

THE REGIONAL MUNICIPALITY OF YORK  
POLICE SERVICES BOARD

REPORT OF THE CHIEF OF POLICE

24 SEPTEMBER 2008

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**Semi-annual Report on Public Complaints**

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**RECOMMENDATION**

1. That the Board receive this report pursuant to Section 31(1)(j) of the *Police Services Act*, Board By-Law No. 06-04 respecting the Administration of the Complaints System under Part V of the *Police Services Act*, and Citizens Complaints / Policies / Services / Conduct, York Regional Police Procedure AI-311.

**SYNOPSIS**

Each year, a semi-annual report on Public Complaints is filed in accordance with the Board's direction. As the Board is aware, a member of the public may complain about the conduct of an officer or officers, or about the policies of or services provided by a police force, as per the *Police Services Act*. Complaints made during the first six months of 2008 against members of York Regional Police were 63 as compared to 75 in 2007.

In the first six months of 2008, of the 63 public complaints received, 4 complaints were found to be frivolous, vexatious or made in bad faith, 3 were withdrawn by the complainant, 1 exceeded the allotted 6 month time period, 1 complainant was not directly affected and 6 were informally resolved. The additional 48 Public Complaints are still currently under investigation. No officers were disciplined in the first six months of 2008.

**FINANCIAL IMPLICATIONS**

Not applicable.

## BACKGROUND

Section 31 (b) of the *Adequacy Standards Regulation* requires the Board to receive a report on Public Complaints annually. A semi-annual report is also filed, in accordance with the Board's direction.

The *Police Services Act* states that a member of the public may complain about the conduct of an officer or officers, or about the policies of or services provided by a police force. The complainant in a public complaint must be the person who was directly affected by the conduct, policy or service complained of. A complaint must be in writing and signed by the complainant, and may be delivered personally or by mail or fax to the police service involved or to the offices of the Ontario Civilian Commission on Police Services (OCCPS.) The Commission, in turn, will forward the complaint to the police service to be dealt with as appropriate.

Public Complaint forms are available at each District office, as the Act requires. In addition, the York Regional Police internet website includes access to a public complaint form. Use of the form is not mandatory and any written, signed complaint is acceptable. Pamphlets which explain the public complaint process in a variety of languages are also available at each police district.

As the Board is aware, Public Complaints received in the first instance are allegations and must be thoroughly investigated by members of the Professional Standards Bureau before a finding of misconduct is made. Since 1995, when Part V of the *Police Services Act* was enacted in its present form, the number of complaints per officer made against York Regional Police has been among the lowest in the province.

As the attached charts indicate, 63 Public Complaints were made against members of York Regional Police during the first six months of 2008, compared to 75 in 2007. This is a decrease of 16 percent over the same period last year. Of the 63 public complaints received:

- 3 were withdrawn by the complainant
- 4 complaints were not dealt with as they were deemed to be frivolous, vexatious or made in bad faith
- 1 exceeded the allowed 6 month time frame to make a complaint
- 1 complaint was not dealt with as the complainant was not directly affected
- 6 were informally resolved

Forty-eight Public Complaints are still under investigation by the Professional Standards Bureau and the manner in which they are resolved will be reported in the annual report on Public Complaints.

York Region is one of the fastest growing Regions in Canada. As a result of the growth in the Region and York Regional Police, there is an increase in the demands placed upon our members. The decrease in the number of complaints received is attributable, in part, to the efforts made by members of the Professional Standards Bureau to educate and train our staff members about the Public Complaints process. Professional Standards Bureau members have made presentations to each annual requalification class this year as well as recruit classes, coach officer classes and workshops. The intention is to familiarize members with the complaint investigation process, as well as to discuss the common reasons that complaints are made in an effort to reduce or eliminate public complaints about officers.

Armand P. La Barge,  
Chief of Police.

APL:ms  
Attach.