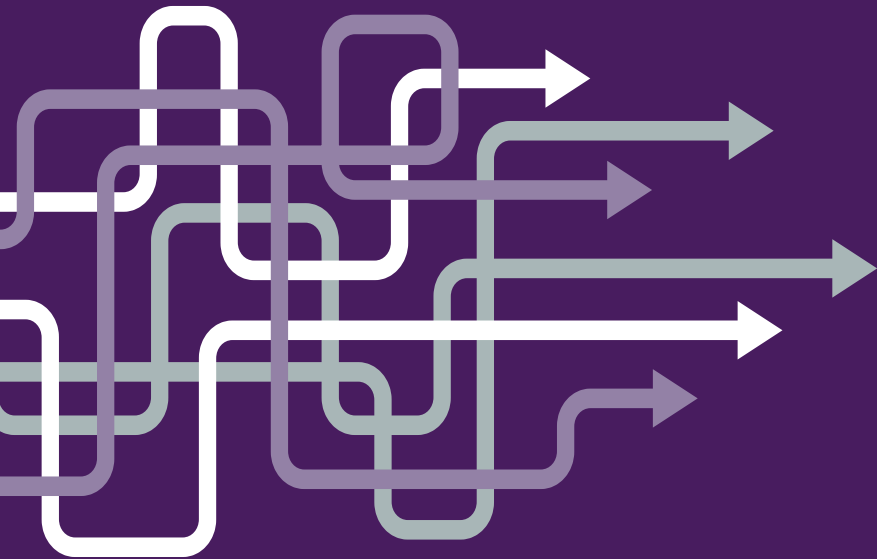


Pathways to Police Accountability Toolkit



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Introduction

The BC Civil Liberties Association (BCCLA) has created this toolkit to help you:

- understand what pathways (options) you can use to seek justice if police officers have caused you harm or engaged in misconduct (broken police rules),
- decide which pathway is right for you, and
- understand where to begin and what outcomes to expect.

Which pathway should I choose?

Police accountability processes in BC are complicated.

The pathway(s) that you use will depend on:

- which police service was involved,
- what happened during the interaction,
- what outcome you're hoping for, and
- what resources you have access to.

If you want to get justice after a negative police interaction in BC you can use:

- police complaint and oversight processes
- human rights complaint or tribunal processes
- court processes

Each pathway is administered by separate public bodies. These public bodies do provide information about the option that they offer, but they often use legal jargon and do not explain what other options are available. They never explain the drawbacks in a way that an average person can understand.

This toolkit explains police complaint processes and other accountability pathways that may be available to you. It provides tips about how these options interact, explains legal terms you might come across, and provides information about how effective — or ineffective — each pathway might be.

We want to help you make informed, realistic decisions about how to seek justice after a negative police interaction.

Police complaint and oversight processes

People rarely get the justice they're looking for when they make formal police complaints within the policing system. Police complaint and oversight processes aim to improve police services. Their purpose is not to provide justice or **remedies** (solutions) for people who have been harmed.

However, they're free and you do not need a **lawyer** to use them. They may also be faster than the court or tribunal pathways available. Police complaints will probably work best for you if your goal is to:

- bring police misconduct to the attention of a police service,
- have a police policy reviewed and potentially changed, or
- bring systemic policing problems to the attention of civilian oversight bodies.

This toolkit outlines the separate police complaint and complaint review systems you can use if you want to make a complaint about:

- the RCMP (regulated by federal laws), or
- the municipal police, Metro Vancouver transit police, or St'l'at'l'imx Tribal Police (regulated by BC provincial laws and called non-RCMP for the purposes of this toolkit).

Human rights complaints, tribunal, or court processes

Human rights complaints, tribunal or court processes can take a long time, and you may need to use a lawyer to get the best outcome. However, they focus on repairing the person who was harmed and can be more **trauma-informed** than police complaint processes. They offer flexible remedies to repair the harm caused, and you may get compensation.

These processes will probably work for you if your goal is to:

- get compensation for harm, including psychological or physical harm, damaged property, or **discrimination**.

This toolkit outlines the following human rights complaint or tribunal, and court processes:

- Canadian Human Rights Commission (CHRC)
- Canadian Human Rights Tribunal (CHRT)
- BC Human Rights Tribunal (BCHRT)
- civil lawsuits

Each pathway is a separate process with different purposes. **You can take more than one pathway at the same time** — for example, you could file a police complaint, which looks at officer conduct and discipline, **and** file a human rights complaint, which deals with discrimination and compensation. If you take more than pathway, it's a good idea to get legal advice.

Can I use these pathways in the case of serious harm or death?

If you have experienced **serious harm** or the death of a loved one at the hands of the police, we have a dedicated resource for you on our website: *Seeking Justice in the Aftermath of Police Violence: A Guide for Families and Survivors.*

All police agencies in BC must tell the **Independent Investigation Office (IIO)** of BC when a police-related incident involves serious harm or death.

Serious harm means an injury that could seriously disfigure you or potentially cause your death. It also includes an injury that could seriously affect your mobility, including the mobility of your whole body, or how any limb or organ works. Sexual, emotional, and psychological harm are not included in the definition of serious harm. This is a huge gap in the law.

The IIO does **not** have the legal power to investigate or make decisions about police misconduct or discrimination, so you should not expect that police involved in an incident that causes serious harm or death will be investigated for misconduct or face other legal consequences.

You can file a police complaint or a lawsuit within the time limits, even while the IIO investigation is ongoing. Your complaint may be suspended (paused) until the IIO investigation is over, but you will still be able to take those accountability pathways.

Scope of this toolkit

This toolkit will give you practical and realistic information about:

- what police accountability pathways are available to you,
- how to navigate (use) them, and
- what to expect.

Do not treat the toolkit as legal advice or a substitute for legal advice.

The **Resources** section has a list of places where you can find legal help, including free and low-cost legal clinics.



SEE
RESOURCES

Although this toolkit has been created with a BC-based audience in mind, anyone in Canada can use the RCMP accountability pathways discussed in Complaints against the RCMP (**Chapter 2: Police complaints**) and Canadian Human Rights Commission complaints (**Chapter 3: Human rights complaints**).

If you reach the end of the police complaint and human rights complaint pathways in this toolkit and feel that the final decision you received was wrong, unreasonable, or procedurally unfair, you may be able to ask a court to review the decision. This is called **judicial review**. Judicial review is beyond the scope of this toolkit, and you should seek legal advice as soon as possible if you are considering it.

This toolkit does not cover other investigative/law enforcement agencies and security personnel that can cause harm — for example, bylaw officers, park rangers, BC sheriffs, conservation officers, Canadian Border Service officers, and Canadian Security Intelligence Service (CSIS) agents, and private actors such as security guards, train police, and private investigators (who may be doing surveillance on behalf of the government).

Using this toolkit

This toolkit begins with a five-step guide to help you understand which pathways (options) are available to you if you want to seek justice after a bad police interaction. Each of the chapters that follows gives more detailed information about the procedures for each pathway, and explains:

- the purpose of the pathway
- who can use it
- important dates and deadlines
- what happens after you submit a complaint or claim
- potential outcomes and limitations

Words that are **purple and bolded** are explained in the glossary.

Appendix I and **II** have more information about what police misconduct looks like, and checklists that you can use when filing a complaint.



SEE
APPENDIX

The **Resources** section has contact information for legal or advocacy support organizations, links to other online guides, as well as places to find more information about the police complaint and human rights complaint pathways.



SEE
RESOURCES

If you're thinking about using more than one pathway at the same time, it's a good idea to get some legal advice first.

Once you've gone through Steps 1–5 and identified which pathway(s) might work for you, look at the relevant chapter to learn more.

What do I need to know before I choose a pathway?

This chapter has a step-by-step guide to help you understand what you need to think about before choosing the right pathway for you.

Step 1: Determine which police force you interacted with

Before you can start to look at which pathway to take, you must know which police service was involved in your incident.

Most places in BC use **the RCMP** for their policing services.

The areas that do not use the RCMP (called **non-RCMP police** in this toolkit):

- **Municipal police** departments:

- Abbotsford
- Central Saanich
- Delta
- Nelson
- New Westminster
- Oak Bay
- Port Moody
- Saanich
- Vancouver
- Victoria / Esquimalt (shared department)
- West Vancouver

- **Stl'at'imx Tribal Police**

- **Metro Vancouver Transit Police** (SkyTrain, Canada Line, West Coast Express, Coast Mountain Bus, Seabus)

The RCMP polices the **UBC Vancouver campus**. At the time of publication, **Surrey** is currently transitioning away from the RCMP to a municipal police force, so either one (or both) could be involved in an incident.

The RCMP is governed by the *RCMP Act*. Non-RCMP police services are governed by BC's *Police Act*.

In real life, which police force you interacted with might not always be obvious. For example, transit police may work with the RCMP or municipal police on transit routes. An interaction may even involve both the RCMP and non-RCMP police. If this happens, you may need to take more than one pathway at the same time.

First Nations: The RCMP provides policing services in all areas governed by First Nations, recognized by BC and Canada. This includes over 1,500 reserves administered under the *Indian Act*, lands with Aboriginal title recognized by courts such as T̓silhqot'in territories, or areas governed by First Nations under Treaty such as Nisga'a and Tsawwassen. The one exception is the Stl'atl'imx Tribal Police — the only First Nations policing organization in the province. They function under an agreement signed by Chiefs, BC, and Canada, and are subject to the same BC police complaints processes as municipal police.

Step 2: Think about the focus of your complaint

What happened during your interaction with the police that you want to complain about? Your choice of pathway will depend on what you want the accountability process to review.

If you're concerned about an individual officer's behaviour (for example, excessive force, abuse of authority, neglect of duty, or discriminatory treatment), you may want to consider:

- a **public complaint** (RCMP)
- a **misconduct complaint** (non-RCMP)
- a **lawsuit**, if you suffered injury or other harm
- a **human rights complaint**, if **discrimination** may have been involved

If you're mainly concerned about a broader, systemic problem within a police service (for example, failure to respond, **discriminatory practice**, lack of training, practices that violate the **Charter of Rights and Freedoms**), you may want to consider:

- a **public complaint** (RCMP)
- advocating for a **systemic review** (RCMP)
- a **service or policy complaint** (non-RCMP)
- a **lawsuit**

If you have experienced serious harm or the death of a loved one at the hands of the police, we have a dedicated resource for you on our website: *Seeking Justice in the Aftermath of Police Violence: A Guide for Families and Survivors*.

Step 3: Think about whether discrimination was a factor

Discrimination is the act of treating a person or group unfairly or in a harmful way because of personal traits such as race, gender, age, or disability.

For example:

- Insulting or dismissive language directed at a person with a disability is discriminatory and has a negative impact on them.
- A policy that requires a person to identify themselves as either male or female is discriminatory because it has a negative impact on non-binary people who fit neither category.
- Street checks or “random” traffic stops may be discriminatory, because racial profiling leads to Black people being stopped more often than other groups. This is discrimination based on skin colour.

The discrimination you experience may relate to an individual officer's behaviour, or it may be part of a broader problem with the police service, practices, training, or policies.

If you believe that the police officer(s) you interacted with discriminated against you, you can make a **human rights complaint**. The type of human rights complaint will depend on which police service was involved.

You can file a human rights complaint in addition to filing a police complaint and/or filing a lawsuit.

Each pathway is a different process with different purposes: the police complaint system looks at officer conduct and discipline, the human rights process looks at discrimination and can order remedies such as compensation or policy change, and a lawsuit looks at whether you experienced things like physical / mental harm or damage to property. **You do not have to choose between them, but the pathways you choose depend on your specific concerns.**

Step 4: Decide what outcome you want

Each pathway offers different **remedies** (solutions). Before you decide which pathway to take, make sure you understand what possible outcomes each one offers. Each pathway has some deterrent effect. In other words, one aim of each pathway is to help ensure other people do not have the same negative experience as you did.

A **police complaint** (see **Chapter 2**) may work best for you if you're looking for:

- an explanation,
- an apology,
- the officer involved to be disciplined, or
- changes to police practice, training, or policy.

A **human rights complaint** (see **Chapter 3**) may work best for you if you're looking for:

- a legal decision that discrimination happened,
- compensation for harm,
- an apology, or
- changes to a policy, practice, or service.

A **civil lawsuit** (see **Chapter 4**) may work best for you if you are looking for:

- compensation for physical, psychological, or financial harm,
- compensation for damage to property,
- a process focused on recognizing legal responsibility for the harm you experienced, or
- **damages** for breaches (violations) of your *Charter* rights and freedoms by police.

If you want different kinds of outcomes, you may want to choose more than one pathway. For example, if you want a police officer to go through disciplinary review, a legal finding of discrimination, and compensation for injury or loss, you could file a **police complaint**, file a **human rights complaint**, and file a **lawsuit**.

If you're considering choosing more than one pathway, it's a good idea to get legal advice.

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Step 5: Consider these other important factors

When you're looking at each pathway and figuring out which one to use, you'll need to think about:

- **deadlines** (these are different for each pathway and starting one does not automatically stop the clock for another)
- **procedural steps** (things you have to do to start a claim or complaint)
- **how independent the decision-maker is** (some pathways allow the police to look into a complaint against them)
- **costs** (for example, a lawyer's fees or your emotional investment)
- **how long each pathway might take**

Police complaints

This chapter explains what different police complaints pathways are available, what the process is for making a complaint, and what the potential outcomes and drawbacks might be of each option.

This chapter is divided into the following sections:

- What's important to understand before filing a police complaint?
- What are the limitations of police complaint models?
- Are Indigenous rights recognized in the police complaint process?
- Complaints about the RCMP
- Complaints about municipal, transit, and Stl'atl'imx Tribal police (non-RCMP)

What's important to understand before filing a police complaint?

You can use police complaint processes if you're concerned about police misconduct (actions, words, or failures to act that are unlawful, inappropriate, or breach public trust), inadequate service delivery, or harmful policing policies.

The complaints processes aim to create accountability by:

- disciplining officers who breach (break) standards, and
- recommending changes to training, policies, or practices when gaps or errors are identified.

Police complaint tools are designed to improve policing — not to address any harm you have suffered — so they may not be able to give you the outcome you're hoping for. They **do not** determine criminal or civil liability (legal responsibility for a crime, harm or loss), and they **do not** provide compensation.

You may experience cultural or language barriers during the complaint process. Police services and their oversight bodies are still rooted in dominant cultural norms, and they are often slow to recognize and accommodate the diverse cultural practices of the people they are supposed to serve. You can ask for culturally appropriate support at any stage of the complaint process. For example, you can ask to give your statement to a police officer that shares your cultural identity or ask if an Elder can be present. Your request may not always be granted, but it's important to share your needs.

What are police oversight bodies?

Police oversight bodies are independent organizations that can oversee police complaint processes and sometimes start their own investigations into police. They are run by civilians (not police).

The **Civilian Review and Complaints Commission** (CRCC) is an oversight body for the RCMP.

The **Office of the Police Complaint Commissioner** (OPCC) is an oversight body for non-RCMP police services.

These two oversight bodies can:

- ✓ receive complaints from the public to and send them to the relevant police service
- ✓ review complaint investigations led by police
- ✓ receive your concerns about the complaint process and look into them
- ✓ conduct their own investigations or reviews (rarely and in limited cases)
- ✓ make findings and recommendations

They cannot:

- ✗ act as your representative
- ✗ impose penalties, including discipline

Police complaints are almost always investigated by the police service that the complaint is about. This is a major limitation to the police complaints process.

If you have concerns about how your police complaint is being handled, you can contact the CRCC or the OPCC, depending on the police service involved. For example, you can raise concerns about:

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RESOURCES

- delays,
- how the investigation is being conducted (for example, you do not believe the complaint is being investigated thoroughly), or
- how you have been treated during the complaint process.

What types of complaint can I file?

The type of complaint you can make depends on which police service is involved — RCMP or non-RCMP police (municipal police, Metro Vancouver Transit Police, and Stl'atl'imx Tribal Police) — and what you're complaining about (see table on page 19).

If your individual experience with a police officer connects to a larger problem within that police force, you may want to think about filing both a public complaint and asking for an oversight investigation for the RCMP, or filing both a misconduct complaint and a service or policy complaint for non-RCMP police.

Multiple complaints may be challenging to manage, and the limitations of the police complaint processes may not give you the outcomes you had hoped for.

Misconduct	Systemic Issues
What's the issue?	
Behaviour of individual police officer(s) that could include not following police policy, acting illegally, or abusing their authority.	Patterns of behaviour, broader issues, or problems with the police agency's policies and procedures; not just one officer's actions.
Examples	
<ul style="list-style-type: none"> • Officer uses discriminatory language. • Officer handcuffs a person without proper cause. 	<ul style="list-style-type: none"> • Police service uses a weapon that has not been approved for use. • Police service has not properly trained officers to respond to reports of sexual assaults.
Possible Outcomes	
<ul style="list-style-type: none"> • Officer's conduct is formally investigated, and supervisors are aware of what happened. • If they are found to have acted in an improper way, this will be added to their employment record and they may be disciplined. • The police officer or service may apologize. • Oversight bodies can use the complaint to identify patterns of problematic behaviour or systemic issues. 	<ul style="list-style-type: none"> • Your concerns are recorded officially. • Police rules, training, and policy may be changed. • Leaders and decisionmakers are aware of what happened to you and how that's connected to systemic issues. • You may help to make sure that what happened to you does not happen to others one day. • You have raised these issues publicly so that your broader community is aware.
Pathways for RCMP	
File a public complaint (see Public complaints on page 26)	No formal complaint pathway beyond filing public complaints, but option available to ask CRCC to investigate (see Complaining about systemic issues on page 39)
Pathways for Non-RCMP	
File a misconduct complaint (see Misconduct complaints on page 42)	File a service or policy complaint (see Service or policy complaints on page 54)

What information should I include in a complaint?

See the checklists in **Appendix I: Police complaints** for the information you need to include in your complaint.

SEE
APPENDIX

If you want to add or correct information later, contact the CRCC (if your complaint concerns the RCMP) or the OPCC (if your complaint concerns non-RCMP police) and explain that you need to update your file.

Can the police retaliate against me for making a complaint?

You may be worried that the police officer or their colleagues will retaliate against you — intimidate, harass, coerce (pressure), or treat you unfairly — for making or taking part in a complaint. If you live in a small community, you might see the police officer you complained about, and this may make you feel anxious. These are common and valid concerns.

The *RCMP Act* and the *Police Act* prohibit (do not allow) the RCMP and non-RCMP police from retaliating against anyone involved in a police complaint. This includes people who have made a complaint, witnesses, and anyone supporting a complaint.

If you experience retaliation for using your legal right to file a complaint against the police, you can:

- make notes about what happened (dates, details, messages, witnesses), and
- report it to a police oversight or complaint body by adding it to an existing complaint or making a new one.

Retaliation is generally treated as further misconduct and subject to the police complaint process, but severe forms of retaliation may be a criminal matter. The only bodies that can open criminal investigations in BC are police services.

Contact a **lawyer, advocate**, or support organization if you feel you need help with addressing retaliation.

SEE
RESOURCES

Can I pause or withdraw my complaint(s)?

If you have filed a police complaint but have concerns about the complaint proceeding or your ongoing involvement, you have options.

Suspending: You can write to the appropriate oversight body (see **What are police oversight bodies?** on page 17) and ask for the complaint process to be suspended (paused). The suspension time does not count toward the complaint timelines. A benefit of suspending your complaint is that it may protect your position in another case and reduce pressure to deal with two pathways at once. The downside of suspending your complaint is that it will delay an already long process.

Withdrawing: If you want to withdraw (pull back) your complaint, you can write to the appropriate oversight body. This will end your active involvement in the complaint, but the police service or oversight body may continue investigating.

If you're facing related criminal charges, you should get legal advice before deciding whether to start, pause, or withdraw from the complaint process. This is to protect yourself from self-incrimination while also making sure you can file a complaint within the deadline (one year since the incident).

What are the limitations of police complaints?

All current police complaint systems have **serious limitations**, including power imbalances and concerns about fairness.

You may experience one or more of the following after you file a complaint:

- No one explains next steps or timelines.
- You get very little communication about your complaint or how it's progressing.
- You find out that the police officers investigating your complaint are from the same department as the officer you're complaining about.
- You have to meet strict deadlines and face serious consequences if you miss them (for example, your complaint will not be investigated or you lose your chance to speak to a decision-maker), but the investigators have more generous deadlines and face few, if any, consequences for delays at their end.
- You do not see any progress for a long time and the officer involved keeps working and may even be promoted.
- You only have access to limited information because of privacy rules, which makes it more difficult to see patterns of misconduct.
- You get unclear, weak outcomes or recommendations that are usually not monitored or enforced by any public body and recurring problems are not identified or addressed.

Systemic Limitations

Police investigate police

A major problem with current complaints systems is that the police investigate themselves — almost all complaints are investigated internally. It can feel like the whole system is biased in favour of the police.

A fair process requires true independence so the public can be sure that the investigation and findings are not influenced by workplace culture, personal relationships, and concerns about damage to the police service's reputation.

There are oversight bodies (see **What are police oversight bodies?** on page 17) — independent organizations that monitor the police to make sure they act legally and ethically — but their roles are very limited and they are severely underfunded.

Lack of transparency

Successful misconduct complaints can include serious findings and reveal broader patterns of police misconduct. But **these records are not public**. This creates an accountability gap and makes it hard to know where and how often misconduct happens. This can be frustrating for people for filing complaints and brings into question how committed governments are to protecting the public from police wrongdoing.

Misconduct record gaps

Misconduct allegations and findings may not follow officers if they move between policing systems (for example, if a municipal police officer leaves that police service and joins the RCMP).

Some communities have started to bring these records to light themselves to prevent officers with misconduct records from being able to move undetected between agencies.



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RESOURCES

Poor existing police policy

Because police complaints focus on improving policing — not addressing harm — it's important to understand that policing professional standards, training, and internal policies are a big factor in determining whether a police complaint succeeds.

This means that if your complaint focuses on police behaviour that is in line with current standards, training, or policy, your complaint is less likely to be successful and you will not get the outcome you had hoped for.

It can be very hard for people to access and understand the documents that detail the relevant standards, training, and policies in order to know if the complaint is worth making.

Weak outcomes

Even when complaints are successful, the outcome may not be what the person complaining hoped for. For example, if an RCMP officer is found guilty of using excessive force, they may not be disciplined in any obvious way. In some cases, after time has passed, the officer may have been cleared internally, moved into another role, or even promoted.

Are Indigenous rights recognized in the police complaint process?

The rights of Indigenous peoples in BC and Canada are inherent. These rights come from their own laws, governance, relationships to lands and waters, and existence as self-determining peoples. They had these rights before they were affirmed in 1982 in Canada's Constitution, and before international legal instruments like the **United Nations Declaration on the Rights of Indigenous Peoples** (UNDRIP) were made. Those laws reflect a partial recognition of inherent Indigenous rights within colonial legal systems.

Indigenous rights are not optional. They are constitutional rights and part of the legal framework that governments, courts, police bodies, tribunals, and public officials must work within.

The Constitution is the highest law in Canada. Section 35 of the *Constitution Act, 1982* recognizes and affirms the Aboriginal and treaty rights of Indigenous peoples. This means that government laws, powers, and decision-making processes — including police complaint processes — must be interpreted and applied in a way that respects those rights.

BC's *Interpretation Act* also says that provincial laws uphold Aboriginal and treaty rights and should be consistent with UNDRIP. This applies to BC laws like the *Police Act*, which governs complaints against non-RCMP officers in BC. BC's *Declaration on the Rights of Indigenous Peoples Act* (DRIPA) also requires the Province to make BC laws consistent with UNDRIP.

The federal government has also enacted UNDRIP legislation requiring Canada to make sure that federal laws are consistent, in consultation and cooperation with Indigenous peoples. Canada's *Interpretation Act* also requires the Aboriginal and treaty rights recognized and affirmed in section 35 of the Constitution to be upheld in all laws made by Canada. However, the *RCMP Act* and its complaint system has been even slower than BC's non-RCMP complaint system to uphold Indigenous rights, Indigenous laws, and UNDRIP in its complaint and review processes.

This does not mean that Indigenous rights are consistently respected in practice. Laws about police complaint processes are designed to ignore Indigenous laws, Indigenous governance, collective rights and cultural safety.

Public officials making decisions about police complaints should be making them in a way that achieves harmony with the rights of Indigenous peoples. Yet they are rarely trained to understand the legal significance of Indigenous rights and to include them in their decision-making practices.

As a result, Indigenous **complainants** are forced to remind authorities about their rights within complaint systems that consistently ignore, minimize, or misunderstand them. This can deepen the original harm caused by the police. It can also increase distrust in policing and police oversight.

Even so, speaking up about these rights matters. The more complainants, families, Nations, and advocates identify section 35 of the Canadian constitution, UNDRIP, Indigenous laws, cultural safety, and collective impacts in complaints, submissions, review requests, and remedy arguments, the harder it becomes for complaint bodies to treat these issues as optional or irrelevant. In time, Indigenous rights may become a standard part of how police complaint decision-makers understand harm, accountability, **remedies**, public confidence, and the public interest.

In 2026, the OPCC ordered a **review on the record** — asking a retired judge to look at all the evidence to make a decision about what discipline can be ordered after a finding of misconduct — in relation to a complaint about the arrest and handcuffing of an Indigenous child and her grandfather; both members of Heiltsuk Nation (a First Nation in BC).

The complaint was substantiated (misconduct was proven) and the **discipline authority** issued consequences for the officers involved that included an order for the officers to meet with the complainants to give an in-person apology to repair harm.

The discipline authority did not consider the significance of Heiltsuk legal traditions when issuing these consequences. The complainants asked that the officers attend an apology ceremony in accordance with Heiltsuk law, so they can heal and move forward. The officers have refused to attend, stating that the discipline authority's decision did not specify this ceremony in the order.

The OPCC's decision shows a small but important shift away from the long-standing failure to respect Indigenous rights in police accountability systems.

Complaints about the RCMP

This section deals with:

- **public complaints** about individual RCMP member (officer) misconduct, and
- linking your public complaint to **systemic issues** with the RCMP or asking the RCMP oversight body to do a systemic review.

You can ask for culturally appropriate support at any stage of the complaint process. For example, you can ask to give your statement to an Indigenous RCMP officer or ask if an Elder can be present. Your request may not always be granted, but it's important to share your needs.

You may experience cultural or language barriers during the complaint process. The RCMP and CRCC have said they are working to make the RCMP complaint process more culturally responsive (for example, by offering access to Indigenous facilitators or considering restorative approaches). At the time of writing, this does not seem to be happening.

Public complaints

What is misconduct?

You can file a public complaint against an RCMP officer for any act, omission, or pattern of behavior that breaches RCMP codes and standards, including actions that:

- undermine public trust,
- discredit the RCMP, or
- indicate that an officer has failed to meet their professional duties or has abused their authority or position.

See **Appendix I: Police Complaints** for a list of recognized categories of RCMP complaints.

SEE
APPENDIX

All **on-duty** conduct (behaviour) can form the basis of a complaint, but not all **off-duty** conduct can.

To figure out whether off-duty conduct could be included in a complaint for investigation, the key question is: "*Was the RCMP officer performing, or claiming to perform, a policing duty or function at the time?*" If the answer is yes, you may still be able to file a public complaint — even if the officer was technically off duty.

You are more likely to have your complaint accepted about an off-duty RCMP officer's behaviour if they:

- identify themselves as an RCMP member (verbally or by showing ID);
- direct or control others (for example, they tell someone to stop what they are doing);
- detain, search, restrain, or use force on someone;
- threaten someone with arrest, charges, or tickets;
- use police-only tools, such as:
 - police databases,
 - radio channels,
 - service weapons or restraints,
 - police vehicles, or
 - try to influence on-duty officers by talking about "professional courtesy."

In these situations, the RCMP officer could be seen as acting in a policing capacity even though they're off-duty.

Some examples of off-duty misconduct are:

- showing a badge and falsely claiming to be conducting surveillance to gain entry
- using force during a personal dispute
- identifying as RCMP while intoxicated and confronting civilians
- intervening in traffic situations before on-duty police arrive
- attempting to influence responding officers during a private dispute

RCMP Code of Conduct

The RCMP has a code of conduct that has its own internal investigation and discipline process. It's separate from public complaints about misconduct. A public complaint about conduct and a code of conduct investigation are different processes, but they can be connected to the same incident.

You cannot file a code of conduct complaint. If you submit a public complaint about misconduct, it may trigger an internal code of conduct investigation. If it does, you may be contacted to give evidence and will be notified of the outcome.

Who can make a public complaint?

Anyone can file a public complaint about an incident involving RCMP misconduct.

Your complaint may be rejected if:

- the misconduct was not directed at you,
- you were not physically present to witness the incident,
- you're not acting on behalf of someone who was involved in or a witness to the incident or,
- you have not suffered loss, damage, distress, danger or inconvenience because of the misconduct.

Complaints are commonly refused when they're made by people who were not directly affected or did not experience harm. Be sure to include concrete details of how the incident caused harm to you or the person you're representing.

Even if you think your complaint might be rejected, it may still be worth filing it to make sure that the **Civilian Review and Complaints Commission (CRCC)** are aware of the issue as it might choose to start its own investigation.

How long does a public complaint about RCMP misconduct take?

This complaint process can take a very long time.

There is no strict legal timeline for an investigation under the *RCMP Act*. Investigations can be completed within a few months, but delays are common, especially in complex cases or if other legal proceedings are ongoing. Some complaints take years to resolve.

If the complaint is reviewed by the CRCC, that can add several months to over a year longer to the timeline. This brings the total length of time to often two to three years (sometimes longer).

How do I file a public complaint?

You can file a complaint directly with the RCMP detachment involved, but we recommend that you file your complaint through the CRCC so that there is independent oversight from the start. The CRCC does not investigate your complaint or represent you. It monitors the investigation process.

You can submit a complaint to the CRCC in the following ways:

- **Online:** <https://www.crcc-ccetp.gc.ca/en/services/make-complaint/make-complaint-form> (CRCC website)
- **Print the complaint form, fill it in, and send:**
 - **By mail:** Civilian Review and Complaints Commission for the RCMP
National Intake Office
P.O. Box 1722, Station B
Ottawa, ON K1P 0B3
 - **By fax:** 613-952-8045 (CRCC)

Tips:

- As the complaint form is limited to 3500 characters, try to write out a full version for your own records while details are fresh.
- As you cannot upload audio or video evidence to your online complaint, make sure you mention that this evidence exists, so it's not overlooked during the investigation. You can:
 - mail files (for example, on a USB flash drive),
 - keep them somewhere safe in case the investigator asks to see them later (but note that they may not ask), and/or
 - download them and keep copies for your records (if they're publicly available).

If you choose to file a complaint directly with a police department, they must forward your complaint to the CRCC. You may feel anxious about filing directly with a police department because you fear not being believed, being treated poorly, or facing retaliation. The process can also be intimidating and retraumatizing, especially when the complaint is about abuse of police power and must be reported to the officer's colleagues.

People have also reported to BCCLA that when they have gone to a police station to submit a formal police complaint, they have been encouraged to use less formal tools (for example, submitting a question or a concern instead of making a formal complaint).

When do I need to submit my complaint?



You must file your complaint **within one year** of the incident.

The CRCC may extend this timeline if:

- there's a good reason for the delay (for example, you did not know that you could complain or were too scared to complain), **and**
- it's in the public interest (for example, very serious misconduct is alleged, such as arbitrary arrest based on **discrimination** such as racial profiling, or excessive use of force was used causing serious trauma).

Extensions are rare, so file your complaint as soon as you can.

What happens after I submit a complaint?

Almost all complaint processes involve these steps:

1. Your complaint is screened (to see if it will be accepted).
2. You may be asked if you would like to try **informal resolution**.
3. If your complaint is not resolved by informal resolution, an RCMP investigator begins a formal investigation.
4. The RCMP sends you monthly status updates.
5. Evidence is gathered and summarized in a final report sent to you.

How will my complaint be screened?

The RCMP will review your complaint to decide if they will accept it or reject it.

- If they accept it, they will start an investigation.
- If they refuse it, or they start an investigation and then stop it, they must send you a written **notice of direction**.



If the RCMP refuses your complaint, you can ask the CRCC to review that decision within **60 days** of receiving the notice of direction.

The CRCC will review the complaint. If the CRCC agrees with the RCMP's decision, you will get notice and the complaint process is over. Appealing refusal decisions further involves going to court, so we recommend that you speak to a lawyer to learn more.

If the CRCC does not agree with the RCMP's decision, it may investigate your complaint itself or recommend that the RCMP investigate it.

A complaint is usually refused if it:

- was filed after the deadline,
- is already under investigation by the CRCC,
- is about a discipline decision for an RCMP officer rather than a new allegation of misconduct,
- would be better handled through another process,
- is considered to be trivial/frivolous (petty or minor) or in bad faith,
- was filed by someone who was not directly involved or harmed by the incident and who is not acting on behalf of someone who was,
- is not reasonably practical to investigate (for example, the allegations involve off-duty conduct by an RCMP officer in an online forum that has since been deleted), or
- relates to national security — in this case, it must be referred to the **National Security and Intelligence Review Agency (NSIRA)**.

What's informal resolution?

If your complaint is accepted, the RCMP may suggest using an informal resolution process instead of a formal investigation.

Informal resolution is a process where you and the RCMP officer your complaint is about meet and try to resolve the complaint through discussion. It's a voluntary process, and both you and the RCMP officer involved must agree to it.

It's usually a quicker process than the formal investigative pathway. However:

- there will be no permanent record of misconduct,
- you're not allowed to share the outcome with anyone unless all **parties** agree that you can, and
- there's no power balance between you and the RCMP officer (which can be made worse if you're vulnerable in any way).

Informal resolution could be a good option if:

- the complaint is about communication issues or misunderstandings between you and the RCMP officer, or
- an apology or explanation may be enough to address the harm.

It's **not** suitable if your complaint contains serious allegations, including allegations that an RCMP officer:

- directly or indirectly caused serious injury or death,
- possibly engaged in criminal conduct, or
- used excessive force.

Informal resolution is a standard way of dealing with RCMP complaints. If the RCMP does not suggest informal resolution and you're interested in trying it, ask the RCMP representative you are in contact with or the CRCC.

There are some legal requirements for an informal resolution to be valid:

- The outcome must be written down.
- Both parties must agree to the outcome in writing.
- A copy of the agreement must be sent to the CRCC.

You can ask the CRCC to review any agreement before you sign it.

If you do not reach an agreement during the informal resolution, there will be a formal complaint investigation.

There are no strict legal limits on when informal resolution can be used, so you may be encouraged to use it even in serious cases.

Do not feel pressured to agree. If you feel unsafe, intimidated, or unable to refuse, contact the CRCC as soon as possible. It has ongoing concerns about people feeling pressured to use informal resolution for serious incidents.

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In theory, informal resolution can be an opportunity to use restorative approaches and culturally safe processes.

A **restorative process** focuses on the harm caused and what is needed to address it. This may include giving you a chance to describe the impact of the incident, have the officer or police service respond, and reach a practical outcome such as an explanation, apology, training, or changes to policy or practice. The aim is to acknowledge harm, support accountability, and help prevent the problem from happening again.

A **culturally safe or culturally grounded process** is one in which the **complainant** is treated in a way that respects their identity, culture, language, and lived experience, and where the process actively works to reduce racism, discrimination, and power imbalances. Cultural safety is defined by the person receiving the service, not by the institution. A culturally grounded process is rooted in the person's community, values, traditions, and ways of knowing, and may include supports such as interpreters, Elders, cultural supports, or space for cultural protocols where appropriate.

If you prefer a restorative process or one that meets your cultural needs, tell the investigator early in the process. Your request may not be granted, but it's still worth asking. Any approach requires agreement for all parties involved.

You can seek support from community leaders who can use their influence to increase the likelihood that the RCMP officers will agree to your proposed process, who you can invite to guide the process or some parts of it, or to otherwise be present to support you and your needs.

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Can I change my mind about using informal resolution?

You can step back from informal resolution any time before you sign a final agreement. You do not need anyone's permission to step back.

If you do this, your complaint will move to a formal investigation.

What happens during a formal complaint investigation process?

The RCMP investigates its own officers through internal units — called **Professional Responsibility Units** — that coordinate complaint investigations.

In BC (where the RCMP division is known as E Division), the Professional Responsibility Unit assigns an investigator. The investigator will be an RCMP officer and they may work in the same detachment (police force) as the officer named in your complaint. In more serious cases, an investigator from another division (region or province) may be assigned. This is uncommon.

If you're worried about bias or a conflict of interest, you can write to an RCMP leader (for example, the Deputy Commissioner for your province or territory) to ask for a different investigator to be assigned. Include details about why you are concerned.

The investigator will gather evidence (interview witnesses and the officer involved, and review reports, recordings, or notes) and prepare a report. They may contact you for an interview, but they may only rely on the evidence you submitted in your complaint. If you want the investigator to interview you as a witness or consider more evidence from you, write to the CRCC and RCMP investigator.

In exceptional cases, the CRCC can take over an investigation. See **When can the CRCC start its own complaint or public interest investigation?** on page 37 to learn more about when this happens and how to contact the CRCC Chairperson.

You should receive monthly written updates from the RCMP. If you do not receive any and are concerned, contact the CRCC for a status update.

What happens at the end of the investigation?

When the investigation is complete, the RCMP must send you a decision letter (called either a **Letter of Disposition** or a **Notice of Direction**). It will include:

- a summary of your complaint,
- a summary of the findings,
- details of any actions taken or proposed, and
- information about your right to request a CRCC review.

Possible outcomes include:

- **Complaint supported** (they found wrongdoing)
- **Complaint not supported** (no wrongdoing found)
- **Complaint resolved** (minor issues resolved by explanation/apology)
- **No further action** (something occurred, but no action will be taken)

These letters can be brief or unclear. Even if your complaint is supported (successful), you may not be told what the consequences (if any) were for the officer involved. If you do not understand the findings, you can ask for a meeting with the RCMP, but it does not have to meet with you.

You will likely not receive the full investigation report. You can request a copy of the full report from the RCMP office that sent you the letter, but they may refuse to provide it. If that happens, you can file an access to information request.

What's the CRCC review process?

The CRCC can review:

- ✓ RCMP decisions to accept, reject, or end a complaint, and
- ✓ the outcome of an RCMP investigation.

The CRCC cannot review:

- ✗ complaints resolved through informal resolution, or
- ✗ its own decisions.

Only you (or your representative) can request a review.



You have **60 days** from the day you get the RCMP decision letter to ask for a review. You may be able to get an extension if the CRCC decides you had good reasons for missing the deadline (for example, you did not get the decision letter because the RCMP sent it to the wrong address, you were sick in the hospital, or you were in state detention).

Because the RCMP only send limited information with their decision letter, some people rely on the CRCC review process to better understand what happened.

You can submit your request in the same way you submitted your original complaint to the CRCC. Include your original complaint file number in your request. You do not need to resend your original complaint.



You only need to send additional materials if you have new evidence to share. If you have new evidence, you must submit it within **30 days** of making your request. You can send up to 50 pages of written material plus 60 minutes of audio/video.

In your review request, briefly explain:

- which parts of the RCMP decision letter or findings that you do not agree with,
- why you disagree, and
- what outcome you are seeking.

The CRCC will assess whether the RCMP investigation was adequate, thorough, fair, impartial, and conducted properly. It will also look at whether:

- the findings are supported by evidence,
- the conclusions make sense,
- RCMP policy and law were correctly applied, and
- the outcome is reasonable.

If you want to know the status of your review request, contact the CRCC. They do not need to send you regular updates or tell you when they have started to review your complaint.

After its review, the CRCC may:

- **agree with the RCMP** (often called a satisfied report), which ends the process,
- **disagree with the RCMP** and issue an interim report, with findings and recommendations,
- **request further investigation**, or
- **hold a hearing** or **conduct its own investigation**.

Expect to wait for several months or even a year or more before the review process happens. The CRCC does not have to follow a set timeline. At the time this toolkit was created, there was a backlog of more than 365 investigations and review files waiting for a decision.

The CRCC can recommend actions (such as policy changes or an apology), but it **cannot**:

- ✗ award compensation,
- ✗ impose discipline, or
- ✗ lay charges.

If the CRCC issues an interim report, it will send it to the RCMP Commissioner and the Minister of Public Safety. The Commissioner must respond within **six months**, stating which recommendations the RCMP will accept or reject and why.

After the CRCC receives the Commissioner's response, it issues a final report. This report includes:

- the CRCC's findings,
- the Commissioner's response, and
- a description of what actions (if any) will be taken.

You, the RCMP, and the Minister of Public Safety will all receive a copy.

At this stage, the process is effectively finished. There is no further appeal option in this system, and the courts generally cannot review these decisions. You can choose to share the final report publicly.

When can the CRCC start its own complaint or public interest investigation?

The CRCC will investigate a complaint directly during a:

- **Chair-initiated complaint:** the CRCC Chairperson starts their own complaint about an incident of serious misconduct by an RCMP officer.
- **Public interest investigation:** the CRCC takes over an investigation, if it's in the public interest (usually if the RCMP have seriously mishandled it).

Chair-initiated complaints

If you have concerns about RCMP misconduct, but you're not eligible to file the complaint yourself (for example, you learned about the misconduct through the media or social media), you can contact the CRCC Chairperson to encourage them to start a chair-initiated complaint.

There are a few instances where the CRCC asks the RCMP to investigate a chair-initiated complaint, but that rarely happens. Usually, the CRCC investigate directly.

Even if the CRCC Chairperson does not initiate a complaint investigation, their response to your request can:

- confirm that the concerns are serious,
- show that similar problems have already been identified by the CRCC, and
- point to earlier findings and recommendations that remain relevant.

You can share their response publicly. This can help you and other **advocates** show that the issue is not new, that the RCMP has already been given guidance, and that the ongoing problem may be the RCMP's failure to act on that guidance rather than any lack of oversight or analysis.

Public interest investigations

If you believe your complaint cannot be properly investigated by the RCMP for public interest reasons (it has been seriously mishandled already or there is a serious conflict of interest involved) you can ask the CRCC to take over the investigation as a public interest investigation. You can ask this when you file the complaint or during the complaint process.

The CRCC will only investigate a complaint directly, or start its own complaint, in exceptional circumstances, so it's important to clearly explain why the situation is special that they need to intervene.

Contact the CRCC using any contact information provided to you already, or make this request by writing a letter and mailing or faxing it using the contact information in **Resources**.



Public hearings

The CRCC Chairperson can also order a **public hearing** in cases of very significant public concern. They are very rarely used — the last one was in 2001 — however BCCLA thinks they should be used more, and might be, if more people asked for them.

A public hearing forces officials involved in misconduct to speak as witnesses under oath in a public court, which can result in more transparency, build public trust, and stronger accountability. It's also an opportunity for systemic issues to be examined.

Complaining about systemic issues

Currently, the public can only make RCMP police complaints about RCMP officers' conduct through public complaints (see **Public complaints** on page 26). If you want to make a complaint about broad, systemic issues with RCMP policies, training, or service-wide behaviour, you cannot file a service or policy complaint like you can with non-RCMP police services (**Service or policy complaints** on page 54).

While you can mention systemic issues in public complaints about individual RCMP officer conduct, the outcomes of your complaint will usually be limited to that individual officer.

If you're concerned about the behaviour or actions of multiple RCMP officers or an entire specialized unit, you can ask the CRCC Chairperson for a **systemic or program-level review** of specific RCMP activities. This review can be used to assess systemic RCMP compliance with applicable laws, policies, and training, and can draw public attention to police problems beyond a single officer.

The CRCC does not have to act in response to your request. However, if the CRCC Chairperson starts a systemic review, problems with individual officer conduct can be connected and identified as patterns of behaviour that reveal issues with broader RCMP policy or structure.

Even if you didn't ask for a systemic review, if the CRCC starts one and you previously submitted a public complaint about an individual RCMP officer's conduct that is related to their review, it may contact you to provide evidence.

In 2023, the CRCC launched a systemic investigation into the RCMP's Community-Industry Response Group (C-IRG) in response to 573 public complaints between 2019 and 2022.

If the CRCC does not start a systemic review to look at the issue(s) that concerns you, see pages 40 and 41 for other ways to complain about or bring awareness to systemic issues within the RCMP.

File a public complaint (see Public complaints on page 26) and write about systemic issues:

Clearly mention if you think the RCMP officer's conduct you're complaining about is connected to a broader RCMP problematic policy or practice.

During its review of the complaint (see **What's the CRCC review process?** on page 35), the CRCC can make recommendations that the RCMP change its policies or training. There have been cases where CRCC recommendations led to new RCMP policies or changes in existing policies (for example, changes in how strip searches are done, or improvements in how they deal with people with mental health issues).

For example, if you were stopped by an RCMP officer and asked personal questions, you may believe that the RCMP officer detained you unlawfully and racially profiled you. In your complaint, you can mention that you think the RCMP's policy or training on street checks is inadequate.

Ask for a CRCC chair-initiated complaint:

Ask the CRCC Chairperson for a chair-initiated complaint about a systemic issue. For more information, see **What can the CRCC start its own complaint?** on page 37.

For example, if you believe your experience is part of a pattern of behaviour or you have heard of many similar cases, you could write "I urge the CRCC to examine RCMP practices regarding [issue] on a force-wide basis." The CRCC Chairperson can launch a broader review, such as a review of RCMP use of force in wellness checks or a policy review of how RCMP act in highly emotional situations.

Lobby the government:

- You could work with a **civil society group** to call for an independent **public inquiry** or audit into a systemic issue. This is a political solution, which can be unpredictable and hard work, but can be effective if you build lots of public support. Public outcry led to the *Bastarache Report* — a government-ordered independent review of RCMP misogyny issues.

For example, if there's a pattern of specific misconduct complaints being made in a certain region or area, a civil society group might petition the Minister of Public Safety or Parliament for an investigation.

Remember: The CRCC cannot force the RCMP to change its policies or practices. It can only recommend changes. Often, the RCMP will at least partially comply with a recommendation, especially if the issue is attracting attention.

Complaints about municipal, transit, and Stl'atl'imx Tribal police

This section deals with:

- **misconduct complaints:** complaints about specific non-RCMP police officer behaviour, and
- **service and policy complaints:** complaints about systemic issues within non-RCMP police services.

For the purposes of this toolkit, we refer to municipal, transit, and Stl'atl'imx Tribal police as non-RCMP police.

It also explains the role of the **Office of the Police Complaint Commissioner (OPCC)** and automatic reporting for reportable injuries.

Misconduct complaints

What is misconduct?

Police misconduct is any actions, words, or failures to act that are unlawful, inappropriate, or breach public trust. It includes abuse of authority, discourtesy, **discrimination**, or conduct that undermines confidence in policing.

If you believe a non-RCMP police officer acted this way, whether they were on or off duty, you can make a misconduct complaint about them.

See **Appendix I: Police Complaints** for a list of types of misconduct.



Who can file a misconduct complaint?

Anyone can file a complaint about an incident, even if they were not directly involved. You can even file a complaint about incidents you saw in the media or on social media.

When you file a complaint, you have to give your name and contact information. This information is usually shared with the police service involved.

If you were directly affected by or witnessed an incident but you do not want to participate fully, you can have someone file on your behalf. A **lawyer** or **advocate** could do this for you, but so could a trusted relative or friend. If you appoint anyone to do this, keep the complaint in your name so that all your evidence is included in the investigation.

If you're concerned about your safety or privacy, you could also ask someone to file a complaint in their name about the same issue or incident. Consider contacting the OPCC or speaking with a lawyer or advocate about how you can report the misconduct while protecting your identity.

SEE
RESOURCES

How long will the complaint take to resolve?



This complaint process can take a long time from start to finish.

The first step — the investigation stage — is generally supposed to be completed within six months. You should be notified of any extensions.

There are no fixed time limits for the next steps. Be prepared for the process to take many months, and over a year in cases where the misconduct is **substantiated**. In more complex cases where other legal proceedings that involve the same evidence (for example, a criminal investigation, a criminal trial, or a coroner's inquest) are underway, the process can take several years.

If you're concerned about delays, you can contact the OPCC.

SEE
RESOURCES

What happens to the officer during the misconduct investigation?

The officer may be reassigned or transferred to another unit or service while during the investigation. They may also be suspended from duties if the **discipline authority** thinks it would be unsafe, unfair, disruptive, or damaging to public confidence to leave them in active duty while the complaint is being examined. Suspension is not typically used unless the allegations are very serious.

If an officer is suspended, they will usually still be paid. The **police board** will only stop their pay if it decides it's in the public interest. The suspension must be reviewed within **10 business days**. It is **not** a finding of wrongdoing.

If the officer is later cleared, they must be repaid for any unpaid time.

How do I file a misconduct complaint?

You can file a complaint directly with the police force involved, but we recommend that you file your complaint through the **Office of the Police Complaint Commissioner** (OPCC) so that there is independent oversight from the start. The OPCC does not investigate your complaint or represent you. It monitors the investigation process.

You can submit a complaint to the OPCC in the following ways:

- **Online:** <https://opcc.bc.ca/complaints/submit-online-complaint/>
- **By phone:** 1-877-998-8707
- **By email:** info@opcc.bc.ca (send completed PDF or send your own written complaint)
- **By mail:** PO Box 9895, Stn Prov Govt, Victoria, BC V8W 9T8 (print and send completed PDF form or your own written complaint)
- **In person:** 947 Fort Street, Victoria, BC V8V 3K3 (print and complete PDF form or your own written complaint)

The OPCC complaint form is available in 13 languages.

If you choose to file a complaint directly with a police department, they must forward your complaint to the OPCC. You may feel anxious about doing this because you fear not being believed, being treated poorly, or facing retaliation. The process can also be intimidating and retraumatizing, especially when the complaint is about abuse of police power and must be reported to the officer's colleagues.

People have also reported to BCCLA that when they have gone to a police station to submit a formal police complaint, they have been encouraged to use less formal tools (for example, submitting a question or a concern instead of making a formal complaint).

When do I need to submit my complaint?



You must submit your complaint **within one year** of the incident.

Try to write down what happened as soon as possible. This can help you remember details later, especially if you're dealing with stress or trauma.

The OPCC may extend the deadline in some situations — for example, if you were too traumatized to file earlier, a medical issue meant you could not file on time, or new evidence becomes available. They may not extend the deadline, so it's best to file within one year if you can.

What happens after I submit a complaint?

Almost all misconduct complaint processes involve these steps:

1. Your complaint is screened (to see if it will be accepted).
2. You may be asked if you would like to try a kind of **informal resolution** like **mediation**.
3. If your complaint is not resolved by informal resolution, a police investigator begins a formal investigation.
4. Evidence is gathered and summarized in a **final investigation report**.
5. A police officer — called the **discipline authority** in this context — reviews the report and decides whether misconduct is proven or not.
6. If misconduct is not proven, you can ask the OPCC to review.
7. If misconduct is proven, the officer maybe disciplined. The discipline stage of a complaint may involve any of the following:
 - the discipline authority decides what consequences the officer will face, or
 - a **discipline hearing** will be arranged to decide on what consequences the officer will face.
 - a **pre-hearing conference** is held first. The police officer may accept the misconduct finding and discipline is decided.
 - if discipline is not decided at the pre-hearing conference, it will be decided at a discipline hearing.
8. After the discipline decision, the police officer, **complainant** (the person who filed the complaint), and OPCC can ask for a review of the decision.

How is the complaint screened?

The OPCC reviews your complaint to decide if it's admissible. A complaint is more likely to move forward if it:

- was filed within the one-year time limit,
- is not vexatious (not made to harass or annoy someone), and
- is not frivolous (misconduct could be proven).

The OPCC will write to you to tell you if your complaint was accepted or rejected. If it's rejected, the letter will explain why. If it's accepted, the OPCC will send it to the police department for investigation.

At this stage, the OPCC is **not** deciding whether your allegations are proven.

In some cases, your complaint may be split into two processes:

- one addressing officer misconduct, and
- one addressing broader service or policy issues (see **Service or policy complaints** on page 54).

If this happens, it could put a bigger burden on you to keep track of and engage with both complaints processes — misconduct complaints and service or policy complaints involve different investigative bodies, processes, decision-makers, and outcomes.

The OPCC also oversees the investigation and assigns an **investigative analyst** to:

- monitor the investigation,
- review evidence and identify gaps,
- require additional steps if needed, and
- answer your questions.

The OPCC will send you **monthly progress updates** about your complaint.

Who looks at my complaint?

Two different people will handle your misconduct complaint: an investigator and a discipline authority.

The investigator:

- gathers facts and evidence,
- interviews you, police officers, and witnesses,
- reviews records (notes, video, reports), and
- writes a final investigation report.

The investigator does not decide the outcome.

The discipline authority:

- may suggest an informal resolution process,
- reviews the investigation report,
- decides if misconduct is proven, and
- decides on discipline or corrective action.

The investigator, sometimes called a **professional standards investigator (PSI)**, will most likely be a police officer from the same department as the officer your complaint is about. They will be the same or higher rank than the officer involved in your complaint and should have no connection to your case.

The BC Attorney General or the **Chief Constable** in charge of the police department where the accused officer works may appoint an external investigator if they decide it's in the public interest. The external investigator could be from another police department. The OPCC must approve this decision.

The discipline authority will be a senior officer in the department where the accused officer works. Usually, the Chief Constable is the discipline authority, but they can delegate the role to another senior officer.

If your complaint is about the conduct of the Chief Constable, the investigator will still be a police officer from the same department, but the discipline authority will be the Chair of the Police Board (usually the mayor of the city).

What's informal resolution?

The discipline authority may suggest you use **informal resolution** to address your complaint instead of a formal investigation or disciplinary finding. It's generally used when the complaint is considered less serious and does not require a formal determination of misconduct. The goal is to resolve the issue in a quick and less adversarial way.

It's a voluntary process, and both you and the police officer involved must agree to it. It can be a good option if your complaint is about communication issues or a misunderstanding. If informal resolution is not offered to you, but you're interested in trying it, ask the OPCC.

Mediation is one form of informal resolution that is commonly used. It involves a structured meeting between you and the police officer, guided by a neutral third-party mediator. Other processes can be used too.

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In theory, informal resolution can be an opportunity to use restorative approaches and culturally safe processes.

A **restorative process** focuses on the harm caused and what is needed to address it. This may include giving you a chance to describe the impact of the incident, having the officer or police service respond, and reaching a practical outcome such as an explanation, apology, training, or changes to policy or practice. The aim is to acknowledge harm, support accountability, and help prevent the problem from happening again.

A **culturally safe or culturally grounded process** is one in which the **complainant** is treated in a way that respects their identity, culture, language, and lived experience, and where the process actively works to reduce racism, discrimination, and power imbalances. Cultural safety is defined by the person receiving the service, not by the institution. A culturally grounded process is rooted in the person's community, values, traditions, and ways of knowing, and may include supports such as interpreters, Elders, cultural supports, or space for cultural protocols where appropriate.

If you prefer a restorative process or one that meets your cultural needs, tell the OPCC early in the process. Your request may not be granted, but it's still worth asking. Any approach requires agreement for all **parties** involved.

You can seek support from community leaders who can use their influence to increase the likelihood that the officers involved will agree to your proposed process, who you can invite to guide the process or some parts of it, or to otherwise be present to support you and your needs.

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By choosing informal resolution, you may get:

- an explanation of what happened from the accused officer,
- an apology from the officer,
- a review or clarification of police policies, or
- a description of steps taken by the police department to address the concern.

Remember: you do not have to use informal resolution. If you prefer not to use it, the formal investigative process will start or continue.

There is no power balance between you the police officer involved (like you might have during a human rights tribunal or lawsuit process) during informal resolution.

Informal resolution **should not** be used for complaints about serious misconduct, such as excessive use of force, abuse of authority, unlawful arrest or detention, or serious neglect of duty.

If you feel pressured to agree, feel unsafe, intimidated, or unable to refuse, contact the OPCC as soon as possible.

Important things to note about information resolution:

- No finding of misconduct will be made — the process and its outcome will **not** be recorded in the officer's service record.
- If you agree to mediation but later change your mind, ask the OPCC to be excused or say the process is not working. You should not simply fail to attend, because the OPCC may discontinue the complaint if you do.
- The outcome of these processes involves a proposed resolution agreement. Once you consent to the resolution, you have **10 business days** to withdraw your agreement to it.

- If a proposed resolution agreement is reached and then accepted by the OPCC, it becomes a final and binding complaint resolution agreement (it must be followed).
- Informal resolutions are **confidential**. This usually includes the agreement too, unless you make it clear that you do not want to be stopped from sharing the details *and* the other parties agree. Anything you say during the process will generally not be shared with anyone outside of the meeting. But the OPCC still reviews, approves and records the outcome.

The OPCC oversees the informal resolution process:

- It can stop any planned informal resolution processes if the misconduct involved is too serious for informal resolution.
- It must review and approve any complaint resolution agreement you and the police reach before it is finalized.
- If the OPCC is not satisfied with the complaint resolution agreement, the complaint will proceed to formal investigation.

What happens during a formal misconduct investigation?

If your complaint is not suitable for informal resolution, there was no complaint resolution agreement, or the OPCC did not approve the agreement, a formal investigation begins.

The investigator will start to gather facts for the case file. They will:

1. Interview you.
 - You can refuse to be interviewed, but this may influence the investigation and its outcome, especially if you're the only witness to the misconduct.
 - You can ask for the interview to be done in a way that feels comfortable for you. This can include asking for a particular format (online or in-person) or culturally safe practices (for example, meeting in a culturally safe location or including an important cultural practice in the meeting).

The police department and the OPCC should keep you updated throughout the investigative process and relevant disciplinary process. If you do not get updates, ask the OPCC investigative analyst assigned to your complaint file.

- You can bring a support person with you to any online or in-person meeting.
- You can bring notes or documents to help you share your side of the story or to share with the investigator.

2. Interview officers and witnesses.

3. Collect evidence (for example, dispatch logs, video, medical records).

4. Prepare a final investigation report.

What happens after the investigation?

After the investigation, the investigator submits their final investigation report to the discipline authority. They have **20 business days** to make a decision.



You will get a copy of a final investigation report – a summary of steps taken and information gathered – within **five business days** after the disciplinary authority receives it, but not the full investigative file because of privacy laws and **confidentiality** of police employment matters.

Some information in the report you receive may be redacted (blacked out) for privacy or other legal reasons. For example, the name of the officer you filed a complaint about, and any other officers interviewed will not be shared in the report.

If you want to see the redacted information, contact the OPCC within **five business days** of receiving the report. They will only share it with you if they think you need it to protect your rights under the *Police Act* **and** it's appropriate under privacy law.



After the discipline authority has reviewed the final investigation report, they make an initial decision about whether the misconduct was **substantiated** (there is enough evidence that the officer committed misconduct), and if so, what disciplinary or corrective measures are appropriate.

If the proposed outcome is serious (for example, dismissal or demotion), or if the officer questions the finding or proposed discipline, there will be a **pre-hearing conference** and then possibly a **discipline hearing**. You will be told if this happens.

If the discipline authority decides there is not enough evidence to substantiate misconduct, the complaint is determined to be **unsubstantiated**, and the process is over (unless a review is ordered).



You can ask the OPCC to appoint a retired judge to review the discipline authority's decision of unsubstantiated within **10 business days** of the date you get written notice of it. If the OPCC agrees with the discipline authority, they will tell you and the decision will not be reviewed. The OPCC also reviews unsubstantiated findings on their own, so it can appoint a retired judge to review the decision, even if you do not ask them to.

If the OPCC refers the case to a retired judge, the judge will examine the investigation, the evidence, and whether the conclusion was reasonable. The retired judge can either decide if the misconduct was a) unsubstantiated, or b) substantiated, then determine the appropriate discipline or corrective measure.

What's a pre-hearing conference or discipline hearing?

When a misconduct complaint is substantiated and the proposed discipline is serious, the next step is usually a discipline hearing.

First, a **pre-hearing conference** is held. This is a meeting to clarify the issues, set timelines, address evidentiary or legal matters, and discuss how the hearing will proceed. Sometimes, the officer's misconduct is discussed and discipline is agreed. If this does not happen, a discipline hearing will happen next. A **discipline hearing** is when the discipline authority decides what discipline is appropriate.

As a **complainant**, you have no right to attend or be involved in a pre-hearing conference or discipline hearing. This can feel surprising or frustrating. You can stay involved by asking the OPCC or the police department for status updates.

You will receive a letter with the final decision. Possible discipline for the officer includes: advice or guidance, verbal or written reprimand, training or counselling, close supervision, transfer or reassignment, suspension (up to 30 days), reduction of rank, or dismissal.



If you disagree with the outcome, you can request a review by the OPCC within **10 business days**. The OPCC can initiate a **public hearing** or a **review on the record**. A hearing or review will not be ordered just because someone disagrees with the result — there needs to be a meaningful issue to examine. The OPCC will only order:

- A **review on the record** if they think the decision may be incorrect (for example, important evidence was ignored, or the reasoning is unclear or inconsistent)
- A **public hearing** if it's in the public interest (for example, the process will maintain or improve public confidence in the police complaint system). This is usually for cases that involve serious allegations or where greater transparency would help the public understand what happened.

What outcomes should I expect?

Very few police misconduct complaints in BC result in an officer being suspended, demoted, or fired. For less serious or first-time misconduct, discipline authorities are legally directed to prioritize “corrective” measures — for example, a written reprimand, advice about future conduct, or training — which are recorded in the officer's internal service record of discipline rather than publicly imposed as punishment.

What “unsubstantiated” means — and what it doesn't mean

Unsubstantiated means that no misconduct was proven during the investigation. You may understandably feel upset by an unsubstantiated finding, especially if you felt strongly that what happened was wrong. This finding does not mean the decision-maker thinks you were lying or that your experience did not matter.

In many cases, it means there was simply not enough evidence to prove misconduct under the legal standards that apply to police. It can also mean that the officer's actions were in line with their training or their department's policies, even if those policies or training seem flawed, outdated, or harmful. In this case, you can consider submitting a service or policy complaint to the police board to fix any policy-based flaws.

Service or policy complaints

What's a service or policy complaint?

Not all concerns about policing involve the conduct of a single officer. You may want to complain about how a police department operates more broadly. To do this in BC, for municipal, transit, and Stl'atl'imx Tribal police, you can file a **service or policy complaint**.

For the purposes of this toolkit, we refer to municipal, transit, and Stl'atl'imx Tribal police as non-RCMP police.

You can use this pathway when you want to focus on systemic issues, for example:

- how the department is directed, managed, or operated
- staffing levels or resource allocation
- training programs or resources
- policies, standing orders, or internal procedures
- how the department responds to calls for service

People have used service or policy complaints to raise concerns about:

- responses to mental health crises
- communication with families after serious incidents
- police supervision and oversight
- use-of-force or pursuit policies
- handling of evidence
- patterns in how certain communities are treated

Because these complaints focus on systems and not individual police officers, **officers will not be disciplined as a result of your complaint**. However, the civilian police board that reviews the complaints may:

- review practices,
- ask for reports,
- recommend or direct policy changes, or
- require improvements to services.

Many people use this type of complaint to seek accountability, transparency, and change. The media sometimes monitors police board meetings (where these complaints are discussed), so there's also a chance that the problems you include in your complaint will be brought to the attention of the wider public. That in turn could increase the political pressure on the police board to improve how the police department functions.

What is the role of a police board?

Every non-RCMP police department in BC is overseen by a police board — a group of civilians (not police) responsible for governance, accountability, and strategic direction of a city's police department. The local mayor is usually the chair of the police board.

One of the police board's roles is to review service or policy complaints. Most police boards have sub-committees to look specifically at these complaints. Meetings are public and usually held monthly. You can attend in-person meetings, watch livestreams or recordings, and review meeting documents. Investigation reports into service or policy complaints are often included in these materials.

Who can file a service or policy complaint?

Any member of the public can file a service or policy complaint. You do not have to be a resident of the city where the non-RCMP police agency operates to make a service or policy complaint. You can complain about things you've learned about from the media or social media or have heard about from other people.

You can also ask someone (for example, a **lawyer** or **advocate**) to file your complaint for you.

How long does a service or policy complaint take?



This complaint process can take from a few months to one year or more. You'll usually receive some form of response within about **six months**. But there are no fixed time limits for any part of this complaint process.

A police board may review and make a decision about a service or policy complaint within a few months. It may take longer for the board to make a decision if:

- it orders a study or deeper investigation into the issue, or
- the issue is complex and it will take longer write a comprehensive report about it.

If your complaint relates to an incident where charges were laid against a member of the public, the board may hold the complaint **in abeyance** (pause it) until the court process is finished.

Once the police board makes a decision, it must notify you and the **Office of the Police Complaint Commissioner (OPCC)** of its decision within **20 business days**. If you're concerned about delays, you can contact the OPCC.

How do I file a service or policy complaint?

You can file a complaint directly with the police force involved or their police board, but we recommend that you file your complaint through the OPCC so that there is independent oversight from the start. The OPCC does not investigate your complaint or represent you. It monitors the investigation process.

SEE
RESOURCES

When do I need to submit my complaint?



There's **no time limit** for filing a service or policy complaint under the *Police Act*.

You can submit a complaint at any time. It's a good idea to do it as soon as possible while the details are fresh in your mind and before policies or practices change.

What happens after I submit a complaint?

If you submit your complaint directly to the OPCC, they will:

- let you know in writing that they received the complaint, and
- forward your complaint to the Chief Constable and the police board.

If you submit your complaint to a police department or board, they will:

- acknowledge receipt of it in writing, and
- forward it to the **Chief Constable**, the police board, and the OPCC.

Police boards must have policies that explain how they handle service or policy complaints. They have to follow provincial policing standards and guidance from the Police Complaint Commissioner. **You can look for these policies online on the relevant police board's website or ask the board for them.**

The police board may not accept your complaint if they believe:

- it was made in bad faith,
- the issue has already been resolved, or
- the issue falls outside the department's authority (for example, a complaint asking for changes to the *Criminal Code* would be dismissed because the federal government is responsible for changing criminal laws).

If your complaint is accepted, the board will usually:

- ask the Chief Constable to investigate or study the issue, or
- start another form of review.

During the process, the police board will think about questions such as:

- Is the policy that is the subject of the complaint adequate? Does it comply with current law, policing standards, and best practices recommended by oversight bodies and **public inquiry** processes?
- Are department services provided adequately and without **discrimination**?
- Is this an isolated issue or a systemic one?
- Do department policies enable misconduct or other problems to persist due to lack of supervision and notification standards?
- Are changes needed?

Can I ask for an independent investigation?

If you're worried about bias, you can ask for an independent investigation. This means asking for someone who is not the chief constable of the police service your complaint is about to investigate your complaint.

To ask for an independent investigator (also known as a third-party investigator), you can:

- include this request in your complaint, or
- write to the police board before they decide how to proceed.

Be aware that:

- some “independent” investigators are former police officers or consultants who are seen as being aligned with the police, and
- independent investigators may not be subject to the same transparency laws as the police or police board, so this may affect what investigation records you have access to later on.

If the police board have chosen an independent investigator, or are thinking about choosing one, you can ask them:

- Does the potential investigator have any conflicts of interest?
- Will there be a clear and transparent terms of reference for the investigation (that is, a clear outline of what the investigator will do and how they will do it)?
- Could the terms of reference include a rule that all records can be shared with the public through freedom of information laws?
- Can I be kept informed or involved in the process?

Can I go to a police board meeting to speak about my complaint?

If you want to speak to the police board about your complaint, you'll have to make a written request to appear as a **delegation**. You can be a delegation even if you're only one person.



Check the police board's website or contact them directly to find out about **deadlines** and procedures for appearing as a delegation.

If your request is approved, you can appear in-person or remotely. You will probably be allowed to speak for five to ten minutes. After you have spoken, the police board members may ask you questions. If you cannot answer any of them at the time, tell them you will follow up later by email.

What's my role in the process?

After you've submitted your complaint, the police board takes the lead. The police board does not have to notify you before adding your complaint to a board meeting agenda or making any decisions about it. You may have limited opportunities for input unless the board wants further information from you.

You will have to make an active effort to stay informed:

- Check the police board agendas and other relevant materials online.
- Monitor committee meetings (if applicable).
- Attend or watch public board meetings.

Meeting documents are often posted only 24–48 hours before meetings, which can make it hard to stay updated. Set reminders for yourself to check for new material before scheduled meetings so you do not miss anything important.

You can also:

- ask for updates at any time from the police board, and
- give them additional information (although this may delay the process), share research, recommendations, or community perspectives. For example, if your complaint relates to mental health training for police officers, you can suggest specific training or ask the board to consult with mental health experts and people with lived experience before they make their decision. You can do this in-person or you can ask the OPCC to do it on your behalf.

The OPCC may also ask the board for updates. It may not tell you it's asking for updates, but it will share the responses with you.

What outcome should I expect?

There is limited public reporting about service or policy complaints, so it's hard to know the likelihood of certain outcomes or if those outcomes lead to meaningful change. Police boards have a changing, government-appointed membership, and as board change their priorities, capacity, and approach might change too. Many police boards rely heavily on the police departments they oversee, making it even less likely that your complaint will create the changes you seek.

Possible outcomes of the board's review of any investigation or study about your complaint include:

- no changes (the policy was considered adequate)
- changes to policy or practices
- direction to improve services
- further review or study

Once the police board has completed and reviewed its study or investigation, and decided on outcomes, you should receive a written decision that explains:

- how your complaint was investigated, and
- what changes, if any, will be made (for example, changes to the relevant staffing, resource allocation, training, policies, or procedures), or,
- explain why no changes will be made.

The written decision may include a detailed summary of the investigation results. The police board is not legally required to send you a copy of any investigation report, but it may send you a version that contains redactions (blacked out sections).

The OPCC will review the board's response. If it finds the response is not adequate, it can make recommendations to the board for further investigation, study, courses of action, or changes to service or policy. **The OPCC cannot force the board to change its policies.**

If you support the OPCC's recommendations, you can write to the police board to encourage them to implement them. You could ask people and relevant organizations in the community to sign your letter before you submit it to the police board.



What's a Reportable Injury?

Municipal police, Metro Vancouver transit police and Stl'atl'imx Tribal police must contact the OPCC immediately if a person suffers a **reportable injury**:

- while they are in the custody or care of a member of the police department, or
- because of the operations of that police department (for example, the police department's practices resulted in a person who had been in their care or detention to be left vulnerable in freezing temperatures, leading to hypothermia).

A reportable injury is an injury caused by a police firearm being discharged or an injury serious enough that the person needs emergency medical care and is taken to hospital.

The OPCC will monitor the situation or order an investigation by an external police service to ensure the incident is reviewed fairly and thoroughly, even if no complaint has been made.

If you experience an incident like this, you can still use the pathways talked about in this toolkit, including a misconduct complaint. Do not assume that the OPCC notification and monitoring requirements will result in an investigation into the conduct of police officers involved.

The RCMP does not have to report to the OPCC.

If police action or inaction causes **serious harm** or **death**, all police services in BC must also notify the Independent Investigation Office (IIO) of BC.

Serious harm means an injury that could seriously disfigure you or potentially cause your death. It also includes an injury that could seriously affect your mobility, including the mobility of your whole body, or how any limb or organ works. Sexual, emotional, and psychological harm are not included in the definition of serious harm. This is a huge gap in the law.

If you have experienced serious harm or the death of a loved one at the hands of the police, please see our dedicated resource: *Seeking Justice in the Aftermath of Police Violence: A Guide for Families and Survivors*.

Human rights complaints

Human rights complaints address **discrimination**. Complaints will only be accepted if discrimination was behind the harm you experienced. It does not have to be the only factor, or even the most important factor.

Discrimination is a decision, action, or behaviour decision that is unfair or has a negative impact on a person or group, because of personal traits like race, gender, age, religion, or disability. These traits are called **protected grounds**.

If you believe that a police officer or department has discriminated against you based on a protected ground, you have the right to file a human rights complaint.

Filing a human rights complaint can help address **systemic discrimination** (like racism and ableism) and promote fair and equitable policing.

In your complaint, you need to show that:

- you have a personal trait that is protected from discrimination,
- you were treated badly or negatively affected in a protected area (protected areas include accessing a service, like policing), **and**
- the personal trait was at least part of the reason for the mistreatment or negative impact.

There are different human rights complaint processes depending on which police force was involved. See **Step 1: Determine which police force you interacted with** on page 10.

What's important to understand about human rights complaints?

Police complaints processes (see **Chapter 2**) are only one tool to keep the police accountable for their actions. They focus on reviewing the conduct of police officers and internal police training and procedures, rather than providing **remedies** such as compensation.

Most police complaints are investigated by the same police service you're complaining about, rather than bringing in an independent, impartial decision-maker. A police complaint may not fully address the harm you experienced or give you the outcome you want.

In contrast, human rights complaint processes:

- focus on the person who was harmed, so they can make you feel more emotionally and psychologically safe than you may feel during a police complaint process,
- are not focused on disciplining the police officer who caused the harm,
- are designed to be flexible and accessible, and
- take into consideration known patterns of discrimination — for example, the racist history of RCMP involvement in residential schools in Canada, or the inherent bias in racial profiling cases.

The main drawbacks of human rights complaint processes are that:

- they can take a long time to resolve,
- if you want to keep your story private you may not be able to,
- if your complaint is not resolved through **mediation** and goes to a **hearing**, you will probably need some type of legal help, and
- the police will have **lawyers** representing them, even if you do not.

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Confidentiality during and after informal resolution: informal processes, like mediation that may be used to reach an agreement outside of a formal tribunal. During these processes, you will not be able to share details of your story or what's discussed. If you reach an agreement, that agreement may include a **non-disclosure agreement (NDA)** — this means that you are required to keep the details of your complaint and its resolution **confidential**.

Many survivors of sexual harassment and discrimination are silenced by NDAs and can be sued by the perpetrator if they share their story. **NDAs are not required by law, but many people feel pressured to agree to them.**

Public tribunal processes: if your complaint is not resolved through an informal process, it may go to a formal tribunal hearing. These hearings are always public. If you want to keep your story private, there are specific legal tools you can use to ask to keep your identity and story confidential at this stage. If this request is denied, you can withdraw (pull back) your complaint.

Different stages of the human rights complaint process require you to keep your story private, and others require your story to be public. Think about whether you want to keep your story private or public.

If you want people to know about your story, think about this when you're deciding which pathway to take. For example, you can make it clear that you want your story to be public at the beginning of a mediation process and that you will not sign an NDA.

Can a police officer retaliate against me for filing a human rights complaint?

You may be worried that the police officer or their colleagues will retaliate against you — intimidate, harass, coerce (pressure), or treat you unfairly — for making or taking part in a complaint. If you live in a small community, you might see the police officer you complained about, and this may make you feel anxious. These are common and valid concerns.

The *Canadian Human Rights Act* and the *BC Human Rights Code* prohibits (does not allow) RCMP or non-RCMP officers to retaliate against anyone involved in a human rights complaint. This includes people who have made a complaint, victims, witnesses, and anyone supporting a complaint.

If someone retaliates against you because of your role in a human rights complaint, you can say this in your original complaint or file a separate complaint about the retaliation. The process used to decide whether retaliation occurred is the exact same process used to decide the human rights complaint about discrimination.

If a police officer retaliates against you because you filed a human rights complaint, you may also be able to file a police complaint against them (see **Chapter 2: Police complaints**). If you're facing serious threats to your safety from police because of the retaliation, speak to a lawyer.

You should not expect to interact with the police officer involved unless they agree to come to mediation or if they are called as a witness in a hearing.

Complaints involving police often focus on the police board as their employer, which is legally responsible and able to provide a remedy. Individual officers named by a **complainant** are often removed from the complaint.

Human rights complaints against the RCMP

If you want to make a complaint about **discrimination** you experienced by the RCMP for not respecting your rights that are protected by the *Canadian Human Rights Act*, you can complain to the **Canadian Human Rights Commission** (CHRC).



The CHRC is Canada's national human rights body. The CHRC does not usually decide if discrimination happened; instead, it reviews complaints, screens them (decides whether they can move forward), may offer **mediation** or **conciliation**, and can refer serious or unresolved complaints to the **Canadian Human Rights Tribunal** (CHRT), which can hold a **hearing** and order **remedies** (solutions to repair harm).

The *Canadian Human Rights Act* prohibits discrimination based on certain grounds, including race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, disability and conviction for an **offence** for which a pardon has been granted or in respect of which a record suspension has been ordered. It applies to federally-regulated organizations across Canada, including the RCMP.

You can file a complaint with the CHRC even if you've also filed a police complaint. These are separate processes with different purposes: the police complaint system looks at officer conduct, and the human rights process looks at discrimination and can order remedies such as compensation or policy change. **You do not have to choose between them.**

The CHRC can defer (delay starting), suspend (pause), or decline to deal with a complaint if another process is addressing the same matter and could provide a suitable remedy. In practice, RCMP complaint processes often do not resolve discrimination issues fully, so human rights complaints may continue or resume after an RCMP complaint process ends.

If you're thinking about making both a police complaint and a human rights complaint, it's a good idea to get legal advice.



Who can file a human rights complaint?

An individual or a group can file a complaint against non-RCMP police. The complaint can concern you or someone else.

A **representative complainant** is someone who can file a human rights complaint on behalf of another person if you have their consent (agreement), the person is under the age of 19, or the person has capacity issues and cannot file the complaint independently.

People who no longer live in Canada but experienced discrimination in the country may also make a human rights complaint if they were legally in Canada at the time.

Family members who have lost loved ones to police violence or police failure to act cannot file a complaint on behalf of the person who has died. If you have experienced serious harm or the death of a loved one at the hands of the police, we have a dedicated resource for you on our website: *Seeking Justice in the Aftermath of Police Violence: A Guide for Families and Survivors*.

What are the time limits for filing a complaint?



A complaint must be filed **within one year** of the incident of discrimination or, if the discrimination is ongoing, within one year of the last instance of discrimination.

The CHRC can waive (ignore) that time limit if there is a good reason for the delay. If your complaint is late, you will need to explain why you believe the CHRC should still accept your complaint.

How do I file a human rights complaint?

Here are the ways to file a BC human rights complaint:

- **Online:** <https://www.chrc-ccdp.gc.ca/>
- **Email:** download and send [the form](#) or a letter to
 - complaint.plainte@chrc-ccdp.gc.ca;
- **Mail:** print [the form](#) or send a letter to
 - Canadian Human Rights Commission, 344 Slater Street, 8th Floor, Ottawa, Ontario K1A 1E1
 - Walk in service is not available.
- **Fax:** 613-996-9661

If you need help or want to talk to someone, contact the Commission at 1-888-214-1090 or at info.com@chrc-ccdp.gc.ca. You can find other forms, policies, and templates on the [CHRC website](#).

What should I include in my complaint?

You do not need legal training to file a complaint, and you do not need to provide full proof at the outset. Your role is to explain, clearly and honestly, what happened and why you believe it was discrimination.

See **Appendix II: Human rights complaints** for a checklist of what to include in your complaint.



What happens after I file a complaint?

The CHRC is a screening body. It does not determine whether discrimination has occurred.

Once a complaint is filed, the CHRC screens the complaint form to determine whether it contains sufficient information and falls within its jurisdiction. The complaint may be accepted for further processing or dismissed at this stage. The CRHC will notify you of its decision.

What happens if my complaint is accepted?

If your complaint is accepted, the CHRC will process it by either assessing any preliminary issues raised in your complaint or by providing the **respondent** (the person or organization you're complaining about) with an opportunity to file a response form. You will then be asked to submit a reply to the respondent's response.

Informal Resolution

At any point after the complaint is accepted, the CHRC may offer an informal option to resolve the complaint:

- **mediation**, which is voluntary, and/or
- **conciliation**, which is mandatory.

If you agree to mediation and it does not work, the CHRC will choose an investigator to look into the complaint; they will gather documents and consider how strong the case is. Following the investigation, you and the respondent will receive a **report for decision** which will contain an assessment of the preliminary issues or substance of the complaint. You will both have an opportunity to provide comments on that report.

The CHRC will review the report and the **parties'** comments and may decide to dismiss the complaint, request further investigation, refer the matter to conciliation, approve a **settlement**, or refer the complaint to the **Canadian Human Rights Tribunal** (CHRT).

Tribunal Procedures

If a complaint is sent to the CHRT, it will review the complaint and tell the parties involved. If the CHRT decides the complaint is valid, the respondent has a chance to respond.

Mediation may be offered to resolve the issue. If that fails, the CHRT collects evidence and holds a hearing where both sides present their case.

A complaint under the *Canadian Human Rights Act* typically can take several years if it proceeds through the full hearing process. A fully contested case commonly takes at least **two to four (or more) years** to resolve. Most complaints are resolved early through settlement or mediation and may finish sooner.

What outcome can I expect?

If you win your case, the CHRT can order the RCMP to:

- ✓ stop the **discriminatory practice** and take steps to prevent the practice from happening in the future;
- ✓ give you what you were denied because of the discrimination. For example, if you were denied an RCMP service and still require it, the RCMP will be ordered to provide it;
- ✓ pay you any wages you lost because of the discrimination;
- ✓ pay you for the extra costs of getting alternative goods, services, facilities or accommodation because of the discrimination;
- ✓ pay you up to \$20,000 for any pain and suffering you experienced because of the discrimination;
- ✓ pay you up to \$20,000 if the discrimination was intentional or reckless; and,
- ✓ award interest on an order to pay financial compensation.

The CHRT's decision is legally binding. Either party can appeal the decision to the Federal Court of Canada. If neither you nor the RCMP appeals, and the RCMP do not do any or all of the things ordered by the CHRT, you could take further legal action. It's a good idea to speak to a **lawyer** if this happens.

Human rights complaints against non-RCMP police in BC

If you want to complain about **discrimination** by the municipal, Metro Vancouver transit, or Stl'atl'imx Tribal police for not respecting your rights that are protected by BC's *Human Rights Code*, you file a complaint with the **BC Human Rights Tribunal** (BCHRT).

For the purposes of this toolkit, we refer to municipal, transit, and Stl'atl'imx Tribal police as **non-RCMP police**.

The BCHRT is an independent body that decides whether discrimination happened and orders **remedies** (solutions to repair harm). You can file a human rights complaint if you believe you have experienced discrimination through services like policing.

The *Human Rights Code* prohibits (does not allow) discrimination based on Indigenous identity, race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age.

You can file a complaint with the BCHRT even if you've also filed a police misconduct complaint. These are separate processes with different purposes: the police complaint system looks at officer conduct and discipline, and the human rights process looks at discrimination and can order remedies such as compensation or policy change. **You do not have to choose between them.**

The BCHRT may pause or dismiss a human rights complaint if another proceeding is addressing the same issue and can provide an adequate remedy. In police-related cases, it will usually pause rather than dismiss a complaint, because police discipline processes usually do not fully address discrimination or provide the same remedies as a human rights complaint.

If you're thinking about doing both, it's a good idea to get legal advice.

SEE
RESOURCES

BC's Office of the Human Rights Commissioner is a separate body from the BCHRT. It works on the root causes of inequality, discrimination, and injustice by influencing laws, policies, practices, and cultures through education, research, and advocacy. In some cases, the Commissioner may take part in a Tribunal case, not on the side of either **party**, but to share their views on broader human rights issues.

Who can file a human rights complaint?

An individual or a group can file a complaint against non-RCMP police. The complaint can concern you or someone else.

A **representative complainant** is someone who can file a human rights complaint on behalf of another person if you have their consent (agreement), the person is under the age of 19, or the person has capacity issues and cannot file the complaint independently.

Family members who have lost loved ones to police violence or police failure to act cannot file a complaint on behalf of the person who has died. If you have experienced serious harm or the death of a loved one at the hands of the police, we have a dedicated resource for you on our website: *Seeking Justice in the Aftermath of Police Violence: A Guide for Families and Survivors*.

What are the time limits for filing a complaint?



You must file the complaint within **one year** of the incident. If the discrimination is ongoing, you must file it within one year of the last incident.

If you file a complaint after the time limit, the BCHRT may accept all or part of the complaint if:

- it's in the public interest to do so, **and**
- no person will experience substantial prejudice (serious or irreparable damage to a person's legal rights or case) because of the delay.

This is very rare, and timelines should be followed whenever possible.

If you believe your situation is urgent, you can apply for a fast-track process when you file your complaint. You must clearly show why your situation is urgent and why it should be fast-tracked.



How do I file a human rights complaint?

Here are the ways that you can file a BC human rights complaint:

- **Online:**
 - If you're filing as an individual, submit an [online complaint form](#).
 - If you're filing as a group, submit an [online complaint form https://intake.bchrt.bc.ca/hrt/hrt-group](https://intake.bchrt.bc.ca/hrt/hrt-group).
- **Mail:** print off your individual or group form and mail it to:
 - 1270 – 605 Robson Street, Vancouver, BC, V6B 5J3
 - Walk in service is not available.
- **Email:** send your complaint to: BCHumanRightsTribunal@gov.bc.ca
- **Phone:** call the BCHRT at 604-775-2000 (press 3 then press 1 to speak to the Registry Office) and ask to file your complaint in a different way.

What should I include in my complaint?

You do not need legal training to do file a complaint, and you do not need to provide full proof at the outset. Your role is to explain, clearly and honestly, what happened and why you believe it was discrimination.

You may find it helpful to look at the BC Human Rights Commissioner's website, as it has information about human rights concerns in policing, including reports and recommendations. It can help you think about what kind of remedies or outcomes to ask for from this process, especially if you want to see changes to policies or training.



See **Appendix II: Human rights complaints** for a checklist of what to include in your complaint.



What happens after I file my complaint?

After you submit your complaint, the BCHRT will review it.

- If the complaint form is complete, it will send a copy to the **respondent(s)** (in this case, the individuals and organizations you're complaining about).
- If the complaint form is incomplete, the BCHRT will contact you to tell you what information it needs and when it needs it.
- If another proceeding (for example, a lawsuit) is ongoing, it may put your complaint on hold until the other proceeding ends.
- If the complaint is not accepted, the BCHRT will let you know the reason which could be that:
 - it's not covered by the *BC Human Rights Code*,
 - the facts do not show discrimination under the *BC Human Rights Code*, or
 - it was filed late.

Once a complaint is accepted for filing, the complaint will move forward towards resolution.

What happens if my complaint is accepted?

The Tribunal has two processes to help you get to a solution:

1. Informal resolution

The BCHRT may give you the opportunity to resolve your complaint informally through **mediation**. This is a free and **confidential** process where you and the respondent meet with a BCHRT mediator to try and reach an agreement. Mediation is voluntary — both you and the respondent have to consent (agree) to participate. You can choose not to participate, but mediation is strongly encouraged by the BCHRT because many complaints are resolved this way. It's usually the fastest, easiest way to solve a complaint.

Mediation provided by the BCHRT is usually done online or by phone but sometimes take place in person. The BCHRT typically provides one mediation session, although more than one session may be arranged.

If you reach an agreement, it is called a **settlement**. Settlements are confidential (not public) unless both **parties** agree otherwise.

In addition to BCHRT-led mediation, either party can try to settle the complaint on their own at any stage. These options are always voluntary. If this is done outside of the BCHRT mediation process, you or the other party are responsible for all aspects about the process, including the **cost**.

2. Hearing

It's very unlikely that your complaint will go to a **hearing**, as most complaints are resolved informally. Hearings are public. They're usually held online, though some take place in person. Many hearings take a day or two, but they can take several days or longer — it depends on the details of the complaint. At the hearing, both sides present their case by sharing evidence, calling witnesses, and making arguments.

Preparing for a hearing can take significant time and effort. Both sides must collect and share relevant documents, prepare witnesses, and follow the BCHRT's rules and deadlines. It may be a good idea to get a **lawyer** if you go to a hearing, but you do not need a lawyer to participate.

If you have a lawyer, they will speak on your behalf, and you can **testify** (speak) as a witness. Police officers involved in the incident may attend the hearing as witnesses. Each side has the right to question the other side's witnesses — this is called cross-examination. If you testify, the lawyer acting for the police board may ask you questions.

The BCHRT's website is a great resource for **complainants** who are not using a lawyer.



SEE
RESOURCES

Your complaint may be dismissed at any time during the process. For example, the BCHRT can dismiss the complaint if it thinks that the discrimination you've complained about does not amount to a violation of your human rights and you're unlikely to win, or if you have not taken the steps needed to move your complaint forward.

If your complaint is dismissed, you will be notified and have an opportunity to respond, however, the complaint process will be over.

What outcome can I expect?

If you win your case, the BCHRT can order the police board to:

- ✓ Change the discriminatory behaviour, policy, or service delivery to avoid similar situations in the future. If the discrimination is part of a pattern or practice, it can order the municipal police force to introduce a program to help it fix the discrimination.
- ✓ Give you what you were denied because of the discrimination. For example, if the municipal police officer failed to deliver a service because of racial discrimination, the BCHRT can order them to provide that service.
- ✓ Pay you compensation for any or all wages lost and other expenses related to the discrimination. You can also ask for interest to be calculated and included in the amount of compensation. The amount of compensation depends on how serious the discrimination was and how it affected you. Recent awards range between \$15,000 and \$35,000. If discrimination caused you to lose income, the BCHRT can also order that lost wages and associated benefits be paid.
- ✓ Pay you compensation for injury to dignity, feelings, and self-respect. The BCHRT will consider nature of the discrimination, your vulnerability, and the effect the discrimination has had on you.

The BCHRT does **not** award:

- ✗ Punitive **damages** (money meant to punish)
- ✗ Legal **costs** (each party usually pays their own lawyer)

Suing the police

You may want to bring a **civil lawsuit** against the police (sue them) if you want a court to decide whether police are legally responsible for harming you or destroying your property, and to order the police to compensate you for it.

If you want compensation for harm caused by police but your case does not fit within human rights law and its complaint system, your only option is to sue the police.

If your situation does fit within the human rights complaints system but it involves serious harm or major *Charter* violations, a civil lawsuit may be an important option for you instead of, or in addition to, a human rights complaint.

Courts are the only bodies that can formally and definitively declare that police violated (ignored) your constitutional rights and freedoms — and not all courts can do this.

The Charter of Rights and Freedoms (Charter) is part of Canada's Constitution and it protects some key human rights from government action, including police action. It means police can only stop, question, search, or arrest you unless they have a legal reason to and that they must treat people fairly. When the police don't do this, this is called a *Charter* violation or breach.

For example, courts have found serious *Charter* violations where police racially profiled someone, stopped or detained them without proper grounds, searched them, used force, or failed to tell them about their legal rights. In cases like this, a civil lawsuit may allow a court to award **damages** for the harm caused by the police conduct, including damages meant to recognize the seriousness of the *Charter* breach.

What's important to understand about lawsuits?

Civil lawsuit processes are complex.

The police will have a **lawyer** to represent them. It's a good idea to do the same.

Bringing a lawsuit against the police is a serious step that takes time, effort, money, and emotional energy. You will likely need to clearly describe what happened multiple times; consistently answer questions from the other side's lawyer; and take part in court **hearings** where the officer involved may be present.

Unlike human rights complaints (see **Chapter 3**) and police complaints (see **Chapter 2**), there is not very much support available to people navigating these processes, and there is little protection from retaliation (the police intimidate, harass, coerce (pressure), or treat you unfairly for suing them).

If you lose your lawsuit, the court may order you to pay **costs** to the government, which means reimbursing a portion of their legal expenses. Therefore, losing a civil trial carries financial risk. Even if you win, Canadian courts generally do not award large sums of money like courts in the United States.

Who can sue the police?

You may consider suing the police if you suffered a physical or emotional injury because of an interaction with an RCMP or non-RCMP police officer or if you believe you were:

- wrongfully arrested (arrested without legal justification),
- falsely imprisoned (detained or held against your will without legal justification),
- unlawfully searched (police searched for you or your possessions without legal justification), or
- subjected to having your property taken or damaged by police without legal justification.

How can I sue the police?

You can sue the police in either **Small Claims Court** or the **Supreme Court of BC**.

The court you choose will depend on difference factors, including:

- the amount of **damages** (compensation) you want,
- whether you want an admission from the police that they violated your constitutional rights,
- whether you intend to represent yourself or hire a lawyer, and
- how quickly you want to resolve the issue.

Small Claims Court is a division of the Provincial Court of British Columbia that handles civil disputes up to \$35,000 (excluding interest and expenses) in a simplified and less formal manner than the Supreme Court of BC.

Supreme Court of BC is the province's superior trial court and it handles civil disputes that are over \$35,000 and hear appeals from the Provincial Court of BC.

Is there a time limit to sue the police?

A **limitation period** is the length of time you have to file a civil lawsuit, starting from when you become aware of an incident.



In civil lawsuits, limitation periods and notice requirements (a rule that you have to tell someone officially about your lawsuit) are especially important. If you miss the timeline to file, you may lose your legal right to bring a claim against the police, even if your complaint is otherwise valid.

Regardless of which court you choose, under BC's *Limitation Act*, a person has **two years** to file a lawsuit. This is known as the **basic limitation period**. This means that there is a 2-year time limit to file a notice civil claim against the police force and/or responsible municipality (city) from the moment you become aware of the incident, which is usually the moment it happens.

Under BC's *Limitation Act*, there are two main exceptions to the 2-year limitation period:

1. If the police cause serious harm to someone under the age of 19, the two-year limitation period does not start until the **minor** turns 19. There are additional exceptions for minors that relate to allegations of assault while in police custody including sexual assault.
2. If the police cause harm to a person with disabilities, meaning an adult who cannot manage their own affairs.

In very rare occasions, a victim may not reasonably know that they suffered an injury or loss at the hands of the police (for example, they may not find out for several years that their child's death was a result of police action or inaction, or they may have been in a coma for several months). In these cases, there is an **ultimate limitation period** of 15 years. This means you cannot start a court proceeding if a claim is more than 15 years after the day on which the act or omission causing injury, loss or damage occurred.

Municipal Notice Requirements



If the police officers that harmed you work for a municipal (city) police department (not the RCMP), there is another deadline that you must meet in addition to the limitation period. You must provide a pre-lawsuit notice in writing to the City Clerk within **two months** of the incident.

The City Clerk is a senior position that exists in every municipality in BC and oversees the administration of city governance. If you're filing a lawsuit against the Victoria Police Service, please note that it polices two municipalities — Victoria and Esquimalt — so you may need to serve notice to both cities.

Your written notice to the City Clerk must set out the time, place, and circumstances of the alleged injury, damage, or loss.

If you have not met this notice requirement, it may still be possible to file a lawsuit. We strongly recommend that you consult a lawyer for legal advice about what options are available to you.



If you're filing a lawsuit against the RCMP, you do not need to provide notice to the municipal government or the federal government.

What happens in Small Claims Court?

The Small Claims Court in BC is part of the Provincial Court system. It was created to make it easier and less expensive for people to bring legal claims without a **lawyer**. If you're seeking damages of over \$5,000 but under \$35,000, Small Claims Court is likely the best court option.

Benefits of suing the police in the Small Claims Court include:

- **Simple procedures:** its procedures are simpler and more informal than those of the Supreme Court of BC, which makes it easier for people to navigate without a lawyer. However, we still recommend that you get legal advice about your claim, especially on how to explain your issues and present your evidence, even if you plan to represent yourself in court.
- **Lower filing cost:** filing fees and procedural costs are significantly lower than in the Supreme Court of BC, potentially reducing financial barriers.
- **Faster resolution (in many cases):** many cases reach resolution more quickly than in the Supreme Court of BC because of the Small Claims Court's simplified procedures and active case management.
- **Settlement-focused process:** the process places strong emphasis on early **settlement** through settlement conferences, which in most cases increase the likelihood of resolving the dispute without a full trial.

Small Claims Court in BC has a limited role to resolve specific civil disputes — primarily claims up to the \$35,000 limit — and certain related matters. It cannot make legal decisions about *Charter* violations or grant constitutional **remedies** (solutions to repair harm).

Constitutional questions and *Charter* challenges must instead be brought before higher courts, such as the Supreme Court of BC or Federal Court.

What happens in the Supreme Court of BC?

The Supreme Court of BC is the province's highest trial court and can hear civil claims of any dollar amount. If you're seeking more than \$35,000 in compensation through a civil lawsuit, your claim must be filed in the Supreme Court.

The Supreme Court of BC follows formal rules and procedures, which can make the process more complex and difficult for non-lawyers to navigate successfully. If you're thinking about making a Supreme Court of BC claim, retain a **lawyer** to represent you, or seek legal advice before proceeding.

Benefits of suing the police in the Supreme Court of BC include:

- **Procedures for gathering evidence:** the Supreme Court has stronger pre-trial steps, allowing each side to ask for relevant documents and question the other side under oath. These tools are important in cases involving serious injury, significant losses, or allegations of police misconduct, where collecting detailed evidence is necessary.
- **Charter decisions:** if your claim involves *Charter* rights violations, the Supreme Court of BC is the right court to use. The Court can decide whether your rights were violated, award compensation, and review whether a law or government action is allowed.
- **More options for outcomes:** Small Claims Court can only usually order someone to pay money. The Supreme Court of BC can do more. It can order someone to do something, stop doing something, or formally declare what the law says about a situation.

What's a class action lawsuit?

A class action lawsuit is different from an individual lawsuit. In an individual lawsuit, the person who was harmed sues on behalf of themselves. In a class action, one person starts the lawsuit on behalf of a larger group of people who may have similar legal claims — this group is called "the class" — and asks the court to deal with common issues at the same time.

A class action lawsuit can be more realistic for people to bring legal claims that might be too expensive, stressful, or difficult to bring alone. But a class action is not always a good fit if the case depends mostly on very individual facts (for example, what one officer did to one person in a unique situation). In those cases, an individual civil lawsuit, human rights complaint, police complaint, or another process may be more appropriate.

The person who starts a class action lawsuit is usually called the representative plaintiff. They do not need to know every person in the class. They also do not need each person's permission in the class before starting the case. This means a class action about police harm that you experienced may have already been filed by someone else if they experienced the same kind of harm.

Someone might start a class action for:

- everyone arrested at a particular protest
- everyone strip searched under a particular police practice
- everyone detained in certain cells during a certain period
- people affected by an alleged pattern of racial profiling
- people whose personal information was allegedly collected or shared unlawfully by police

A class action lawsuit can take years to resolve, and they do not always succeed. These lawsuits are complicated and require special legal experience to understand the special rules that apply. If you think a class action lawsuit is a viable option for your experience, speak to a lawyer.

Acronyms

BCHRT	BC Human Rights Tribunal
CHRC	Canadian Human Rights Commission
CHRT	Canadian Human Rights Tribunal
CRCC	Civilian Review and Complaints Commission
DRIPA	BC's Declaration on the Rights of Indigenous Peoples Act
IIO	Independent Investigations Office of BC
NDA	Non-disclosure agreement
NSIRA	National Security and Intelligence Review Agency
OPCC	Office of the Police Complaint Commissioner
PSI	Professional Standards Investigator
RCMP	Royal Canadian Mounted Police
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples

Glossary

advocate: a person who helps someone understand options, gather information, or navigate a process; usually not a lawyer or able to give legal advice

basic limitation period: how long you have to file a lawsuit starting from the date of the incident (generally 2 years in BC)

business day: a day other than a Saturday, Sunday, or a public holiday

Charter breach: a violation of a right protected by the *Canadian Charter of Rights and Freedoms*

Charter of Rights and Freedoms: a part of the Canadian constitution that protects the rights and freedoms (for example, freedom of expression, equality, and legal rights when someone is detained or arrested) of everyone in Canada against action by the state; the constitution is Canada's highest law

chief constable: the senior police officer in charge of a municipal (city) police department

civil lawsuit: legal action brought by an individual or organization against another individual or organization to have a court resolve a dispute

civil society group: an organization or group of people that is not part of government or a private business, and that works on issues affecting the public

complainant: a person who files a police complaint or a human rights complaint

conciliation: a mandatory (not voluntary) process that is like mediation that the Canadian Human Rights Commission (CHRC) may make parties use where a neutral conciliator (facilitator) helps the parties try to reach a settlement (agreement)

confidentiality: a legal obligation to protect information from being used or shared with anyone

costs: out-of-pocket expenses associated with being a party to a lawsuit such as court fees and legal fees

damages: monetary compensation awarded by a court to a person for loss, injury, or harm caused by another party's actions or wrongdoing

delegation: a person or group that can speak to a municipal police board about a service or policy complaint

discipline authority: a decision-maker that reviews the findings of a police misconduct investigation, decides if misconduct happened, and if so, what discipline or corrective measures to give to the police officer (for example, suspension or training)

discipline hearing: a formal meeting not open to the public used to determine the consequences for a police officer who has engaged in misconduct

discrimination: unfair treatment or harmful impact on a person or group because of a protected personal characteristic such as race, disability, sex, age, religion, or gender identity

discriminatory practice: actions, policies, or patterns of behaviour that create, continue, or reinforce discrimination

final investigation report: the summary report of an investigation into a police misconduct complaint

hearing: a formal proceeding, usually in a court room or other public place, where a judge, tribunal member or other authorized decision-maker looks at evidence and/or arguments and makes a decision on an issue or a case

in abeyance: when something is on hold or paused until another process finishes

informal resolution: a process used to resolve a complaint without a formal hearing that can include discussion, mediation, negotiation and may result in a settlement (agreement) between the parties

investigative analyst: an Office of the Police Complaint Commissioner (OPCC) staff member who oversees municipal misconduct investigations

judicial review: a court process where a judge looks at the legality, fairness, and reasonableness of decisions made by administrative bodies, tribunals, or public officials

lawyer: a professional expert in the legal system certified by the provincial law society; also called counsel, barrister, or solicitor

letter of disposition: a formal document issued by the RCMP to end an investigation into a public complaint regarding officer conduct; another term used for "notice of direction"

mediation: a voluntary process in which a neutral third-party facilitator helps the parties try to reach an agreement

minor: in BC, this is someone under 19; in federal law, someone under 18

notice of direction: a formal document issued by the RCMP to end an investigation into a public complaint regarding officer conduct; another term used for “letter of disposition”

off-duty police officer: a police officer not at work

offence: any act or omission that breaks a law

on-duty police officer: a police officer acting within their scheduled working hours or officially carrying out police duties for their employer

party: a person, organization, or public body involved in a court case or complaint process

pre-hearing conference: a meeting where a police officer may admit misconduct instead of attending a discipline hearing

protected grounds: personal characteristics protected by human rights law like race, gender, age, religion, or disability that services, including police, are not allowed to discriminate against

public hearing: a specific kind of hearing that can be ordered by BC’s Police Complaint Commissioner or the Chair of Canada’s Civilian Review and Complaints Commission (CRCC) to consider an issue involving police that raise issues of substantial public concern

public inquiry: a formal investigation asked for by the government but conducted independently to examine issues of significant public concern, find out facts, and make findings and recommendations for reform

remedies: measures that a court, tribunal or other decision-maker may allow to address a wrong or enforce a right

report for decision: a report prepared by an investigator for the Canadian Human Rights Commission (CHRC) about a complaint

reportable injury: an injury caused by a police firearm being discharged or an injury serious enough that the person needs emergency medical care and is taken to hospital; must be reported to the Office of Police Complaint Commissioner (OPCC)

representative complainant: a person who files a human rights complaint on behalf of someone else

respondent: the police officer or police department that responds to a complaint or lawsuit filed against them; sometimes called a “defendant”

review on the record: a process that can be ordered by the Police Complaint Commissioner after a police disciplinary process where a retired judge is appointed to look over the case again, deliver a decision of whether there is misconduct and, if yes, decide on the corrective and/or disciplinary measures; decision is final

serious harm: harm that may result in death, serious disfigurement, or substantial loss or impairment of bodily function or mobility

settlement: an agreement made by both parties to end a lawsuit or complaint

substantiated / unsubstantiated: a decision on whether misconduct is supported by evidence / or not

systemic discrimination: happens when rules, practices, habits, or institutional structures create unequal outcomes for certain groups, even when no one person is openly biased or intolerant (for example, police patrol some neighbourhoods more than others, stop certain racial groups more often, or treat people with mental illness as security risks rather than people needing care)

testify: to answer questions in a legal proceeding after making a formal promise to tell the truth

trauma-informed: an approach that recognizes the impact of trauma and makes processes and practices safer, clearer, and less harmful for the people involved (for example, explaining what will happen, giving people choices where possible, treating them with respect, and avoiding actions or language that may cause unnecessary distress)

ultimate limitation period: the maximum time limit to start a lawsuit

Resources

Get Help

Note: Eligibility for services may be income-dependent.

Access Pro Bono Legal Referral Service

Connects people in BC with a lawyer, notary, or paralegal for a 15- to 30-minute consultation. Booking fees may apply depending on how you book and your income.

[BC Legal Referral Service](#) | [Online Self-referral](#)

604-687-3221

BC First Nations Justice Council (FNJC)

FNJC provides Indigenous legal services and justice support across BC, including help navigating justice-related processes.

bcfnjc.com

778-940-1520 | info@bcfnjc.com

Bella Coola Legal Advocacy Program

This program provides free legal advocacy support for low-income residents in Bella Coola, Bella Bella, Klemtu, and Anahim Lake.

[Bella Coola Legal Advocacy Program \(Facebook\)](#)

250-982-2110 | afletcher13@gmail.com

Catherine White Holman Wellness Centre

Provides legal services to Two-Spirit, transgender and gender non-conforming people.

cwhwc.com

604-442-4352 | contactus@cwhwc.com

Community Legal Assistance Society (CLAS)

CLAS provides human rights support for complaints against non-RCMP police through the BC Human Rights Clinic.

[CLAS Process guide](#) | [Short Service Clinic](#)

604-685-3425 | Toll free: 1-888-685-6222 | contact@clasbc.net

Peter A. Allard School of Law – Indigenous Community Legal Clinic

This clinic provides legal advice, assistance, and representation to clients who self-identify as Indigenous.

[Information for clients](#)

PovNet – Find an Advocate

BC directory that helps people find advocates for poverty law and access to justice issues.

[Find an Advocate](#)

604-876-8638 | info@povnet.org

QMUNITY Legal Clinic

This clinic provides free legal services and information to 2SLGBTQIA+ individuals and families in BC, including help with human rights issues.

[QMUNITY Legal Clinic](#)

778-998-0140 | intake@qmunitylegalclinic.ca

Red Cedar Advocacy

This centre offers legal services on a free or pay-what-you-can basis to low-income community members, Indigenous people, people of colour, and other equity-seeking groups.

redcedaradvocacy.ca/contact

778-817-1302 | contact@redcedaradvocacy.ca

The Law Centre

A free legal clinic serving the Victoria region. It assists with criminal matters, BC human rights complaints (not ones against the RCMP) and civil disputes.

thelawcentre.ca

250-385-1221 | reception@thelawcentre.ca

The Law Students' Legal Advice Program (LSLAP)

This program provides free legal advice to people in the Lower Mainland of BC, limited to specific issue areas including Small Claims Court. LSLAP also has a manual with information on legal services available in BC.

[The Law Students' Legal Advice Program \(LSLAP\) | LSLAP Manual](#)

778-724-3896

TRU Community Legal Clinic

A free legal clinic assisting with small claims and human rights claims.

[TRU Community Legal Clinic](#)

778-471-8490

Chapter 1: What do I need to know before I choose a pathway?

Seeking Justice in the Aftermath of Police Violence: A Guide for Families and Survivors

If you have experienced serious harm or the death of a loved one at the hands of the police, this is a dedicated resource for you on the BCCLA website.

[BCCLA Resources & Learning](#)

Chapter 2: Police complaints

Alberta Police Misconduct Database

This community-led database is not a BC complaint body, but it may help readers understand how police misconduct information can be organized and made public. Police in this database could be working outside of Alberta.

[Alberta Police Misconduct Database](#)

Civilian Review and Complaints Commission (CRCC)

Civilian oversight body for RCMP public complaints.

[CRCC main website](#) | [Make a complaint](#) | [Request a review](#)

P.O. Box 1722, Station B Ottawa, ON K1P 0B3 | Fax: 613-952-8045 (Ottawa)

Office of the Police Complaint Commissioner (OPCC)

Civilian oversight body for non-RCMP police complaints in BC that can connect you with community-based Support Agencies and accommodations to help you, like translation/interpretation.

[OPCC main website](#) | [Complaints information](#) | [Submit an online complaint](#) | [Support Agencies](#)

250-356-7458 | Toll free: 1-877-999-8707 | info@opcc.bc.ca

Chapter 3: Human rights complaints

BC Human Rights Tribunal (BCHRT)

The tribunal for human rights complaints against non-RCMP Police in BC.

bchrt.bc.ca | [File a complaint](#) | [Who can help you](#) | [Make an application or request](#) | [Tribunal forms for complaint process](#) | [Fastrack a complaint](#) | [File a retaliation complaint](#) | [Indigenous services and support](#) | [Complaint on behalf of another person](#) | [Dismissal applications](#) | [BCHRT decisions](#)

604-775-2000 | Toll free in BC: 1-888-440-8844 | TTY: 604-775-2021 |

BCHumanRightsTribunal@gov.bc.ca

BC Office of the Human Rights Commissioner

The Commissioner's office works on the root causes of inequality, discrimination, and injustice by influencing laws, policies, practices, and cultures through education, research, and advocacy. Its website has information about human rights concerns in policing, including reports and recommendations.

bchumanrights.ca

1-844-922-6472 | info@bchumanrights.ca

Canadian Human Rights Commission (CHRC)

The screening body for human rights complaints about the RCMP.

chrc-ccdp.gc.ca | [File a discrimination complaint](#) | [Discrimination complaint process](#) | [Forms, policies and templates](#)

1-888-214-1090 | TTY: 1-888-643-3304 | complaint.plainte@chrc-ccdp.gc.ca | Fax: 613-996-9661

Canadian Human Rights Tribunal (CHRT)

If the Canadian Human Rights Commission (CHRC) refers a complaint onward, the CHRT is the tribunal used for human rights decisions.

chrt-tcdp.gc.ca/en | [Human rights process](#) | [Guide to the Canadian Human Rights Tribunal \(PDF\)](#)

Chapter 4: Suing the police

Small Claims Court (Provincial Court of BC)

A starting point for lower-value civil claims.

[Small Claims Court overview](#) | [Small Claims forms](#)

Supreme Court of BC – Self-represented litigants

This website has resources for people representing themselves at the Supreme Court of BC, including organizations that might help review documents.

[Self-represented litigants](#) | [Supreme Court Civil Rules](#)

Appendices

Appendix I: Police Complaints

Checklist: What should I include in a public (RCMP) or misconduct (non-RCMP) complaint?

Use this checklist to make sure that you have included as much relevant information as possible in your police complaint. The same information is useful for RCMP public complaints and non-RCMP misconduct complaints.

Make sure that you address the complaint to the correct oversight body:

- RCMP complaints: the Civilian Complaints and Review Commission (CRCC)
- Non-RCMP complaints: the Office of the Police Complaint Commissioner (OPCC)

Note: If you're complaining about an RCMP officer who was off-duty, explain why their conduct was connected to their role as a police officer, use of police authority, or public confidence in policing. If you're complaining about a non-RCMP police officer in BC, you can include allegations of both on or off duty misconduct — just include how you learned they were a police officer.

1. Identify the police service

- Name the police service involved.
 - The steps for filing a police complaint are different depending on whether the police officer was RCMP or non-RCMP. See **Step 1: Determine which police force you interacted with** on page 10 to work out which police service was involved. See **Chapter 2: Police complaints** for how to file your complaint.
 - If you're not sure which police service was involved, say so and provide as much information as possible about the officer(s) involved. The oversight body can confirm the correct process.

2. Explain the delay, if you're filing past the one-year time limit

- Explain why you could not file sooner (for example, fear, health issues, incarceration, or not being aware of the option).
- Explain what was happening during your life during that delay (for example, grief, health treatments, or involvement in investigations).
- Explain what changed that allowed you to make the complaint now.
- Explain why your complaint should be accepted despite the delay, including the seriousness of what happened and the impact on you.

3. Give details about the incident

- Provide the date, time, and location of each incident.
- If there was more than one incident, list each one separately.
- Describe what happened — before police became involved, what happened during the interaction, and what happened afterwards.
- Describe what the police officer(s) said and did. Include exact words where possible, especially threats, slurs, derogatory comments, discriminatory language, or statements.
- State the issue you are complaining about (see lists on pages 99 and 100).
- State clearly which words, actions, or failures to act you believe were wrong.
- State if you felt that the police discriminated against you because of your race, religion, sex, gender identity or expression, sexual orientation, disability, age, or another personal characteristic.

4. Identify the officers or RCMP members involved

- Give each officer's name, badge number, rank, detachment, department, or unit, if known.
- If you do not know the names or numbers, provide physical descriptions, including approximate age, height, build, hair, facial hair, skin tone, uniform details, accents, visible tattoos, or other identifying features.
- Include details about their vehicle, if relevant, for example: marked unit number, licence plate, vehicle type, colour, or location of the vehicle.

5. Describe the harm or impact

- Describe any physical injuries, pain, medical treatment, emotional distress, humiliation, fear, loss of trust, loss of liberty, or other personal impact.
- Describe any property damage, lost property, seized property, or property that was not returned.
- Describe any related financial costs, for example: medical costs, transportation, repairs, replacement items, lost income, or other expenses.

6. Identify witnesses and supporting people

- List the names and contact information of witnesses, if you know this information.
- Include details about other people.
- If you do not know witness names, describe where they were, what they probably saw or heard, and how they might be identified. For example, staff working in a store nearby, paramedics treating you or someone near the incident, or other police officers not directly involved.
- Ask witnesses who might support your complaint to write down what they saw or heard as soon as possible, including the date, time, location, and their contact information. Attach those written accounts if the witness agrees.

7. Provide evidence and ask that records be preserved

- List any evidence you have, for example: photographs, videos, audio recordings, screenshots, text messages, emails, medical records, repair estimates, receipts, police paperwork, court documents, or notes made shortly after the incident.
- Mention other evidence that exists, even if you do not have it. This could include police body-worn camera footage, dashboard camera footage, police radio transmissions, dispatch records, cellblock video, police building surveillance, nearby business surveillance video, building security video, transit video, traffic cameras, bystander records, or 911 call recordings.
- Ask that time-sensitive video or audio evidence be saved. Suggested wording: *"Please preserve any body-worn camera, dashboard camera, dispatch, radio, cellblock, detachment, surveillance, or third-party video or audio records related to this incident."*

8. Describe any steps you have already taken

- List steps you have already taken, for example: calling the RCMP detachment or non-RCMP police department, speaking with a supervisor, making a previous complaint, asking for records, contacting a lawyer or advocate, or trying to resolve the issue informally.
- Include dates, names, file numbers, occurrence numbers, emails, letters, or notes from those steps.

9. Provide your contact information

- Provide your full name, mailing address, phone number, and email address.
- Say how you prefer to be communicated with (email, phone, mail, or through a representative).
- If someone is helping you, include their name, role, contact information, and your written authorization to include them in the process, if needed.

10. State your needs

- Identify any accessibility, interpretation, language, safety, trauma-informed, or cultural support needs that would help you participate in the process.
- Mention if you're not open to using an informal resolution process, like mediation. You may still be asked to use it, but this could make it less likely.
- You can ask for the complaint to be assigned to another RCMP detachment or another non-RCMP police department than the one involved in the incident. This request may not be granted but include it in your complaint if you feel it's important in your case.
- If you're worried about retaliation, privacy, safety, or trauma impacts, say so and ask how those concerns will be managed during the process.

11. Say what outcome or solutions you want

- If you want to, state the outcome you're looking for. This could include: an acknowledgement of what happened, an explanation, an apology, return of property, reimbursement for costs of damaged property, correction of public records about you, further training, counselling, policy or service changes, changes in police practice, discipline, or referral for a criminal investigation or charges. The outcome is almost always decided by the officials involved and it may not be possible for them to give you the outcome you want, but being clear about what you think the outcomes should be may influence their decisions.

12. Final review before submitting

- Make sure you put the date you're sending the complaint, if it's submitted by mail.
- Keep a complete copy of everything you submit.

13. After submitting

- Ask for written confirmation that the complaint was received if you don't receive one automatically, and ask for the file number.

RCMP: Public Complaint Allegation Categories

Note: You do not need to specify which category the behaviour fits into when filing a public complaint against an RCMP officer.

Misconduct	Description
Improper attitude	Behaviour that can be characterized as abusive, rude, vulgar, profane, discourteous, impolite, disrespectful, sarcastic, arrogant, indifferent, angry, obnoxious, belligerent, aggressive, intimidating, threatening, combative, provoking, ridiculing, and/or mocking.
Improper use of force	Unnecessary use of force, inconsistent with the circumstances, applied too frequently, harshly, or for an excessive duration.
Improper use of firearms	Improper use of force specific to the use, display, or discharge of a firearm.
Irregularity in procedure	Violating the intent and spirit of 'administratively enforced' statutes, such as the <i>Privacy Act</i> , the <i>Access to Information Act</i> , the <i>RCMP Act</i> , and any RCMP policy relating to those Acts.
Driving irregularity	Improper or unsafe use of police transport, whether in violation of any law, or without due consideration of others.
Neglect of duty	Failure or refusal to perform a duty or provide a service expected of an officer, or the performance of a duty or provision of services in a manner that does not meet RCMP standards.
Statutory offence	Violation of the <i>Criminal Code</i> , Federal statute, provincial statute, or municipal by-law.
Evidence irregularity	Erroneous testimony in a court proceeding, failure or refusal to report the facts of a public complaint, a service provided, or investigation concealed, and/or failure to testify to correct or true facts.

Misconduct	Description
Oppressive conduct	Severe misuse of police authority or powers, aggravated harassment, unfounded, unfair, or embellished charging, and threats or intimidation via any of the foregoing.
Improper arrest	Violation of the intent and spirit of the <i>Charter</i> , for example, failure to inform a person promptly of reason for arrest and of rights to counsel, and/or promptly provide person with opportunity to exercise rights.
Improper persons / vehicles search	Improper personal or vehicle searches.
Improper search of premises	Improper search of a premise, including unlawfully entering for the purposes of a search and/or remaining in a premise.
Policy	Public complaints related to RCMP policies or practices, for example, denying a person in detention timely medical attention.
Equipment	RCMP equipment or how this equipment is used.
Service	Lack of response or inability to provide adequate, timely service by the RCMP. This refers to a general police service, as opposed to a specific service provided by a specific officer as referred to in the Neglect of Duty category.
Bias	Actions, inactions, or decisions made by officers resulting in the inequitable treatment of a person or a group. Complainants may allege a discriminatory practice related to any or a combination of the following grounds: race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, disability, or a conviction for which a pardon has been granted or a record suspended.

Non-RCMP Police: Misconduct Categories

Note: If you're unsure whether the behaviour you're complaining about fits into one of these categories of misconduct, you can submit your complaint anyway. The OPCC will review it and determine the categories during screening.

Misconduct	Description
Abuse of authority	Oppressive conduct by an officer toward a member of the public including: arrest / detention / search without good cause; using unnecessary force; or, while in uniform, profane, abusive, discriminatory, or insulting language, jokes, or gestures, particularly those that demean or show disrespect based on a protected ground
Accessory to misconduct premises	Encouraging, helping or giving advice to other officers to improperly access, use, or share information from the police database or engage in any other improper conduct.
Corrupt practice	Misusing or failing to return money or property received on duty, placing themselves under obligations that could compromise their work, using their position for personal benefit, or using police equipment or facilities for purposes unrelated to their duties.
Damage to police property	Intentionally or carelessly misusing, losing, or damaging police property or any property in police custody or entrusted to them; failing to promptly report any loss, damage, or destruction of such property without a lawful excuse.
Damage to property of others	Intentionally or carelessly damaging the property of a member of the public while on duty or off duty in uniform and failing to promptly report any such damage without a lawful excuse.
Deceit	Knowingly making or causing a false or misleading statement, whether spoken, written, or entered in an official record; destroying, damaging, altering or tampering with any part of an official record with an intent to deceive.
Discourtesy	Failing to behave with courtesy due in the circumstances towards a member of the public in the performance of duties as a member. For example, an officer who made statements saying that a victim of sexual assault was to be blamed.

Misconduct	Description
Discreditable conduct	Behaving in a way that could discredit the municipal police department, including behaving in a disorderly or undisciplined way, breaching laws or regulations, or failing to report material information or evidence about an alleged offence to the proper authorities. For example, an officer who assaulted or threatened their intimate partner.
Improper disclosure of information	Intentionally or recklessly disclosing, or attempting to disclose, information they got in the course of their duties, as well as removing, copying, or attempting to remove or copy records belonging to the municipal police department or any other law enforcement agency.
Improper off-duty conduct	Asserting or claiming police authority, including behaving in a way that would amount to a disciplinary breach of trust if the officer was on duty.
Improper use or care of a firearm	Failing to use or care for a firearm in accordance with legal standards or requirements.
Misuse of intoxicants	Being unfit for duty due to alcohol or drugs, or, without proper authority, using or accepting intoxicating liquor while on duty or while off duty but in uniform in a public place.
Neglect of duty	Without good cause, failing to properly account for money or property received in their role, failing to promptly and diligently perform required duties or failing to promptly and diligently obey a lawful order from a supervisor. This includes officers who fail to properly investigate an incident, for example not asking follow up questions or not taking pictures. Police officers are expected to accurately document their interaction with the public in their notebooks, failure to do so would also amount to neglect of duty.

Checklist: How do I prepare for and submit a service or policy complaint?

Note: you can only file a service or policy complaint about how a non-RCMP police service broadly operates (see Chapter 2: Police Complaints).

There are no deadlines for filing this kind of police complaint. Take breaks if you feel overwhelmed and ask for support from trusted people, a lawyer, an advocate, or community organization if needed.

You do not need to complete every step below before submitting a complaint. Do whatever steps feel manageable and helpful.

1. What is the specific issue that you want to complain about?

- Think about what you think the specific systemic issue is — what do you think is happening or should be happening within the non-RCMP police service? For example, does the issue relate to:
 - Training
 - Supervision
 - Policies or procedures
 - Compliance with relevant laws
 - Communication
 - Transparency (including public access to policies, budgets and data)
 - Resource allocation
- Are there BC policing standards that apply to your issue of concern and if so, is there evidence that the police department or the police board is not following them?

BC policing standards set minimum requirements that police boards and municipal police department chief constables must make sure the department follows. Current policing standards govern issues including bias, use of force, police stops, body-worn cameras, video surveillance in police buildings, missing person investigations, sexual assault investigations, major case management, police vehicle pursuits, reporting, training, and supervision.

- Think about how the issue and related policies or practices have affected you, your family, or your community. If you have one or more experiences to point to, make a note of when and where each occurred.
- Think about how your experiences connect to a broader, systemic issue.
- Search for news articles, social media posts, videos, or stories about this issue or similar issues, and save links or screenshots, where possible.

2. Find out if someone has complained about this issue already

This is optional, but if you submit a complaint about an issue that's already been reviewed, your complaint may not be accepted.

- Review police board materials on the relevant police board website, including past service or policy complaints, meeting agendas and minutes, and reports or investigation summaries, if publicly available.
- Ask the police board if this issue has been considered or decided on before.

3. Think about the solutions or changes you want to see happen

- Identify any solutions or changes you want to see happen. You do not need to include these in your complaint, but your ideas may be considered.
- Are there any specific laws, BC police standards or policies that you want the board to review, update or audit for police department compliance?
- Find solutions that other people have suggested as you may want to include these in your complaint. Look at reports and recommendations from grassroots advocacy groups, civil society organizations, academics, public inquiries, police oversight bodies, or the BC Human Rights Commissioner.

4. Review police board policies and think about how you want the police board to investigate your complaint

- Review the police board's policy and procedures for handling, reviewing, and responding to service or policy complaints. Police boards are required to post these policies on a public website. If you cannot find this, contact the relevant police board and ask for this policy.
- Do you want to ask the police board to have your complaint investigated or studied by an independent investigator? If yes,

- Are there investigators or organizations that you want to recommend that the police board use?
 - Do you want the police board to consult with you when they develop the terms of reference for any third-party investigation or study? What terms do you want included?
- Does this issue affect specific communities that the police board should consult with?
 - What would meaningful consultation look like? This could include accessible meetings, community outreach, or trauma-informed or culturally grounded approaches.
 - Are there individuals or groups that you think the police board may involve in their response to your complaint that you believe may have conflicts of interest?

5. Think about your own or other people's privacy

- Decide if any of the information that supports your complaint is sensitive for privacy reasons.
- Check police board policies and practices about protecting privacy through the complaint process to help you decide what information you will submit in your complaint and any supporting materials. The Police Board is a public body that has legal obligations about freedom of information and privacy.
- Only include what you feel comfortable sharing — the information and records you include may be shared with the public through police board practices.

6. Write your complaint

- Include all the information you've thought about through steps 1-4.
- Include any supporting information with your complaint, for example: notes, emails, audio or visual materials, relevant policies, including any data or records you have gathered on your own, accessed online or obtained from other sources.

7. Ask others to support your complaint

- Complaints filed with the public support of other people or organizations may increase pressure on the police board to make sure the issue is taken seriously.

8. Submit your Complaint

- Submit the complaint to the OPCC.
- Keep a record of the complaint and its submission.
- Think about sharing your complaint with others who may be interested, including public officials, oversight bodies or the media (you can copy them or forward it to them afterwards).

Appendix II: Human Rights Complaints

Checklist: What information should I include in my human rights complaint against the RCMP?

1. Explain who you are

- Your full name and contact information.
- If filing for someone else, explain your relationship and why you're filing on behalf of them.

2. Identify the police department involved

- RCMP detachment or unit involved if known.
- Names or badge numbers of RCMP members, if known, or description of them (for example, whether the police were in a car/on foot/on bikes, physical details such as hair, height, or voice).

3. Identify other parties involved

- You can include other parties that discriminated against you during the incident (if they're not a civilian), for example: employees of companies that initiated or were involved in the police incident, emergency service personnel involved, or health professionals. Canadian Human Rights Commission (CRHC) staff should notify you if this additional actor/party is regulated under provincial human rights law and direct you to use that process.

4. Describe what happened

- Dates, times, locations.
- If relevant, what service you requested and what response you received.
- What RCMP officers did or said.
- What happened to you.

5. Identify protected grounds

- State on which of the following protected grounds you were discriminated against:
- Race
 - National or ethnic origin
 - Colour
 - Religion
 - Age
 - Sex (including pregnancy)
 - Sexual orientation
 - Gender identity or expression
 - Marital status
 - Family status
 - Disability
 - Genetic characteristics
 - Conviction (if pardoned or record suspended)

6. Explain your connection to the discrimination

- Explain how your identity characteristic(s) was connected to the treatment or level of service you received.

7. Describe impact of the discrimination

- Describe the emotional, physical, financial, and dignity-related impacts of the discrimination.

8. Include the outcome you want

- For example, compensation, policy changes, apology, training, or other remedies (solutions to repair harm).

9. Explain the delay if you're filing past the one-year time limit

- Try to file your complaint within one year of the date of the discrimination. If you're filing past that deadline, explain:
 - why you were unable to file sooner (such as fear, health issues, being unaware of the option),
 - what was happening in your life during the delay (such as grief, health treatments, or involvement in investigations),
 - what changed that allowed you to file when you did, and
 - why the CHRC should accept your complaint despite the delay, including the seriousness of what happened and its impact on you.

10. Include supporting information

- Notes
- Witnesses
- Records
- Photos, videos, audio recordings
- Correspondence

11. Say if you're interested in informal resolution

- Indicate if you're interested in taking part in a voluntary informal resolution option like mediation. Note that if conciliation is offered, it's mandatory (you have to do it).

12. Request accommodations, including Indigenous supports

- Identify any accessibility, interpretation, language, safety, trauma-informed, or cultural support needs that would help you participate in the process.
- If you identify yourself as First Nation, Metis or Inuit, you can request:
 - Culturally appropriate supports
 - Indigenous protocols
 - Navigation support

13. Include steps you have taken already

- Mention any steps you have taken to address or resolve the issue. For example, if you have filed a police complaint or lawsuit, or if you have had legal advice (but do not include any details of what you told the lawyer or what the lawyer told you).

Checklist: What information should I include in my human rights complaint against non-RCMP police?

1. Explain who you are

- Your full name and contact information.
- If filing for someone else, explain your relationship and why you're filing on behalf of them.

2. Identify the police department involved

- Name the non-RCMP police service involved.
- Names or badge numbers of officers, if known, or description of them (for example, whether the police were in a car/on foot/on bikes, physical details such as hair, height, or voice).

3. Identify other parties involved

- You can include other parties that discriminated against you during the incident (if they're not a civilian), for example: employees of companies that initiated or were involved in the police incident, emergency service personnel involved, or health professionals. BC Human Rights Tribunal (BCHRT) staff should notify you if this additional actor/party is regulated under Canada's human rights law and direct you to use that process.

4. Describe what happened

- Dates, times, locations.
- If relevant, what service you requested and what response you received.
- What non-RCMP police officers did or said.
- What happened to you.

5. Identify protected grounds

- State on which of the following protected grounds you were discriminated against:
 - Indigenous identity
 - Race
 - Colour
 - Ancestry
 - Place of origin

- Religion
- Marital status
- Family status
- Physical disability
- Mental disability
- Sex (including pregnancy)
- Sexual orientation
- Gender identity or expression
- Age

6. Explain your connection to the discrimination

- Explain how your identity characteristic(s) was connected to the treatment or level of service you received.

7. Describe impact of the discrimination

- Describe the emotional, physical, financial, and dignity-related impacts of the discrimination.

8. Include the outcome you want

- For example, compensation, policy changes, apology, training, or other remedies (solutions to repair harm).

9. Explain the delay if you're filing past the one-year time limit

- Try to file your complaint within one year of the date of the discrimination. If you're filing past that deadline, explain:
 - why you were unable to file sooner (such as fear, health issues, being unaware of the option),
 - what was happening in your life during the delay (such as grief, health treatments, or involvement in investigations),
 - what changed that allowed you to file when you did, and
 - why the BCHRT should accept your complaint despite the delay, including the seriousness of what happened and its impact on you.

10. Include supporting information

- Notes
- Witnesses
- Records
- Photos, videos, audio recordings
- Correspondence

11. Say if you're interested in informal resolution

- Say if you're interested in taking part in a voluntary informal resolution option, like mediation.

12. Request accommodations, including Indigenous supports

- Identify any accessibility, interpretation, language, safety, trauma-informed, or cultural support needs that would help you participate in the process.
- If you identify yourself as First Nation, Metis or Inuit, you can request:
 - Culturally appropriate supports
 - Indigenous protocols
 - Navigation support

13. Include steps you have taken already

- Mention any steps you have taken to address or resolve the issue. For example, if you have filed a police complaint or lawsuit, or if you have had legal advice (but do not include any details of what you told the lawyer or what the lawyer told you).

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Fondation
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relations raciales

