



**Guidelines and Directives 001 –  
Guideline for Reviewing Complaints**

Effective Date: May 15, 2020

## **1. Purpose**

The purpose is to provide guidance on how the Director reviews complaints with ongoing criminal and Special Investigation Unit investigations and related court proceedings (“other proceedings”).

Pursuant to Rule 2.2 of the OIPRD Rules of Procedure, the Director may issue guidelines or practice directives at any time as the Director deems necessary to carry out his or her functions under the Act, or in regard to the OIPRD’s practices and procedures. Where any guideline conflicts with the Rules, the Rules shall apply.

## **2. Guideline for Reviewing Complaints**

Rule 6.4 of the OIPRD Rules of Procedure sets out factors the Director considers in determining whether or not to deal with a complaint:

- (i) The effect of a decision to deal or not to deal with a complaint on public confidence in the accountability and integrity of the complaints system;
- (ii) The number of complainants involved;
- (iii) The seriousness of the complaint, including the seriousness of the harm alleged;
- (iv) Whether the complaint relates to an incident or event that has already been the subject of an earlier complaint;
- (v) Whether there are issues of systemic importance or broader public interest at stake;
- (vi) The likelihood of interfering with or compromising other proceedings;
- (vii) Whether another venue, body or law can more appropriately address the substance of the complaint.

Based on a review of past complaints, the Director has determined that it is generally not in the public interest to deal with complaints when there are ongoing criminal and Special Investigation Unit investigations and related court proceedings, because there is a likelihood of interfering with or compromising other proceedings, and a likelihood that the OIPRD is unable to deal with the complaints promptly (the OIPRD endeavors to deal with complaints within 120 days, while other proceedings have resulted in the OIPRD taking more than 2 years to deal with certain complaints).

In the past, the Director chose to deal with complaints despite the fact there were other proceedings. This frustrated many complainants who had the reasonable expectation that their complaints would be dealt with promptly, and unnecessarily allocated the OIPRD's resources to monitoring other proceedings, rather than investigating complaints.

Accordingly, the Director would consider the circumstances of each complaint and determine if it is in the public interest not to deal with the complaint before the other proceedings are completed. If such a determination is made, the complainant would receive a letter (copied to the relevant Chief of Police or the OPP Commissioner) explaining the Director's decision and advising them that they could resubmit their complaint at the completion of the other proceedings.

### **3. References**

- [OIPRD Rules of Procedure](#)
- [Part V of the Police Services Act, 1990](#)