

Complaints Against the RCMP

Dial-A-Law features free information on the law in British Columbia in over 130 topic areas. A service of People's Law School, Dial-A-Law is available on Clicklaw Wikibooks, its own website at dialalaw.ca^[1], and on the telephone at 1-800-565-5297.

This script explains how to make a complaint against the Royal Canadian Mounted Police (RCMP). The RCMP serves most BC municipalities, towns, districts, and outlying areas. But the following 11 cities have their own police force: Vancouver, Victoria (including Esquimalt), New Westminster, West Vancouver, Delta, Port Moody, Central Saanich, Abbotsford, Nelson, Oak Bay, and Saanich. If you have a complaint about the police in any of these places, or against the Organized Crime Agency of BC or the Stl'atl'imx Tribal Police, check script 221, called "Complaints Against Municipal Police".

Who can make a complaint?

Anyone with some connection to the conduct of an RCMP officer can make a complaint against the officer. A connection means that the officer's conduct affected you or someone you're acting for. Or you were present when the conduct occurred or suffered some harm or loss from it. A complaint analyst at the Commission (explained in the next section) assesses each case.

How do you make a complaint against the RCMP?

You make a complaint to the *Civilian Review and Complaints Commission for the RCMP* (the Commission), or at an RCMP office. The Commission is an independent federal agency that responds to complaints against RCMP officers. The Commission is not part of the RCMP. It is neutral and does not take sides in a dispute. The Commission works in English and French. It also has interpretation services for other languages.

You can make a complaint by phone or by fax or mail.

By phone—call the Commission at 604.501.4080. Its toll-free number is 1.800.665.6878. And its TTY toll-free number is 1.866.432.5837. It's open Monday to Friday from 8:00 a.m. to 4:00 p.m. Pacific time.

By fax or mail—use the form^[2] on the Commission website^[3] and fax it to 604.501.4095 or mail it to:

Civilian Review and Complaints Commission for the RCMP

National Intake Office

PO Box 88689, Surrey BC, V3W 0X1

Make your complaint as soon as possible after an incident, while memories are fresh and evidence is still available. The deadline to complain is one year from the date of the conduct. The Commission can extend the deadline if there's a good reason to.

What does the Commission do with a complaint?

The Commission usually sends a complaint to the RCMP to investigate (sometimes the Commission will investigate a complaint itself). The RCMP investigates your complaint and then reports to you in writing. If you are satisfied with the report, that's the end of the complaint.

What if you are not satisfied with the RCMP report on your complaint?

You can ask the Commission to review your complaint. You have 60 days from when you receive the RCMP report to do that. The Commission can extend that time for good reason. The Commission will get the necessary information from the RCMP and review the RCMP report. During its review, the Commission can do any of the following things:

- Review the complaint without investigating further.
- Ask the RCMP to investigate further.
- Do its own investigation.
- Hold a public hearing.

If the Commission is satisfied with the RCMP report, it sends you a final report with its reasons. It also sends its report to the Minister of Public Safety Canada (the Minister), the RCMP Commissioner, and the officer you complained about. That's the end of the process

If the Commission is not satisfied with the RCMP report, the Chair sends an interim report to the RCMP Commissioner and the Minister. The RCMP Commissioner will reply to it, explaining what the RCMP will do, if anything. The Chair then send a final report to you, the Minister, the RCMP Commissioner, and the RCMP officer.

Two other possibilities, besides filing a complaint with the Commission

Suing the police

If an RCMP officer injured you, caused you property damage, or violated your rights, you may be able to sue the officer or the RCMP (or both) in civil court. Normally, you sue in the BC Supreme Court. You should get legal advice promptly in this case—there will be a time limit for suing.

Criminal charges

If you say that an RCMP officer committed a crime or broke a law, the RCMP will investigate. The result of the investigation may go to the Regional Crown Counsel—the senior prosecutor for the area—to decide whether to charge the officer with a crime. If the police don't send a report to the prosecutor, or the prosecutor decides not to charge the officer, you can still go to a Justice of the Peace and ask that the officer be charged. For more information, check script 215, called "Charging Someone with a Criminal Offense".

[updated April 2015]

The above was last reviewed for accuracy by John Carlisle and Mona Muker, and edited by John Blois.



Dial-A-Law © People's Law School is licensed under a Creative Commons Attribution - NonCommercial - ShareAlike 4.0 International Licence ^[4].

References

- [1] <http://dialalaw.peopleslawschool.ca>
- [2] <http://www.crcc-ccetp.gc.ca/pdf/complaintplainte-en.pdf>
- [3] <http://www.crcc-ccetp.gc.ca/>
- [4] <https://creativecommons.org/licenses/by-nc-sa/4.0/>

Article Sources and Contributors

Complaints Against the RCMP *Source:* <https://wiki.clicklaw.bc.ca/index.php?oldid=30448> *Contributors:* Audrey Jun, Dial-A-Law, Nate Russell

Image Sources, Licenses and Contributors

File:Creativecommonssmall.png *Source:* <https://wiki.clicklaw.bc.ca/index.php?title=File:Creativecommonssmall.png> *License:* unknown *Contributors:* Drew Jackson