



Bill 30 – The Police Services Amendment and Law Enforcement Review Amendment Act

Background on the Law Enforcement Review Agency

The Law Enforcement Review Agency (LERA) was established in 1985 to investigate public complaints about on-duty police officers. LERA deals only with complaints about police misconduct in relation to their work and does not investigate criminal matters.

LERA has been ineffective in holding the police accountable for misconduct. CBC found that over the past 10 years, Manitobans filed more than 1,700 complaints and the vast majority were dismissed by the commissioner or abandoned by the person who made the complaint. The CBC found that only 1% of complaints have been referred to a public hearing since 2012. For example, in 2018, 100% of 102 complaints filed with the Manitoba Law Enforcement Review Agency were closed by being dismissed, abandoned or withdrawn.

Inadequate Community Consultation

There hasn't been meaningful consultation with priority communities prior to the introduction of this bill. Therefore we urge you not to pass Bill 30 as is. We support the longer period to make a complaint but we also must have meaningful consultation with priority communities on the code of conduct as well as additional reforms to address long standing community concerns. Priority communities include: Black, Indigenous, and Communities of Colour, disabled communities, LGBTQ2S+ communities, sex workers, people who use drugs, individuals living on low incomes & community-based organizations working with affected communities on the development of a code of conduct.

What PAC means by meaningful consultation is that community input is reflected in the legislation. There continues to be concerns that government consultations are only done for the sake of saying they were done.

PAC has appreciated the opportunity to meet with Justice officials and we hope that can continue. However, the current proposed changes to bill 30 (and bill 7) are long overdue and do not go far enough. The process that the new position bill 30 will create, the director of policing, who will have the power to create standards for police service operations and the province wide code of conduct for all police services is unclear. Who's voice is prioritized in the creation of that code is unclear as there has not been fulsome community engagement to date.

Bill 30 Fails to Address Key Concerns

As noted above Bill 30 does not address longstanding community concerns over the autonomy, impartiality, and composition of LERA. Key concerns that still need to be addressed for meaningful reform include:

- The involvement of former police officers as investigators and in other roles undermines confidence in the independence and impartiality of LERA
- High rate of complaints that are dismissed out of hand which supports the current police culture that they have the right to stop and question anyone they want whenever and behave in an intimidating manner should people try to exercise their rights
- High rate of those abandoned or withdrawn due to how difficult the process is for complainants (all at their own expense, without legal representation if they cannot afford it or other supports) while the police officers have support of their union and legal representation
- Inadequate resourcing of investigations and long delays in addressing complaints
- Ensuring there are transparent systems in place to track complaints against specific officers in order to identify patterns of behavior
- Ensuring robust civilian oversight over LERA