

Rule 5: Traffic-related complaints and traffic collisions

Purpose

This rule allows the chief executive officer to clearly define the scope and priorities of the Police Review Commission (PRC) when handling traffic-related complaints and traffic collisions involving police officers.

Legislation

- **Section 43(3)(b) of the *Police Act***
 - If, at any time before or during an investigation into a Level 2 or Level 3 complaint, it appears to the chief executive officer that
 - (b) having regard to all the circumstances, the investigation or further investigation is not necessary or practicable, the chief executive officer may dismiss the complaint.
- **Section 6 (2)(c) of the *Police Conduct and Oversight Regulation***
 - The chief executive officer may establish rules governing the complaints procedure, including the management of complaints by the Police Review Commission.

Purpose

- The PRC will not routinely investigate complaints or collisions arising solely under the *Traffic Safety Act* or its regulations, due to resource limitations and timeliness concerns.
- For Level 1 and Level 2 complaints, the PRC will focus on alleged criminal offences under federal statutes.
- Police services will continue to investigate routine complaints and collisions under the *Traffic Safety Act* and its regulations involving their own members and lay charges specified in their policies and procedures.
- The PRC/ASIRT will investigate traffic-related incidents involving:
 - officer actions that may have caused serious injury or death as Level 1 complaints.
 - criminal driving misconduct as Level 2 complaints.
 - disciplinary contraventions as Level 3 complaints (for municipal and First Nation police officers only).
- The PRC will refer any minor driving complaints to the police service as Level 4 (performance matters) complaints.
- For criminal driving complaints, the PRC may rely on the police service of jurisdiction for immediate response and specialized resources.