

One size does not fit all

Although formal investigations are sometimes necessary, informal resolution and mediation offer alternative methods for resolving complaints involving police.

What are the Benefits?

- ✘ The benefits of Alternative Dispute Resolution (ADR) are that it allows for the exploration of perspectives, an exchange of dialogue and a better understanding between the parties. Informal resolutions and mediations enhance community policing by improving the relationship between members of the community and police officers one complaint at a time. In addition, a successful resolution can have a positive impact on the participants' family, friends and the community as a whole.
- ✘ ADR can provide a powerful learning opportunity for both a complainant and a police officer, with lasting benefits.
- ✘ Traditional police investigations are not geared towards addressing goals such as conciliation and restoring relations. ADR gives the parties involved a sense of empowerment in that they control the process and together arrive at a positive resolution to the complaint.
- ✘ Civilian oversight of police complaints ensures that both a complainant and police receive a fair and balanced adjudication of a complaint. Research has shown that ADR processes are highly satisfactory to all parties involved.

Informal Resolution

Informal Resolution is a method for parties to resolve a complaint. Informal Resolutions involve the assistance of a facilitator; usually a trained senior member of the police department. Informal Resolution is suitable for less serious allegations of misconduct.

- ✘ A complaint can only be informally resolved if both the complainant and the officer consent to the procedure. Either party may withdraw consent at any time during the process. If either party withdraws consent, the complaint will then be dealt with on a formal basis.
- ✘ The proposed resolution must be agreed to in writing and include the specific terms of the proposed resolution.
- ✘ The Police Complaint Commissioner will review the proposed agreement and consider if the public interest is best served by such a resolution.
- ✘ If the Police Complaint Commissioner does not approve the resolution, the complaint returns to the formal process.

Mediation

Mediation is a form of dispute resolution where a professionally trained mediator assists the complainant and the officer to resolve the dispute and reach a mutually satisfying resolution. Mediation takes place in a neutral environment and is confidential to encourage open and honest communication.

Before mediation can be arranged, the Office of the Police Complaint Commissioner will review the complaint and determine whether the public interest would be best served by a mediation. If the complaint is approved, the mediation process begins.



Mediation Process

- ✘ The mediator will arrange a date and venue for the mediation, convenient to all involved. The process is flexible and all efforts will be made to accommodate the wishes of both parties.
- ✘ It is important to note that the mediation process is confidential, this includes all communications and the final resolution reached.
- ✘ Both the complainant and the officer will be given the opportunity to give his/her views on the incident which led to the complaint and, with the assistance of the mediator, reach an agreement on how best to resolve the issues arising from it.
- ✘ When both parties are satisfied a mediated agreement will be signed by all the parties involved.
- ✘ Should the mediation process fail, the complaint will be returned to the formal process.



Alternative Dispute Resolution of Complaints



Restoring Public Confidence One Relationship at a Time

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