

Complaints Against HRP Chief of Police

Original Implementation Date	September 2020	Approved by	BOPC
Date of Last Revision	December 14, 2023	Approved by	BOPC
Effective Date of Last Revision	December 15, 2023	Approved by	BOPC

1 - Title

Complaints Against HRP Chief of Police

2 - Purpose

The Police Act specifies that complaints against the Chief of Police in a municipality are to be reviewed and acted upon by the Board of Police Commissioners (BOPC). This policy outlines the steps that are to be taken if a complaint is received.

3 - Scope

The Halifax Board of Police Commissioners (the Board) is established as an independent authority pursuant to the *Police Act*, NS 2004, c. 31 as amended. The Board has dual roles: provide civilian governance to the Halifax Regional Police (HRP) on behalf of Halifax Regional Council (Council) (s 55) and function as an advisory board regarding the Royal Canadian Mounted Police (RCMP) in its role as a contractual policing service with the Halifax Regional Municipality. (s 68(1)). This policy applies directly to the Chair of the Board, the members and the Chief of Police.

4 - Definitions

In the context of this document:

Police Act means the *Police Act*, S.N.S. 2004, c. 31 as amended

Board means the Halifax Board of Police Commissioners

Chair means Chair of the Board of Police Commissioners

Chief of Police means the Chief of Halifax Regional Police

Chief Superintendent means the Chief Superintendent of the RCMP, Halifax District

Chiefs means the Chief of Police of HRP and the Chief Superintendent of the RCMP

Council means Halifax Regional Council

HRM means the Halifax Regional Municipality

HRP means the Halifax Regional Police

Legislative Assistant means representative of the Municipal Clerk's Office

Member(s) means a member of the Halifax Board of Police Commissioners

RCMP means the Royal Canadian Mounted Police Halifax District

5 - Distribution

Policies may be distributed to all Board of Police Commissioners, CAO, Municipal Clerk, HRM Councillors, the Chiefs and their respective departments, Nova Scotia Association of Police Governance and posted on HRM website with link to HRP website. This list may be expanded as required.

6 - Roles and Responsibilities

When responding to a complaint against the Chief of Police, the Board and the Chair will comply with the requirements of the Police Act and the Police Regulations.

Once a complaint is received by the Chair, either in writing or by telephone call, the Chair will undertake the following steps:

1. Respond to complainant to confirm complaint has been received
2. Inform the Chief about the complaint
3. Inform the Board in camera so members are aware
4. Inform the Police Complaints Commissioner in writing no later than 30 days after receipt of the complaint
5. Consult with HRM legal affairs to determine the severity of the alleged conduct, the proper steps to follow in the investigation, or any legal concerns
6. Consult external legal advice if there is a perceived conflict with internal HRM advice
7. Consider if an interim suspension from duty pursuant to s. 63 of the Police Regulations would be appropriate

Once informed of the complaint, the Board will undertake the following steps:

8. Attempt to resolve the complaint
9. Appoint a barrister or the Chief Officer of another police department to investigate the complaint and report the results of their investigation to the Board within 60 days of the day the complaint was received

10. Once the report is received, if the complaint is not resolved informally the Board will follow the procedure set out the Police Regulations to make a decision regarding the complaint

Should an interim suspension from duty be imposed by the Chair, the following steps will be taken:

11. The Chair shall immediately inform the Complaints Commissioner and the Board of his or her decision to impose an interim suspension from duty
12. The Board shall meet within 72 hours of the Chair's decision to either confirm or lift that suspension

7 - Policy Review

This policy should be reviewed every four years and when the *Police Act* is amended.

8 - Contact

Office of the Municipal Clerk

9 - References

None