



The Honourable
Judge Charles N. Rubin

The Provincial Court of Manitoba

THE LAW COURTS
5th Floor - 408 York Avenue
Winnipeg, Manitoba, Canada
R3C 0P9
(204) 945-4940
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December 11th, 1998

Mr. W M
X ADDRESS
Winnipeg, MB

Dear Mr. M:

Re: Law Enforcement Review Agency – Complaint #3211

Pursuant to the Notice dated August 26th, 1998 from Ms. Carol Abbott, Director, Judicial Support, in which you were advised that your application pursuant to Sec. 13(2) of the Law Enforcement Review Act to have the decision of the Commissioner of that Agency reviewed as to his decision to take no further action on your complaint, came on for hearing as indicated in that Notice, namely December 11th, 1998, in Room 321 of the Law Courts Complex, 408 York Avenue, Winnipeg, at 10:00 a.m.

This will confirm your attendance at that time, as well as the Commissioner Mr. George Wright, and counsel for the respondent Police Officer, Mr. Paul McKenna.

Upon hearing submissions by yourself and the Commission, it was my view that the Commissioner acted within his power and jurisdiction provided by the Act. In my view, the Order was neither unreasonable nor irrational, and as a consequence, the Application for Review is dismissed.

As requested by counsel for the Respondent, I would advise that an Order to indicate a ban on publication, pursuant to Sec. 13(4)(l) of the Act, is so granted.

Yours truly,

CHARLES N. RUBIN
PROVINCIAL JUDGE

CNR/db

Copies: Mr. George V. Wright, A/Commissioner, L.E.R.A.
Mr. Paul McKenna, Counsel on behalf of Winnipeg Police Association

NOTE: For the purposes of distribution, personal information has been removed by the Commissioner.