 214 files opened in 2016, 92 were resolved at intake or following preliminary enquiries, no complaints were resolved through mediation, two (2) were referred to a hearing, while others were abandoned by the complainant or closed as there was insufficient evidence to justify referral to a hearing.

The complete report will be posted shortly on the agency's website at www.gov.mb.ca/justice/lera.

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