



AC21

INDEPENDENCE OF INVESTIGATIONS

AC21

Effective Date: 12 April 2016
Revised Date: **NEW**
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POLICY

1. Members and police staff of the Delta Police Department (“Department”) shall conduct themselves in a manner that ensures the highest level of public confidence. All employees are required to carry out their duties in accordance with the Oath of Office and, if applicable, the Oath of Allegiance to maintain the public’s confidence.
2. At all times members must ensure that the obligation placed upon them to perform their duties faithfully and honestly is done in a transparent manner.
3. Members must perform their duties with fairness and impartiality when dealing with the public. Accordingly, it is imperative that all police investigations are conducted independent of any potential or perceived conflict of interest or bias.
4. If at any time a potential or perceived conflict of interest presents itself, the member must immediately notify their supervisor of the conflict. This will ensure that appropriate safeguards can be implemented to eliminate or minimize the impact of such conflicts in the investigation process.

REASON FOR POLICY

5. Members will on occasion be confronted by a potential or actual conflict of interest. The conflict in itself does not suggest any wrongdoing or lack of trust in the member or their ability to conduct a thorough and unbiased investigation. However any potential or actual conflict of interest must be managed appropriately to ensure the integrity of an investigation and withstand public scrutiny.
6. Members must be able to recognize when a potential or actual conflict of interest arises and what their responsibilities are to ensure effective management of the matter.



7. This policy will provide a guideline for assessing conflict of interest prior to commencing an investigation.

RELATED POLICIES

AB13 – Appointment to Office
AC11 – Conflict of Interest
AC19 – Personal Relationships
AC42 – Internal Discipline Rules

DEFINITIONS

8. For the purposes of this policy, the following definitions will apply:

Internal Investigation – where the respondent is a member and may include matters involving a criminal, *B.C. Police Act*, internal discipline or service and policy investigations.

Police Investigation – a criminal or other investigation that does not relate to employment matters.

Conflict of Interest – any situation where a member's duty or responsibility may be, or could reasonably be perceived to be adversely affected due to the member's private or personal interests/connection. A conflict of interest may also arise if the member demonstrates a perceived predetermination or bias concerning an investigation.

Association – a conflict of interest may arise when a member has an association to another person or group through a family relationship, personal friendship, casual acquaintance or commercial/political activity. That association may, or could reasonably be perceived as a conflict of interest when viewed by the public.

PROCEDURES

9. Members must continually assess the potential of their association to individuals or organizations during every part of an investigation. That



- association must not have the perceived potential to directly or indirectly affect the member's impartiality in the investigation.
10. Where a member considers that a conflict of interest exists or may be perceived to exist, the matter must be managed to ensure the integrity of the investigation.
 11. The member who identifies a conflict of interest shall discuss the matter with their supervisor at the earliest opportunity.
 12. The supervisor shall consider how to best manage the actual or perceived conflict of interest. Should the supervisor determine that the matter is capable of impacting the investigation, consideration may be given to limiting or removing the member from the investigation. If necessary, an alternative member may be assigned to the matter.
 13. The supervisor shall document decisions and reasoning made in response to the declaration.
 14. If the supervisor is unsure of the potential impact of the declared conflict, they shall seek direction from the OIC of the section.
 15. A conflict does not necessarily dismiss a member from an investigation. Each investigation must be assessed on a case by case basis to determine if the actual or potential conflict of interest can be eliminated or minimized without the exclusion of the member or jeopardizing the investigation.
 16. In some circumstances it may be necessary for a member to act immediately to protect life and property or to preserve the peace. In that event, if there is an actual or perceived conflict of interest, the member shall bring it to the attention of their supervisor at the earliest opportunity.