

McNeil Report

Confidential Information – For Crown Attorney Use

See 2nd page for Instructions

Name: _____

Rank: _____

Unit: _____

Badge _____

No.: _____

Crown Envelope No.: _____

Regina v.: _____

1. I have a finding of guilt for misconduct under the *Police Services Act* after a formal hearing before the police tribunal which does not fall within the disclosure exceptions on the second page of this form.
2. I have a conviction or finding of guilt under the Criminal Code, *Controlled Drugs and Substances Act* or other federal statute, for which a pardon has not been granted.
3. I have an outstanding charge under the Criminal Code, *Controlled Drugs and Substances Act* or other federal statute.
4. I have an outstanding charge of misconduct under the *Police Services Act* for which a Notice of Hearing has been issued, which does not fall within the disclosure exceptions on the second page of this form.
5. In relation to the same incident which forms the subject matter of the charge(s) against the accused:
 - (a) I have been given notice that I am the subject of a conduct investigation under the *Police Services Act* or have been charged with misconduct under the *Police Services Act*, Criminal Code, *Controlled Drug and Substances Act* or other federal statute, but the case has not yet been concluded; and/or
 - (b) I have agreed to a complaint disposition without a hearing.

Complete the following chart outlining any charges or findings of guilt.

Date of Finding / Charge or Notification	Nature of Offence / Allegation or Details of the Alleged Misconduct	Penalty / Sanction

(Where additional space is required, continue on a blank sheet of paper and attach it to this form)

I have read the instructions on the second page of this form and the information I have provided is true to the best of my knowledge and belief. I am aware that I have a continuing obligation to provide up-to-date information should circumstances change.

Signature: _____

Date: _____

NOTE: This part to be Removed Prior to Disclosure

Officer Privacy Interest(s). Officers reason(s) that Conduct Report should not be disclosed.

I ask that I be notified by the Crown and given the opportunity to make further submissions:

Yes

No

(Where additional space is required, continue on a blank sheet of paper and attach it to this form)

DISTRIBUTION: Original – Crown Attorney

Copy - Retained by Submitting Office

INSTRUCTIONS

1. Members shall disclose:
 - Any conviction or finding at guilt under the Criminal Code, the *Controlled Drugs and Substances Act*, or other federal statute, for which a pardon has not been granted.
 - Any finding of guilt for misconduct under the *Police Services Act* after a formal hearing before the police tribunal which does not fall within the disclosure exceptions below.
 - Any outstanding charge under the Criminal Code, the *Controlled Drug and Substances Act*, or other federal statute;
 - Any outstanding charge of misconduct under the Police Services Act for which a Notice of Hearing has been issued;
 - In relation to the same incident which forms the subject matter of the charge(s) against the accused:
 - If you are being investigated, or have been charged with misconduct under the *Police Services Act*, Criminal Code, *Controlled Drug and Substances Act* or other federal statute, but the case has not yet been concluded; and/or
 - If you have agreed to a complaint disposition without a hearing.
 2. Disciplinary findings of guilt for misconduct to be disclosed are those resulting from a formal hearing before the police tribunal. Discipline matters addressed at the unit level shall not be disclosed unless it is in relation to the charge(s) against the accused.
 3. When reporting a *Police Services Act* related incident, include a brief synopsis of the nature of the misconduct.
 4. Members having disclosure obligations as outlined in item one, should liaise with the Crown Attorney assigned to the case to establish an understanding between them as to what is likely to occur should the matter be raised in court.
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Disclosure Exceptions

Members are NOT required to disclose disciplinary information relating to the following:

Police Services Act

- s. 74(1) (b) contravenes section 46 (political activity)
- s. 74(1) (d) contravenes subsection 55(5) (resignation during emergency)
- s. 74(1) (t) contravenes section 117 (trade union membership)

0. Reg. 123/98, Police Services Act Part V. Code of Conduct

- 2. (1) (a) (ix) is guilty of an indictable criminal offence punishable upon summary conviction if you have been granted a pardon for the underlying criminal offence.
- 2. (1) (c) (ix) is absent without leave from or late for any duty, without reasonable excuse
- 2. (1) (c) (x) is improperly dressed, dirty or untidy in person, clothing or equipment while on duty
- 2. (1) (h) (i) in part, specifically “willfully or carelessly causes loss or damage to any article of clothing”