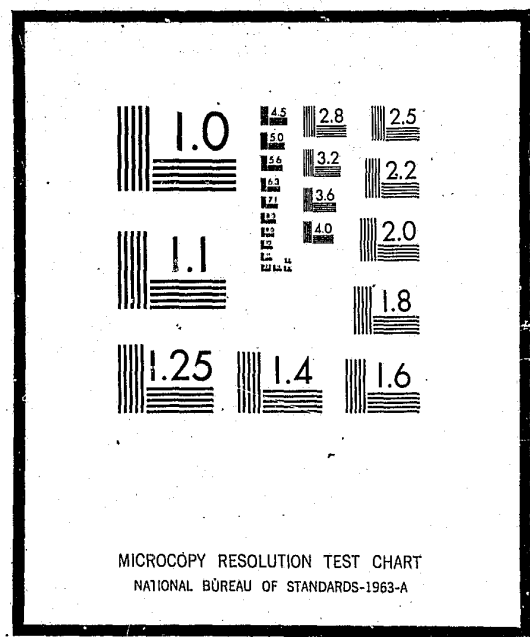


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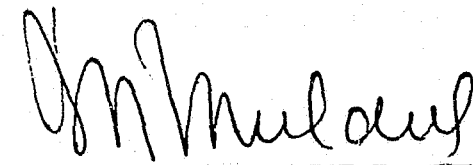
Second Annual Report of the Manitoba Police Commission 1973

February 28, 1974

The Honourable Howard Pawley, Q.C.
Attorney-General for the Province of Manitoba
Legislative Building
Winnipeg, Manitoba

Sir:

The undersigned, pursuant to Section 22(7) of the Provincial Police Act, has the honour to present the Manitoba Police Commission Annual Report for the period January 1, 1973 to December 31, 1973.

A handwritten signature in cursive script, appearing to read "Max Mulder", written in dark ink. The signature is positioned above a horizontal line.

Max Mulder,
Vice-Chairman,
Manitoba Police Commission.

TABLE OF CONTENTS

	Page
Introduction	5
Commission Membership and Staff Changes	6
Duties and Priorities of the Commission	7
Amendments	8
Complaints	8
Training	9
Rural Policing	11
Northern Policing	12
Police-Community Relations	14
System of Justice Program	16
On Patrol in Manitoba	17
Local Lock-Ups	17
Operation Identification	18
Exhibit A	19
Exhibit B	22
Exhibit C	22
Exhibit D	23

INTRODUCTION

The last year has been an important one for the Manitoba Police Commission as policies and program ideas began to take concrete form.

The sections which follow in this report provide evidence of the increasing activity of the commission. It is fair to say, however, that the level of activity in 1973 was not as great as can reasonably be expected next year. The commission is still in a period of development. It is a relatively new body, and it has sought and must continue to seek how best it can serve the people of Manitoba within the terms of reference provided for it in the Provincial Police Act.

The whole area of law, enforcement and justice can either be very repressive or very fair and open, very much misunderstood and feared or very much understood and respected because it meets the needs of the people. The commission hopes through its programs and recommendations to the attorney-general — whether those recommendations deal specifically with policing or with some other aspect of the justice system — to insure that the justice system operates in the interests of the vast majority of Manitobans while respecting the inherent rights of minority groups.

The commission is always open to suggestions and criticisms from the public and invites the response of you who read this report to the work that has been done and is being planned for 1974.

COMMISSION MEMBERSHIP AND STAFF CHANGES

The Manitoba Police Commission was constituted under the provisions of the Provincial Police Act, being Chapter P 150 of the Legislative Assembly of Manitoba. This act provides for the commission to be composed of three members appointed by the Lieutenant-Governor-in-Council for a term of one year commencing on the first day of March.

At the beginning of the year 1973 the members of the commission were, Theodore Joseph Lismer, Q.C., chairman, and Max Mulder, vice-chairman, both of Winnipeg, and (Mrs.) Eleanor Cristall, of Brandon. On March 1, 1973 the above members were reappointed for a further period of one year.

Marvin Bruce, of Winnipeg, served the commission on a full-time basis as executive secretary. On October 26, 1973 Mr. Bruce submitted his resignation, for personal reasons, to become effective November 7, 1973.

On November 3, 1973 the commission resolved that Mr. Mulder, the commission's vice-chairman, should supervise the day-to-day operation of the office until the new executive secretary was appointed.

Mr. Lismer resigned as chairman, effective November 15, 1973 due to the heavy workload of his law practice.

During the month of October the attorney-general authorized the creation of two new staff positions, that of a police services consultant and a police-community relations officer, for the Manitoba Police Commission to further the objectives of the Provincial Police Act. Ed Webdale, a retired RCMP staff sergeant, was hired as police services consultant, and Daly de Gagne, a journalist, was hired as police-community relations officer.

As 1973 drew to a close the commission was lacking a chairman and an executive director (the commission resolved on December 4 to change the title of executive secretary to executive director so it would more accurately reflect the nature of the position).

It should also be noted that during 1973 the commission shifted its headquarters from 219 Kennedy Street to 300-55 Donald Street.

The following sections of this report relate to the duties, priorities and programs of the Manitoba Police Commission.

DUTIES AND PRIORITIES OF THE COMMISSION

The duties of the Manitoba Police Commission are clearly outlined by sections 24 to 29 of the Provincial Police Act. Relevant excerpts of those sections are found in Exhibit A at the back of this report.

In summary form, the basic duties of the commission are:

- Promoting the prevention of crimes, efficiency of police services and police-community relations within the province.
- The conducting of any inquiry ordered by the Lieutenant-Governor-in-Council on the causes, extent, investigation or control of crime, or enforcement of law.
- Hearing appeals from local police commissions.
- Investigating, reporting and making recommendations on any complaints referred by the attorney-general on anything done or omitted to be done by a member of the Royal Canadian Mounted Police.
- Formulating regulations not only as to the conducting of its affairs and the appeals before it, but also as to a basic disciplinary code for all municipal police departments and as to any other matter relative to the scope of the act.

The Manitoba Police Commission in its efforts to perform its duties has developed some priority areas for its programming and day-to-day activities. These priorities include:

- Developing a training program — and insuring it is implemented — for all municipal policemen in Manitoba
- Upgrading police services in the north in accordance with the desires and needs of the citizens living there.
- Developing a police-community relations program based on greater understanding between police and the people whom they serve.
- Upgrading of local lock-up facilities.
- Evaluating the level of police services throughout the province and making appropriate recommendations to the attorney-general.
- Educating people generally as to how the system of justice functions.

The members and staff of the commission, in the execution of their duties, attempt to have as much contact with the people of the province as possible. Numerous meetings — either formal at the request of some organization, or informal with one or two individuals over coffee — have been held. Every attempt is made to solicit as wide a range of views as possible.

In addition, the commission held periodic meetings during the year with police chiefs of the larger police departments. Four such meetings were held in conjunction with the development of the training program (please see Training section).

AMENDMENTS

During 1973 there were no amendments to the Provincial Police Act, the legislation which established the Manitoba Police Commission in 1972.

Two amendments were made in 1972. Although these were noted in the 1972 annual report, it is worth repeating them here.

In its original form the act stipulated that the commission would hear all appeals in public session. Although it was realized it was usually in the public's interest to have open hearings, it was also realized that on occasion a hearing or a part of a hearing should be held in camera. The act was amended accordingly (see Exhibit A, Section 26 (5.1)).

Also, the original wording of the act did not make it clear that the commission, when hearing an appeal, would have all the powers, privileges and protection provided by the Manitoba Evidence Act. The act was amended to make it clear that the commission would have all the powers, privileges and protection of the Manitoba Evidence Act when hearing an appeal. (see Exhibit A, Section 26 (5.2)).

COMPLAINTS

The Manitoba Police Commission received information on seven complaints against police in 1973.

Five of the complaints were made directly by the complainants to the Manitoba Police Commission. The commission referred four of these complaints to the appropriate police authorities for investigation.

The remaining complaint was received as information by the commission at one of its meetings, but no action was taken on it.

Two complaints were referred by other agencies to the commission. In both cases the commission referred the complaints to the proper authorities.

In addition the commission received numerous enquiries from people concerned about police services, the courts, legal aid, etc. These people were referred to the appropriate authorities because their concerns did not come under the jurisdiction of the commission.

According to the Provincial Police Act, a policeman or citizen has the right to appeal the decision of a local police authority to the Manitoba Police Commission within 30 days of that decision being made. A policeman dissatisfied with a decision pertaining to discipline made by a local police authority can also appeal to the Manitoba Police Commission within 30 days of that decision being made.

Some relevant sections of the act with regard to complaints are in Exhibit A.

TRAINING

The Manitoba Police Commission has recommended to the government a comprehensive, career-long training program for the province's municipal policemen which, if implemented, would be unique in North America.

Commission Vice-Chairman Max Mulder presented the recommendation, as part of a brief, to Attorney-General Howard Pawley on December 20. The brief was based for the most part on the recommendations of the commission's training committee which had met six times during 1973 in its efforts to develop a program for training municipal policemen. This committee consisted of Mr. Mulder, training officers from the Inner City and St. James-Assiniboia police departments and the RCMP and a member of the Society of Criminology.

The brief recommended the establishment of a police training centre at the University of Manitoba campus. This training centre would offer all municipal policemen in Manitoba a three level training program. The program would consist of recruit training for all new policemen, in-service and advanced training to be undertaken by all municipal policemen on a regular basis, and a bachelor of police science degree for those policemen wishing to receive university credit in subjects related to policing.

The Manitoba Police Commission in its brief to the attorney-general recommended that the training centre be established as soon as is feasible. It was only after closely examining the pros and cons of such sites as the Public Safety Building, the Red River Community College, the Gimli Industrial Park and the University of Manitoba that the recommendation was made to locate at the university. The commission in its brief stated if the centre was located at the University of Manitoba it would enjoy the same status as an independent, professional school as do the schools of medicine, law, engineering, etc.

The commission's training committee has started to meet with university officials to discuss details of financing, decision making authority and control, staffing, curriculum and physical requirements if the police training centre is located on campus.

The commission feels strongly — and this is reflected in its brief to the attorney-general — that there should be greater input in police training programs from social scientists, criminologists, the judiciary, the legal profession, correctional and other treatment workers etc. This added input should result in a better overall understanding of the aims and operation of the justice system and its constituent parts. It should also help to better prepare policemen for the demanding situations they encounter as part of their duty.

During 1973, the commission held three meetings with municipal police chiefs to communicate the progress of the training committee and to receive their reaction. A fourth meeting with the chiefs was held immediately prior

to submitting the brief to the attorney-general so that the chiefs would be aware of the commission's recommendations.

The police, through their chiefs and senior officers as well as through their associations, have been continually expressing concern over the need for a more sophisticated, more systematic training program. The Manitoba Police Commission believes it is essential to implement immediately its training recommendations, which can only result in developing greater proficiency and professional pride in the province's municipal police forces.

The Manitoba Police Commission's involvement in training stems from the Provincial Police Act which states the commission may make recommendations to the attorney-general on the development and supervision of police training programs.

RURAL POLICING

Improvement of police services in the rural areas of Manitoba is a top priority of the Manitoba Police Commission. Such improvement cannot be accomplished without a provincial police training centre of the type the Manitoba Police Commission has recommended to the attorney-general, and the co-operation of residents in all rural and northern municipalities.

The province has given unconditional grants to some communities to improve police services. The Manitoba Police Commission has the responsibility for making recommendations as to how police services can be improved.

With the introduction of a police training centre, it is hoped that in the immediate future there will be professionally trained policemen available to work in any community desiring its own policemen. Also it is hoped that these trained policemen will be paid a wage commensurate to their training and ability.

Rural policemen must also have the equipment necessary for the safe, efficient execution of their duties. The Manitoba Police Commission is able to make recommendations to the attorney-general and to municipalities as to what equipment policemen should have. Some rural policemen at present lack such basic equipment as car radios and hand cuffs.

The importance of the Manitoba Police Commission's role with regard to municipal policing is made more clear when it is realized there are 44 local police departments in the province, not including the RCMP detachments which provide municipal police services. The Manitoba Police Commission has statute authority to inspect municipal police departments for evaluation purposes. The commission has planned a program of such visits so that all municipal departments will have been evaluated by the end of 1974. Between October 1973, when the commission hired its police services consultant, and December 1973, eight municipal police departments were inspected and reports of those inspections given to the commission.

With regard to complaints from the public about police, it became obvious during the year that not all municipal police authorities were aware of their responsibilities in this area. For the benefit of such authorities, the applicable sections of the Provincial Police Act were made clear. These sections outline the procedure for members of the public, and also policemen, to appeal local decisions to the Manitoba Police Commission. As the Manitoba Police Commission continues to become better known, and its statute authority exercised, the municipalities, and in turn, their police departments, will become more efficient in their handling of complaints. This will only work to the good for all concerned.

NORTHERN POLICING

We are frequently asked: "Do people in the north need/deserve the same standard of policing as people in the south"? The answer is "yes". But if the question is asked whether they do receive the same standard of policing, the answer would have to be "no".

Along with the provincial department of northern affairs, the Manitoba Police Commission is taking an active role in pilot policing programs in five northern communities: Duck Bay, Pelican Rapids, Thicket Portage, Cross Lake and Moose Lake. These five communities, all members of the Northern Association of Community Councils, were chosen for the pilot programs because of a locally expressed need for improved policing. Northern affairs is providing the funds for the pilot programs and the Manitoba Police Commission is acting in an advisory capacity. Residents of the five communities are selected by their local councils to be the local constables. Training is provided by the RCMP and paid for by northern affairs. The Manitoba Police Commission co-ordinates the training arrangements.

Five more communities are to be added to these in the future at a rate to be determined both by training opportunities for the people who will be constables and the administrative ability of the communities involved.

To date, these pilot programs have not been without their share of problems, but most of these have been of a minor nature and have been easily solved. With the continued co-operation of the communities in the north, the provincial northern affairs department, the RCMP and the Manitoba Police Commission there is good reason to believe these programs will be successful.

With regard to the pilot policing programs and other related concerns of northern communities, the Manitoba Police Commission has been represented at various council and community meetings in the north. At these meetings the commission's role is often one of providing information and, if asked, making suggestions and giving some advice related to the matters at hand. The commission believes strongly, however, that the impetus for dealing with community and social problems in the north must come from the people themselves. It is gratifying that this appears to be increasingly the case.

In an attempt to become familiar with the special problems, needs and aspirations of northerners, the police services consultant has spent several days in some of the more isolated communities. If the commission is to respond constructively to the requests of northern communities it must be intimately familiar with day-to-day life and concerns in the north.

As a result of visits and meetings in the north, the Manitoba Police Commission has made specific recommendations to the attorney-general with regard to extending police services to certain communities, increasing

probation staff in the north so juveniles on probation can receive adequate and helpful supervision (in some areas this is not now the case due to severe staff shortages), improving recreational facilities and programs in some communities, and the need for voluntary involvement of local community members in both probation and recreation programs.

The Manitoba Police Commission is aware that additional, improved police services in the north alone won't solve all the problems or create the society northerners want for themselves. At the very most, improved policing in the north can, however, provide a certain stability and security in the community, which will increase the confidence the people have in their own ability to make the necessary changes and which will also make some of the communities more attractive to outside professionals such as teachers, probation officers, doctors and so on.

It goes without saying that there must be maximum co-operation and co-ordination among the various community groups and government agencies involved in the north. In the final analysis, however, the success of any program depends on the people.

POLICE-COMMUNITY RELATIONS

The Manitoba Police Commission places a high priority on police-community relations programming as a means of improving understanding between the police and the people they serve. Generally speaking there is a good relationship between police and citizens in the province, but there are some problem areas. The philosophy of the commission is to place emphasis on problem solving and communication in its police-community relations programming rather than to design programs of a purely public relations nature.

Two problem areas are of concern and have received the attention of the commission's police-community relations officer who was hired in October. First, in some urban low income areas there is a long standing history of hard feelings between the police and the community. Over the years both police and community have allowed stereotypes to develop; lack of communication channels acceptable to people in the community have permitted these stereotypes to flourish. The commission has gathered data on this and has laid the groundwork for establishing informal communications between the police and the communities involved at both the executive and grassroots level.

The second problem area pertains to the relationship of young people to the police. It is the opinion of the commission that a minority of young people — especially those who have been involved with drugs and/or who have had a record of delinquency — are often resentful and quite hostile toward the police. This is a complex situation, and no doubt there is blame on both sides. The commission's approach here is to attempt to bring the young people and the police together in an effort to determine the causes of the problem.

One aspect of the relationship between young people and police is the unwieldiness at times of the system set up to handle juvenile delinquents and disturbed juveniles. There are many agencies — police, probation, Children's Aid, treatment and correctional facilities etc. — involved in the system and at times authority and responsibility are split between them in such a manner as to decrease the effectiveness of the total system. There is often misunderstanding, frustration and a lack of communications between the various parts of the system. When the system fails to work expediently, people in the community often point a critical finger at the police who, like the tip of the proverbial iceberg, are the most visible and best known part of the system. Because the community really has little understanding of how the system works it perceives that the police are to blame when it fails to function smoothly. In the latter part of 1973 the commission planned a program to bring professionals from all the agencies together in an effort to find solutions for this particular problem. This program is to be implemented in January 1974 and is a continuing one.

The commission's analysis of police-community relations problems showed that often those people who experienced the most difficulty in relating to the police, or who showed the most hostility toward them, were convinced it would do little good to complain. They felt that present channels for making a formal complaint are not realistic for people in low income groups. A priority of the commission must be to insure that people with problems feel free to make their feelings known to the police, that they will be listened to in a positive manner, and that channels for making formal complaints are redesigned and publicized in such a way as to insure people will have no inhibitions in using them.

During 1973 the commission's police-community committees in Brandon and Winnipeg met periodically to discuss matters of concern and to offer advice and recommendations to the Manitoba Police Commission.

SYSTEM OF JUSTICE PROGRAM

During 1973 the Manitoba Police Commission greatly expanded its school program. The program theme is "the system of justice", and its aim is to help young people to gain an understanding of how the police, courts, probation, corrections and other parts of the justice system work and relate to each other.

At the centre of the commission's school program is a booklet called *The System of Justice and the Individual in Manitoba*. The booklet was first distributed in St. James-Assiniboia School Division as a pilot project in early 1973. It was well received there by students and teachers. As a result, the commission sent booklets to all Manitoba school divisions. In addition to this, the commission sent out about 950 booklets to schools requesting extra copies.

The idea behind the booklet is that it should stimulate teachers reading it to arrange through the commission for speakers to go into the schools. The booklet provides basic information on each part of the justice system and asks "typical" questions which might be raised for discussion with guest speakers. The Manitoba Police Commission has contacted a number of professional people working in the justice system who are called on to speak to students and to other groups.

Teacher response to the booklet and the commission's service of arranging for speakers has been quite positive. The full impact of teacher reaction to the booklet and the commission's service won't be felt until early 1974 because many teachers did not familiarize themselves with the program until fall 1973. As a result only about 10 speaking engagements were co-ordinated by the commission in 1973. That there was a trend for increased use of the commission's speakers' service was indicated, however, by the fact that during the first month of 1974, 25 speaking engagements had been arranged by the commission for schools.

The commission hoped that rural area schools would feel free to utilize the service. There were, however, some teachers who advised commission staff they were reluctant to ask for someone to travel a distance to speak to their classes. These teachers were advised not to be reluctant. It was realized that likely many other rural teachers might have similar feelings about inconveniencing speakers.

To help alleviate the problem, and to involve rural schools to a greater degree, the System of Justice Day program was conceived, and it was decided to implement it experimentally in early 1974. A System of Justice Day would involve the whole student body of a rural school for one day. During the day, speakers and audio/visual material relating to the justice system would be at the school. Students would meet in small groups with the various speakers throughout the day and there would be ample opportunity for discussion and an exchange of ideas and opinions. In the evening it was thought at least one or two of the speakers could remain behind to address a meeting of the community so the adult population could be involved also. These community meetings could be along a special theme — such as juvenile delinquency.

The first such System of Justice Day is slated for Hartney Collegiate in Hartney, in early 1974. If this is successful, the commission would seek to initiate similar programs in other schools throughout the province.

ON PATROL IN MANITOBA

On Patrol in Manitoba is a quarterly publication of the Manitoba Police Commission which provides municipal policemen throughout the province with a professional journal. In addition to professional and technical articles, On Patrol publishes social news of interest to policemen.

It is hoped On Patrol will be a stimulating — even controversial — journal, giving policemen information on new concepts related to policing, social problems, corrections, prevention etc., as well as an opportunity to air their views on matters of concern.

The first issue of On Patrol was scheduled for publication before the end of 1973. Due to printing delays, however, it did not appear until early in January 1974. Initial response to the first issue, which was posted free to almost 1,000 municipal policemen in the province, was quite positive.

During 1974, it is planned to supplement On Patrol with a mimeographed newsletter in the months when On Patrol is not published.

LOCAL LOCK-UPS

The Manitoba Police Commission is the government body that has statute authority to inspect all local lock-ups in the province, and to make any resulting recommendations on these to the attorney-general. There are approximately 75 lock-ups in Manitoba.

In conjunction with visits to municipalities and inspections of municipal police departments, the commission has been studying local lock-up facilities. There is a plan to inspect all such facilities in the province by the end of 1974. Upgrading of local lock-ups is a commission priority.

With the Manitoba Police Commission exercising its statute authority with regard to lock-ups, a recommendation to the attorney-general will be forthcoming.

OPERATION IDENTIFICATION

The Manitoba Police Commission and the Insurance Agents Association of Manitoba, in co-operation with the Inner City and other municipal police departments, agreed to sponsor an Operation Identification program in the province. This program would serve as a deterrent to would-be thieves and at the same time provide police with an easy means of identifying stolen property.

Independent insurance agents throughout the province are to make available free of charge to anyone requesting it an electric marker. The marker is used to mark a person's social insurance number or driver's licence number inconspicuously on his property. The person also receives a special sticker for his door or window to inform potential thieves that the property inside is marked.

All persons marking their property have their social insurance number or licence number centrally registered by the Manitoba Police Commission so that when police find either of those two numbers on stolen property they can trace the owner through the commission. Insurance agents in other provinces have involved themselves in this nonprofit program.

The program began in 1973. Early in 1974 a promotional campaign involving radio station CJOB as an Operation Identification co-sponsor was to begin. The radio station agreed it would broadcast in 1974 a series of 600 free, public service announcements pertaining to the Operation Identification program.

In 1974, the Manitoba Police Commission hopes to have the Operation Identification program expanded so it will cover the whole province.

Exhibit A

The responsibilities, duties and powers of the Manitoba Police Commission are specified in sections 24 to 26 of Provincial Police Act which are reprinted below:

Duties of commission.

24 The commission shall promote the prevention of crime, efficiency of police services and police-community relationships in the province and for the attainment of these purposes, it may

- (a) co-ordinate or maintain or make recommendations to the Attorney-General for the co-ordination and maintenance of a central information service and for the organization of research studies for the purpose of assisting and improving the police forces in Manitoba;
- (b) consult with and advise boards of police commissioners, police committees and other police authorities including chiefs of police on all matters relating to police and policing;
- (c) provide to boards of police commissioners, police committees and other police authorities including chiefs of police, information and advice respecting the management and operation of police forces, techniques in handling special problems and other information considered to be of assistance;
- (d) provide for holding its meetings in various parts of the province and for visiting various areas and facilities in the province where police forces are maintained;
- (e) examine lock-up facilities throughout the province and report to the Attorney-General concerning their standards together with its recommendations;
- (f) recommend to the Attorney-General the necessity or desirability of providing and maintaining proper lock-up facilities in areas where there are no lock-up facilities or inadequate or sub-standard lock-up facilities;
- (g) assist in co-ordinating the work and efforts of police forces in Manitoba;
- (h) determine whether a police force is adequate for the area it serves and examine and report to the Attorney-General as to whether a municipality is discharging its responsibility for the maintenance of law and order;
- (i) recommend to the Attorney-General minimum standards for the selection and training of municipal policemen, special constables and other law enforcement officers and promotional standards;
- (j) recommend to the Attorney-General the development and supervision of a police training programme in Manitoba for municipal policemen extending from basic recruit courses through all levels of in-service training including specialized courses and those embracing management, supervision and police administration;
- (k) assist in the development of police education at the post-secondary school level;

- (l) establish programs and methods designed to create a public understanding of police functions and to promote and improve police relationships with the community;
 - (m) recommend to the Attorney-General the installation of an inter-communications system for all or any police forces in Manitoba and regulation of its operation and procedures;
 - (n) subject to the approval of the Attorney-General prescribe, regulate or prohibit the use of any equipment by a police force or its members in Manitoba;
 - (o) make recommendations with respect to amendments to this Act or regulations made under this Act and to any other enactments relating to law enforcement and police services in Manitoba.
- En. S.M. 1971, c. 85, s. 1.

Inquiry by commission.

25 (1) The Lieutenant Governor in Council may by order direct the commission to inquire into and report to him upon any matter relating to

- (a) the causes, extent, investigation or control of crime; or
- (b) the enforcement of law;

and he shall define the scope of the inquiry in the order.

En. S.M. 1971, c. 85, s. 1.

Powers under Evidence Act.

25 (2) For the purpose of an inquiry under subsection (1), the commission has all the powers of commissioners under Part V of The Manitoba Evidence Act, and Part V excepting section 87 of that Act, applies to any inquiry being made by the commission, but no notice of authorization or of the purpose or scope of the inquiry need be made by the commission of the time or place of the inquiry or need be published under section 88 of that Act.

En. S.M. 1971, c. 85, s. 1.

Definition of police commission.

26 (1) For the purpose of section 21, this section and section 28, "police commission" means

- (a) any police commission established pursuant to the provisions of the charter of any city; or
- (b) any police commission established under any other Act of the Legislature; or
- (c) any municipal council or committee thereof charged with or responsible for the maintenance of a police force.

En. S.M. 1971, c. 85, s. 1.

Appeal from disciplinary action.

26 (2) Where a chief or deputy chief of police pursuant to any inquiry or investigation made by him respecting the conduct of a member of a police force, takes disciplinary action against the member, that member may, if he feels aggrieved by the action, within thirty days of the disciplinary action, appeal the matter to the police commission.

En. S.M. 1971, c. 85, s. 1.

Disposition of appeal.

26 (3) Where an appeal is made under subsection (2) the appeal shall be a hearing de novo and after hearing the appeal the police commission may dispose of the matter as set out in clause (a) or (b) of subsection (6).

En. S.M. 1971, c. 85, s. 1.

Appeal.

26 (4) Where a police commission inquires into or investigates any complaint or matter touching the conduct of any member of a police force or any matter or thing relating to the maintenance and operation of the police force and law and order generally and following the inquiry or investigation makes an order or other determination, any person who is a party to the inquiry or investigation or who is aggrieved by the order or determination may within thirty days from the date of the order or determination appeal the matter to the Manitoba Police Commission.

En. S.M. 1971, c. 85, s. 1.

Hearing de novo.

26 (5) The appeal to the Manitoba Police Commission shall be a public hearing de novo and parties to the appeal may be represented by counsel and may examine or cross-examine such witnesses as may appear before the commission.

En. S.M. 1971, c. 85, s. 1.

Exclusion of public.

26 (5.1) The public or any member thereof may be excluded from the hearing of an appeal under subsection (4) or from any part of the hearing if, in the opinion of the commission, the interests of public morals, the maintenance of order, the proper administration of justice, or the ends of justice so require.

En. S.M. 1972, c. 57, s. 1.

Powers under Evidence Act.

26 (5.2) For the purpose of an appeal under subsection (4), the commission has all the powers and privileges of and the protection afforded to commissioners under Part V of The Manitoba Evidence Act.

En. S.M. 1972, c. 57, s. 1.

Disposition of appeal.

26 (6) After hearing an appeal under subsection (4), the Manitoba Police Commission may

- (a) dismiss the appeal and confirm the order or determination; or
- (b) substitute a decision or order that in its opinion should have been made; or
- (c) make its own findings of facts and remit the matter back to the police commission for a determination based on those facts; and
- (d) award costs in the matter as to it seems reasonable.

En. S.M. 1971, c. 85, s. 1.

Decision on appeal final.

26 (7) The decision of the commission on an appeal under this section is final.

En. S.M. 1971, c. 85, s. 1.

Reference by Attorney-General.

26 (8) Where a complaint is made with respect to the conduct of or anything done or omitted to be done by a member of the Royal Canadian Mounted Police, the Attorney-General for Manitoba may refer the matter to the Manitoba Police Commission for investigation, report and recommendation.

En. S.M. 1971, c. 85, s. 1.

Non-application of subsections (2) and (3).

26 (9) Subsections (2) and (3) do not apply with respect to The City of Winnipeg as defined in The City of Winnipeg Act as set out in Bill 36 presented at the current Session of the Legislature.

En. S.M. 1971, c. 85, s. 1.

Am. S.M. 1972, c. 57, s. 1.

Exhibit B

Royal Canadian Mounted Police — Municipal Policing Contract

Beausejour (Town of)	Pinawa (L.G.D. of)
Carberry (Town of)	Portage la Prairie (City of)
Carman (Town of)	Roblin (Town of)
Dauphin (Town of)	Russell (Town of)
Flin Flon (City of)	Selkirk (Town of)
Gillam (L.G.D. of)	Souris (Town of)
Gimli (Town of)	Stonewall (Town of)
Killarney (Town of)	Swan River (Town of)
Lynn Lake (L.G.D. of)	The Pas (Town of)
Melita (Town of)	Thompson (City of)
Minnedosa (Town of)	Virden (Town of)
Neepawa (Town of)	Winnipeg Beach (Town of)

Exhibit C

Royal Canadian Mounted Police — Extension Contracts

Arborg (Village of)	Notre Dame des Lourdes (Village of)
Birch River (Village of)	Pilot Mound (Village of)
Birtle (Town of)	Pine Falls (Town of)
Crystal City (Village of)	Powerview (Village of)
Elkhorn (Village of)	

Emerson (Town of)
Erickson (Village of)
Gladstone (Town of)
Hamiota (Village of)
Lac du Bonnet (Village of)
Lorette (Village of) (R.M. of Tache)
Lundar (Village of)
MacGregor (Village of)
McCreary (Village of)
Manitou (Village of)
Melita (Town of)
Minitonas (Village of)
Morris (Town of Morris)
Niverville (Village of)

Reston (Village of)
Riverton (Village of)
Rosburn (Village of)
Shoal Lake (Village of)
Snow Lake (L.G.D. of)
St. Jean Baptiste (Hamlet)
(R.M. of Montcalm)
St. Malo (Hamlet)
(R.M. of De Salaberry)
Ste. Rose du Lac
(Village of)
Stony Mountain
(R.M. of Rockwood)
Teulon (Village of)

Exhibit D

Municipal Policing

Alexander (Village of)	Mariapolis (Village of)
Altona (Town of)	Oakburn (Village of)
Baldur (Village of)	Pierson (Village of)
Benito (Village of)	Portage la Prairie (R.M. of) (St. Ambroise)
Binscarth (Village of)	Rivers (Town of)
Boissevain (Village of)	Somerset (Village of)
Brandon (City of)	Springfield (R.M. of)
Cornwallis (R.M. of)	St. Boniface (Community of)
Daly (R.M. of)	St. Claude (Village of)
Deloraine (Town of)	St. Clement (R.M. of)
East-North Kildonan (Community of)	St. James-Assiniboia (Community of)
East-West St. Paul (Community of)	St. Pierre (Village of)
Edward (R.M. of)	St. Vital (Community of)
Ethelbert (R.M. of)	Ste. Anne (Village of)
Fort Garry (Community of)	Steinbach (Town of)
Gilbert Plains (Village of)	Transcona (Community of)
Glenboro (Village of)	Victoria Beach (R.M. of)
Grandview (Town of)	West-Old Kildonan (Community of)
Hanover (R.M. of)	Whitehead (R.M. of)
Hartney (Town of)	Winkler (Town of)
Lorne (R.M. of)	Winnipeg (City of) (Inner City)
Lyleton (Village of)	Winnipegosis (Village of)

END