



Justice

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News Release

2011 LAW ENFORCEMENT REVIEW AGENCY ANNUAL REPORT RELEASED

Complaints up from 2010: Commissioner

In 2011 a total of 169 formal complaints were received, up from 140 a year earlier. The most common complaint continues to be the use of unnecessary violence or excessive force, although there has been a significant drop in such complaints in the past several years.

“The agency has continued to make progress in efforts to reduce the time it takes to complete an investigation,” said Max Churley, the acting Commissioner of The Law Enforcement Review Agency (LERA). “In 2011 the average investigation was completed in 6 months, compared to 8 months in 2010.”

LERA does not investigate criminal matters, but focuses 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. However, with the implementation of the new *Police Services Act*, which includes the establishment of an Independent Investigation Unit, changes will occur in the criminal complaint process.

The 169 formal abuse of authority complaints in 2011 included the following:

- 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 judge for a hearing; admission of a disciplinary default by an officer; or resolution through an informal mediation process. Of the 260 files opened in 2011, 91 were resolved at intake or following preliminary enquiries. Four complaints were resolved through mediation, with others being closed as there was insufficient evidence to justify referral to a hearing, some were considered frivolous or vexatious, and others were abandoned by the complainant.

The complete report and other information about LERA are posted on the agency's website at www.gov.mb.ca/justice/lera.

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