

Complaints Against Police

WHAT IS THE ISSUE?

In British Columbia, police are regulated under the [Police Act](#). The Act regulates:

- All members of municipal police forces
- All members of the RCMP in BC

The [Police Act](#) and the federal [Royal Canadian Mounted Police Act](#) set out processes for members of the public to file complaints against police officers for “misconduct”. Misconduct may include:

- Using abusive or insulting language against a person
- Using unnecessary force against a person
- Searching, detaining, or arresting a person without good and sufficient cause
- Failure to respond to or investigate a call for service

[Section 77\(3\)](#) of the [Police Act](#) sets out a complete list of what conduct constitutes “misconduct”.

HOW DO I COMPLAIN?

There are a number of police forces in British Columbia, including municipal police forces and the RCMP.

If your complaint is against a municipal police force:

- [File a complaint with the Office of the Police Complaint Commissioner \(OPCC\).](#)

If your complaint is against the RCMP:

- [File a complaint with the Civilian Review and Complaints Commission for the RCMP \(CRCC\).](#)

There is a one year time limit for filing a complaint. However, the time limit may be extended in certain circumstances.

WHAT DO I INCLUDE IN MY COMPLAINT?

The OPCC and CRCC accepts complaints via an online form or in the form of a letter. If you file a complaint in the form of a letter, you can use the following format:

Start with the statement: “Please accept this letter as a complaint for misconduct against the [Name of Police Force] in [City, Province]”.

Then, describe when and where the incident took place, and what happened during the incident. Include:

- Date, time, and location
- Describe the sequence of events. Include what the officer(s) said and did.
- Name or badge number of the officer(s). If you do not have that information, provide a physical description of the officer(s).
- Describe any injuries or damages to property.
- Names of any witnesses other than the officer(s).

Then, state which of the officer’s words or actions you believe constitutes “misconduct”. If you believe your race, colour, gender identity, etc. played a part in the alleged misconduct, include those details.

Finally, provide your name, address, phone, and email.

Please see a [Sample Complaint Letter](#) that you can follow.

If you are a Legal Advocate, you can use this format to file a complaint on behalf of your client. Be sure to get your client’s consent in writing.

HOW DO I SUBMIT MY COMPLAINT?

A complaint against a municipal police officer, such as the Vancouver Police Department, can be submitted [online](#) or by mail or email to:

Office of the Police Complaint
Commissioner for British Columbia

PO Box 9895, Stn Prov Govt
Victoria, BC V8W 9T8
Toll Free: 1.877-999-8707
Fax: (250) 356-6503
Email: info@opcc.bc.ca

A complaint against an RCMP officer can be filed [online](#), by phone, by fax, or mailed to:

Civilian Review and Complaints Commission
for the RCMP
National Intake Office
P.O. Box 1722, Station B
Ottawa, ON K1P 0B3
Toll Free: 1-800-665-6878
Fax: (613) 960-6147

WHAT WILL HAPPEN?

The complaint process for the OPCC and CRCC are separate but similar to one another. Below are the basic steps for both processes:

1. The OPCC /CRCC will review your complaint and decide whether to accept or decline it for investigation.
2. If accepted, your complaint will be referred to an investigator at the police force from which the complaint originated. However, the OPCC/CRCC will monitor your complaint.
3. If appropriate, the investigator may ask you if you are interested in “informal resolution”. Informal resolution is a face-to-face mediated settlement of your complaint. If informal resolution is successful, the complaint process ends.
4. If informal resolution is either not attempted or not successful, the investigator will conduct an investigation and issue a report with either a finding of “misconduct” or “no misconduct”.

5. If there is a finding of “misconduct”, the OPCC/CRCC may recommend that the police force:
 - change its policies or practices;
 - hold a disciplinary hearing against the officer(s) who were the subject(s) of the investigation.

Please note that the OPCC/CRCC does not have the power to discipline or fire an officer, or issue fines or awards for damages against a police force.

CAN I APPEAL?

There is no appeal process for complaints filed with either the OPCC or CRCC. However, if you are not satisfied with the finding of the investigator, you can request a review by the OPCC/CRCC.

Please note that there is a short time limit to request a review. The investigator’s report will contain information about the review process, including a deadline.