

Information package

Bill 14 and police ethics

This information package provides an overview of the new legal provisions regarding the Police Ethics Commissioner, contained in Bill 14, *Act to amend various provisions relating to public security and to enact the Act to assist in locating missing persons*. These new provisions resulted in significant procedural changes.

This information package, consisting of five documents, is intended to help you adapt to these changes. Here is a description of each document in the package.

Documents	Description
<i>1. New provisions overview</i>	This document summarizes the legal provisions that came into effect.
<i>2. Complaint guidelines</i>	As of October 5, some people can file a complaint while others can file a report. These two guidelines provide information on the filing requirements for these recourses, and their respective processing procedures.
<i>3. Report guidelines</i>	
<i>4. How to file a complaint?</i>	These documents highlight some of the information presented in the directives. Their purpose is to inform citizens about the filing requirements for each recourse and the means available for submitting their recourse.
<i>5. How to file a report?</i>	

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New provisions overview

Bill 14 and police ethics

An overview of the new provisions

✓ Introducing the police ethics **report**.

As of October 5, 2024, only the following people can lodge complaints:

- Those present at an event involving police intervention (direct witnesses);
- Those in respect of whom the conduct of a peace officer in the performance of their duties could have constituted a derogatory act to the Code of ethics of Québec police officers (individuals involved in the intervention or their representative).

Any other person may submit a report. Reports may be submitted anonymously.

✓ Complaints and reports can, under certain circumstances, be **filed orally** with a member of the Commissioner's personnel.

✓ It is now possible to **hold conciliations remotely** when the situation or context justifies it.

✓ A diversity, equity and inclusion consultant now offers **accompaniment services** to complainants during conciliations.

✓ Particular measures regarding **allegations of discriminatory conduct**.

A person alleging a discriminatory conduct by a peace officer can choose to **refuse conciliation**. To do so, they must inform the Commissioner of this decision within 30 days of filing their complaint, failing which they will be presumed to have accepted conciliation.

In cases where a person wishes to take part in the conciliation, the conciliator appointed by the Commissioner must have undergone mandatory **training on racism and discrimination**.

If a person alleging a discriminatory conduct refuses conciliation or if conciliation does not result in a settlement, the Commissioner must **conduct an investigation**.

✓ **The Commissioner may conduct an investigation on their initiative** when a situation is brought to their attention in which a person subject to the Code may have committed an act that could constitute a derogatory act. This ensures better protection for the public since the Commissioner is now able to assess events that might not otherwise have been brought to their attention.

✓ The Comité de déontologie policière (Police Ethics Committee) becomes the **Tribunal administratif de déontologie policière** (Police Ethics Administrative Tribunal).

✓ The Commissioner has been given a **preventive and educational role** in police ethics, notably through the development and implementation of prevention and information programs on this matter.

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Complainte guidelines

Who can file a complaint?

A complaint can be filed:

- by the person in respect of whom the conduct of a peace officer in the performance of their duties is likely to constitute a derogatory act to the Code of ethics of Québec police officers;
- by anyone present at an event involving a police intervention;
- by an individual representing the person subject to the event.

When can a complaint be filed?

The complaint must be filed within one year of the date of the event or knowledge of the event to which the complaint relates.

In exceptional circumstances, the Commissioner may agree to an extension of this time limit, on the condition that evidence is presented to demonstrate the impossibility of proceeding during this period. The Commissioner will have to decide whether the circumstances justified the complainant in not filing their complaint within the one-year time limit provided by law.

How to file a complaint?

Complaints can be made by filling in the [online form](#).

For reasons of efficiency and effectiveness, it is recommended to file a complaint using the online form.

In certain situations, it is also possible to lodge a complaint orally with a member of the Commissioner's personnel.

It is possible to request the assistance of a member of the Commissioner's personnel to complete the online form or to submit it orally by making an appointment:

- For the Montréal regions: 514-864-1784
- For the Québec City regions: 418-643-7897
- For other regions: 1-877-237-7897
- By email at deontologie-policiere.quebec@comdp.gouv.qc.ca

You can also contact an organization that offers assistance in filing a police ethics complaint. For contact details of some of these organizations, you may consult [our website](#).

The complaint must be submitted alongside **all** the evidence in the complainant's possession.

Receipt of the complaint

Upon receipt of the online complaint by the Commissioner, acknowledgement of receipt will automatically appear on the screen.

Receipt of oral complaint

A written summary of the complaint will be sent to the complainant at the end of the phone call.

Processing of the complaint by the Commissioner

To analyze the complaint, a member of the Commissioner's personnel may contact the complainant to obtain clarifications or missing information.

The complainant may object to conciliation if they believe that conciliation is inappropriate to their case. The complainant must then give their reasons in writing to the Commissioner within 30 days of filing the complaint.

Within 40 days of receiving the complaint, the Commissioner undertakes an analysis of the information gathered. At the outcome of his analysis, 4 options are possible:

- reject the complaint;
- order a conciliation;
- order an investigation;
- refer the matter to the appropriate police force for criminal investigation if it appears that a criminal offence may have been committed.

The Commissioner informs the complainant, the peace officer who is the subject of the complaint and their director of their decision and provides an explanation if the complaint is rejected.

Processing a complaint alleging discriminatory conduct

If the complaint alleges a discriminatory conduct on the part of a peace officer, the complainant will receive an e-mail informing them of the right to refuse conciliation.

- If the complainant decides to refuse to take part in a conciliation, they must inform the Commissioner in writing within 30 days of filing the complaint.
- Should the complainant fail to inform the Commissioner in writing within 30 days, they will be presumed to have agreed to participate in the conciliation.

The conciliator appointed by the Commissioner to act in the context of a complaint alleging discriminatory conduct by a peace officer must have undergone mandatory training on racism and discrimination.

Should the complainant refuse conciliation within 30 days of filing the complaint, the Commissioner must conduct an investigation.

The Commissioner informs the complainant, the peace officer who is the subject of the complaint and their director of their decision and provides an explanation if the complaint is rejected.

Conciliation

Conciliation is an obligatory step in the police ethics procedure, barring exceptions provided for by law. It aims to resolve, through a settlement accepted by both parties, a complaint filed against one or more peace officers.

During the conciliation, the complainant may be accompanied by a person of their choice. They may also be accompanied by a diversity, equity and inclusion (DEI) consultant or an indigenous DEI consultant if they so wish.

Conciliation must take place within 45 days of the decision to hold a conciliation unless the Commissioner authorizes an extension.

In the event of failure to reach a settlement between the parties, the case is returned to the Commissioner's jurisdiction. The Commissioner may then decide to hold an investigation or close the case.

In the event of a complaint alleging discriminatory conduct on the part of a peace officer, in the absence of a settlement between the parties, the Commissioner will conduct an investigation.

Investigation

An investigation is held when it is brought to the Commissioner's attention that the conduct of a peace officer in the performance of their duties may constitute a breach of their Code of ethics.

The Commissioner may also, on their own initiative, decide to conduct an investigation.

These decisions are aimed at situations of public interest, including:

- those involving death or serious injury of a person;
- those where public confidence in peace officers may be severely compromised;
- criminal offences, repeated offences or other serious matters;
- situations involving a discriminatory conduct, i.e. those where the complainant has refused conciliation or where the conciliation has failed;
- any other situation brought to the Commissioner's attention through recommendation following an investigation (Coroner's investigation).

Within six months of the decree of an investigation, a report is drawn up and submitted to the Commissioner.

In the event of an exceptional situation (criminal investigation, criminal trial in progress, complex investigation, etc.) in which the investigation report cannot be submitted within this timeframe, the complainant, the peace officer involved in the complaint and their director will be notified.

The complainant, the peace officer who is the subject of the complaint and the peace officer's director will also receive a letter notifying them of the end of the investigation.

The Commissioner may terminate an investigation that has been initiated if they consider that the holding or continuation of the investigation would not make it possible to prove a breach of ethics before the Tribunal administratif de déontologie policière (Police Ethics Administrative Tribunal). A substantiated decision will then be transmitted to the complainant, to the peace officer involved in the complaint, and to their director.

Following the investigation, and within one year of the complaint being filed, unless there are circumstances beyond the Commissioner's control, the Commissioner may decide to:

- cite the peace officer in question before the Tribunal administratif de déontologie policière (Police Ethics Administrative Tribunal) when they consider that the evidence justifies it;
- dismiss the complaint and close the case;
- forward the investigation file to the Directeur des poursuites criminelles et pénales (Director of criminal and penal prosecutions).

The Commissioner informs the complainant, the peace officer who is the subject of the complaint and their director of this decision and its grounds in cases of dismissal.

Retention of personal data

The information provided by the complainant will be preserved by the Commissioner following the organization's conservation calendar and confidentiality policy.

In addition, each complaint filed is logged in a complaints register and preserved following the organization's conservation calendar and privacy policy.

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Report guidelines

Who can file a report?

A report can be filed:

- by any person who wishes to denounce the conduct of a peace officer in the performance of their duties during an event that is likely to constitute a derogatory act to the Code of ethics of Québec police officers, and
- **who was not present** during the event that was the subject of a police intervention or who is not personally concerned by the conduct of a peace officer likely to constitute a derogatory act.

When can a report be filed?

The report must be filed within one year of the date of the event or knowledge of the event to which the report relates.

In exceptional circumstances, the Commissioner may agree to an extension of this time limit, on the condition that evidence is presented to demonstrate the impossibility of proceeding during this period. The Commissioner will have to decide whether the circumstances justify the person reporting in not filing their report within the one-year time limit provided for by law.

How to file a report?

Reports can be made by filling out the [online form](#).

For reasons of efficiency and effectiveness, it is recommended to file a report using the online form.

In certain situations, it is also possible to lodge a report orally with a member of the Commissioner's personnel.

It is possible to request the assistance of a member of the Commissioner's personnel to complete the online form or to submit it orally by making an appointment:

- For the Montréal regions: 514-864-1784
- For the Québec City regions: 418-643-7897
- For other regions: 1-877-237-7897
- By email at deontologie-policiere.quebec@comdp.gouv.qc.ca

You can also contact an organization that offers assistance in filing a police ethics report. For contact details of some of these organizations, you may consult [our website](#).

The report must be submitted alongside **all** the evidence in the reporting person's possession.

Receipt of the report

Upon receipt of the online report by the Commissioner, acknowledgement of receipt will automatically appear on the screen.

Receipt of oral report

A written summary of the report will be sent to the complainant at the end of the phone call.

Anonymous report

It is possible to make an anonymous report, without giving your contact details. In this case, there will be no follow-up with the person making the report.

The necessary measures to preserve anonymity will be taken following the organization's confidentiality policies.

Processing of the report by the Commissioner

To analyze the report, a member of the Commissioner's personnel may contact the reporting person to obtain clarifications or missing information.

In the event of an anonymous report, since it will not be possible to contact the person who reported the situation, the file will be closed if the information transmitted does not allow us to conclude on a suitable orientation.

The report is admissible provided the Commissioner has not decided on his initiative to conduct an investigation regarding the same event.

Within 40 days of receiving the report, the Commissioner undertakes an analysis of the information gathered. At the outcome of his analysis, 3 options are possible:

- reject the report;
- order an investigation;
- refer the matter to the appropriate police force for criminal investigation if it appears that a criminal offence may have been committed.

The Commissioner informs the person who made the report, the peace officer who is the subject of the complaint and their director of their decision and provides an explanation if the complaint is rejected.

Investigation

An investigation is an exceptional measure. The decision to hold an investigation falls within the Commissioner's jurisdiction when they deem a report to be in the public interest, including:

- a situation involving the death or serious injury of a person;
- a situation where public confidence in peace officers may be severely compromised;
- criminal offences, repeated offences or other serious matters.

Within six months of the decree of an investigation, a report is drawn up and submitted to the Commissioner.

The person who reported the situation to the Commissioner, the peace officer who is the subject of the report and their director will receive a letter notifying them of the end of the investigation.

In the event of an exceptional situation in which the investigation report cannot be submitted within this timeframe, the person who reported the situation to the Commissioner, the peace officer involved in the complaint and their director will be notified.

The Commissioner may terminate an investigation that has been initiated if they consider that the holding or continuation of the investigation would not make it possible to prove a breach of ethics before the Tribunal administratif de déontologie policière (Police Ethics Administrative Tribunal). A substantiated decision will then be transmitted to the person who filed the report, to the peace officer involved in the complaint, and to their director.

Following the investigation, and within one year of the report being filed, unless there are circumstances beyond the Commissioner's control, the Commissioner may decide to:

- cite the peace officer in question before the Tribunal administratif de déontologie policière (Police Ethics Administrative Tribunal) when they consider that the evidence justifies it;
- dismiss the report and close the case;
- forward the investigation file to the Directeur des poursuites criminelles et pénales (Director of criminal and penal prosecutions).

The Commissioner informs the reporting person, the peace officer who is the subject of the report and their director of this decision and its grounds in cases of dismissal.

Retention of personal data

The information provided by the reporting person will be preserved by the Commissioner following the organization's conservation calendar and confidentiality policy.

In addition, each report filed is logged in a reports register and preserved following the organization's conservation calendar and privacy policy.

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How to file a complaint?



Our services are free of charge and all information provided is treated confidentially. The services of a lawyer are not required.

How to file a complaint?

Who? Any person directly involved in an event during which a peace officer has engaged in a conduct that could constitute a derogatory act to the Code of Ethics of Quebec Police Officers, any person representing a person affected by an event, and any person present at an event that was the subject of a police intervention (direct witness).

When? The complaint must be filed within one year of the date of the event or of the knowledge of the event.

Against whom? The complaint must be made against a peace officer subject to the Code of Ethics of Québec Police Officers, i.e.: a police officer, a special constable, a wildlife protection officer, a senior officer, or an investigator from the BEI or CLCC.

What? The complaint must relate to actions, omissions, or behaviour(s) on the part of a peace officer while in the performance of their duties and while dealing with the public.

How? The complainant has three options:

1. By completing the form available on the website

[Online complaint form](#)

2. By making a phone appointment

An agent will then be able to assist the complainant in formulating their complaint.

You can do this by calling one of these numbers:

Quebec: 418-643-7897

Montreal: 514-864-1784

Toll-free number: 1-877-237-7897

3. On-site, at the Quebec City or Montreal offices, where a computer is now available for anyone wishing to access the appropriate IT tools

We suggest you make an appointment by calling one of the above numbers to ensure the computer is available.

A member of the Commissioner's staff will be available between 8:30 a.m. and 3:30 p.m., Monday to Friday, to assist any complainant who has questions or needs guidance.

For more details, please visit our website:

[Commissaire à la déontologie policière – File a complaint](#)

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How to file a report?



Our services are free of charge and all information provided is treated confidentially. The services of a lawyer are not required.

How to file a report?

Who? Any person who has been informed of a peace officer's conduct that may constitute a breach of the Code of ethics of Québec police officers (indirect witness). The report can be submitted anonymously.

When? The report must be filed within one year of the date of the event or of the knowledge of the event.

Against whom? The report must concern a peace officer subject to the Code of Ethics of Québec Police Officers, i.e.: a police officer, a special constable, a wildlife protection officer, a Bureau des enquêtes indépendantes (BEI) or Commissaire à la lutte contre la corruption (CLCC) high executive or investigator.

What? The report must concern actions, omissions or behaviour(s) on the part of a peace officer while in the performance of their duties and while dealing with the public.

How? The complainant has three options:

1. By completing the form available on the website

[Online report form](#)

2. By making a phone appointment

An agent will then be able to assist the complainant in formulating their report.

You can do this by calling one of these numbers:

Quebec: 418-643-7897

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