



Justice

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2013 LAW ENFORCEMENT REVIEW AGENCY ANNUAL REPORT RELEASED

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Complaints Down from 2012: Commissioner

In 2013 a total of 117 formal complaints were received, down from 148 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 2012 to 8 months in 2013. However, he went on to say, that when considering that the timeframe in 2008 was 13 months, 8 months is still reasonable and every effort is being made to reduce it or at least maintain it at the present level.

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. However, with the implementation of the *Police Services Act*, which includes the establishment of an Independent Investigation Unit, changes will occur in the criminal complaint process.

The 117 formal complaints registered in 2013 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 216 files opened in 2013, 99 were resolved at intake or following preliminary enquiries, two complaints were resolved through mediation, two 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.

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