

## APPENDIX 2

### PUBLIC HANDOUT FOR THE CONSERVATION OFFICER SERVICE PUBLIC COMPLAINT PROCEDURE

"Complaint" means an allegation in writing made by a member of the public respecting the conduct of any member of the Conservation Officer Service which, if proven, would constitute a disciplinary default as defined pursuant to the Conservation Officer Service Code of Professional Conduct Procedure, Chapter 2, section 2, subsection 04.

#### A. COMPLAINTS AGAINST CONSERVATION OFFICERS

1. The British Columbia Conservation Officer Service Public Complaint Procedure sets out the manner in which allegations against members of the Conservation Officer Service are to be handled.
2. All allegations against conservation officers should be directed to the Disciplinary Authority, usually the Conservation Officer Service Manager of the region where the officer is stationed. In the absence of the disciplinary authority, complaints will be received by the most senior conservation officer on duty. All allegations will be forwarded to the appropriate disciplinary authority.
3. Upon receipt of an allegation, the disciplinary authority is responsible to determine if the allegation is a complaint as defined above.
4. If a disciplinary authority determines the allegation is not a complaint as defined, the disciplinary authority may REFUSE TO INVESTIGATE OR TO FURTHER INVESTIGATE.
5. A disciplinary authority may also REFUSE TO INVESTIGATE OR TO FURTHER INVESTIGATE if the disciplinary authority is satisfied that
  - a. the complaint is frivolous, vexatious, not made in good faith or concerns a trivial matter,
  - b. the complaint primarily affects a third party,
  - c. more than 6 months have passed since the incident occurred, or since the complainant first became aware of the incident which causes him/her to complain.
6. Where a disciplinary authority refuses to investigate an allegation, the complainant can within 10 days of being notified submit a written request for his/her decision to be REVIEWED by the Chief Conservation Officer. The Chief Conservation Officer will review the complaint and the refusal to investigate. The Chief Conservation Officer may confirm the decision of the disciplinary authority or may order an investigation.

7. If the allegation is deemed to be a complaint as defined, there are 2 possible steps in the process
  - a. an INFORMAL RESOLUTION,
  - b. an INVESTIGATION and RESOLUTION, which are conducted within the service.
8. A complaint is INFORMALLY RESOLVED where a resolution is proposed and agreed to by the complainant, the officer involved, and the Disciplinary Authority.
9. Where an attempt to INFORMALLY RESOLVE a complaint is unsuccessful the complainant may, in writing, request an INVESTIGATION by the disciplinary authority
10. Where a disciplinary authority has INVESTIGATED a complaint, he/she shall, not more than 10 days after the investigation is completed, inform the complainant and the conservation officer complained against of:
  - a. a summary of the investigation and the results of the investigation,
  - b. any disciplinary action intended to be taken by the disciplinary authority, and
  - c. the right of the complainant or officer complained against to file an appeal.
11. If the complainant or conservation officer complained against is not satisfied with the results of the INVESTIGATION, he/she may request a review. This request must be made in writing to the disciplinary authority within 21 days of receiving notice of the investigation result
12. Where the disciplinary authority receives a request for a review he/she shall forward a copy of the request along with all particulars of the complaint and subsequent investigation in addition to the action they propose to take or have taken, along with reasons, to the Chief Conservation Officer.
13. The Chief Conservation Officer or Assistant Deputy Minister will review the disciplinary authority's decision and reasoning. The Chief Conservation Officer or Assistant Deputy Minister may have the complaint further investigated if they deem it necessary. Within 10 days of completing the review or follow-up investigation the Chief Conservation Officer or Assistant Deputy Minister will either confirm the original decision or substitute a decision of their own. This decision is the final step in the ministry's review process

## **B. GENERAL**

1. For further information about the Public Complaint Procedure, please refer to your Conservation Officer Service Regional office located in Nanaimo, Kamloops, or Prince George, or contact Conservation Officer Service Headquarters at:

Ministry of Environment  
Conservation Officer Service

**Physical address:**  
2930 Trans Canada Hwy  
Victoria, BC V9B 6H6

**Mailing address:**  
PO Box 9376 Stn. Prov. Govt.  
Victoria, BC V8W 9M5

**Telephone: (250) 391-2342**