



Justice

Law Enforcement Review Agency (LERA)
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News Release

2012 LAW ENFORCEMENT REVIEW AGENCY ANNUAL REPORT RELEASED

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Complaints down from 2011: Commissioner

In 2012 a total of 148 formal complaints were received, down from 169 a year earlier. The most common complaint continues to be the use of unnecessary violence or excessive force. While there has been a significant drop in such complaints in the past several years, there was a slight increase from 2011.

Max Churley, Commissioner of The Law Enforcement Review Agency (LERA) said that the average timeframe for completion of an investigation increased from 6 months in 2011 to 7 months in 2012. However, he went on to say that the timeframe in 2008 was 13 months so he is confident that the agency is progressing well in this regard and that the 7 month average is reasonable.

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 148 formal complaints registered in 2012 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 judge for a hearing; admission of a disciplinary default by an officer; or resolution through an informal mediation process. Of the 242 files opened in 2012, 94 were resolved at intake or following preliminary enquiries, three complaints were resolved through mediation, one was considered frivolous or vexatious, while others were abandoned by the complainant or closed as there was insufficient evidence to justify referral to a hearing.

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

Contact Max Churley, LERA Commissioner, 204-945-8667