

PART 7— THE PROFESSIONAL STANDARDS INVESTIGATION OF POLICE-RELATED DEATHS

D. The PCC’s Authority to Intervene in a Police Department’s Professional Standards Investigation

Part 9 of the 1998 *Police Act* also gives the PCC specific authority to intervene in a police department’s professional standards investigation in three circumstances that may be relevant to this inquiry:

- s. 55(3)—Despite any other provision of the Act, the police complaint commissioner may order an investigation into the conduct of a police officer (or a chief or deputy chief constable), whether or not a record of complaint has been filed. The commissioner may appoint an employee of that office as an observer to the investigation, if the commissioner considers the appointment necessary in the public interest (s. 56.1(1));
- s. 55.1—the police complaint commissioner may refer an investigation of a public trust complaint to another municipal police department or to the RCMP, if the commissioner considers that an external investigation is necessary in the public interest; and
- s. 56.1—if the police complaint commissioner concludes that the original investigation was inadequate or unreasonably delayed, he or she may:
 - order a new investigation (i.e., by the same police department), or
 - order an investigation by another municipal police department or by the RCMP, and
 - the commissioner may appoint an employee of that office as an observer to the investigation, if the commissioner considers the appointment necessary in the public interest.