

## **Rule 2: Information Sharing and Handling**

### **Purpose**

This rule governs the process the Police Review Commission (PRC) may use to access information from police services, commission or the oversight board for the purpose of conducting investigations and how that information is to be handled.

### **Legislation**

- **S. 42.2(1) of the Police Act**
  - Subject to subsections (2) and (9), when the chief of a police service, the officer in charge of a police service, a commission or the oversight board receives a Level 1, Level 2 or Level 3 complaint as described in subsection (5), the chief of the police service, officer in charge, commission or oversight board must review and forward the complaint to the Police Review Commission, as soon as practicable, to be administered in accordance with this section.
- **S. 41 (3.1) of the Police Act**
  - Where the Police Review Commission is responsible for administering a Level 1, Level 2 or Level 3 complaint and a police service referred to in subsection (1) is responsible with respect to a related Level 4 or Level 5 complaint made by the same complainant, the chief of the police service referred to in subsection (1) is accountable to the Police Review Commission for reporting to the Police Review Commission the disposition of Level 4 or Level 5 complaint, as the case may be, under section 42.2(7).
- **S. 9(3) of the Police Conduct and Oversight Regulation**
  - The chief executive officer may make rules respecting how a police service, commission or the oversight board is required to share information or records with the Police Review Commission.

### **Procedure**

#### **Information collection**

1. When a complaint is submitted and the PRC requires confirmation of whether the subject officer is currently a member of the police service, the police service must, where practicable, provide this information within 24 hours of the CEO's request through the liaison officer (or designate).
2. When a Level 3 complaint is received by the PRC, the PRC shall forward a summary of the complaint to the police service of jurisdiction or, in the case of a complaint naming a chief of police, the relevant police commission or oversight board, as soon as practicable.
3. When the PRC receives a Level 4 complaint relating to police officers other than a chief of police, the PRC shall forward all relevant information received during the submission of the complaint to the officer's police service, as soon as practicable.
4. When the PRC receives a Level 4 complaint relating to a chief of police, the PRC shall forward all relevant information received during the submission of the complaint to the relevant police commission or oversight board, as soon as practicable.
5. When the PRC receives a Level 5 complaint, the PRC shall forward all relevant information received during the submission of the complaint to the police service, as soon as practicable.

6. When the PRC requires information or evidence to conduct an investigation, the police service, police commission or the oversight board shall provide the requested evidence within 14 days of a request by the CEO. If the requested evidence cannot be provided to the PRC within the 14-day timeline, then the chief of police or chair of the police commission or oversight board shall notify the CEO and provide reasons for the delay.
7. The CEO may grant an extension of time to provide the information or evidence if deemed necessary or beneficial in the circumstances.