

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.