

LOCAL RESPONSE FAQ

Q1: Is Local Response the same as having an informal conversation with a member of the public about their experience with a police officer?

A: Not necessarily. Local Response is a specific process stipulated under the [LECA Rules of Procedure](#) for responding to concerns by members of the public about police officer's performance. [Local Response is a documented process](#).

In cases where a member of the public wishes to simply have a conversation in the detachment about their experience with an officer or provide feedback or comment, without engaging in any documented process or filing a complaint, the police services may engage in the conversation without invoking the Local Response or the complaint process.

Q2: What is the difference between Local Response, Early Resolution, and Informal Resolution?

A: [Local Response](#) is a process for dealing with concerns from members of the public informally and outside the public complaints process under Part X of the [Community Safety and Policing Act](#). Local Response is conducted before a complaint is filed with LECA.

[Early Resolution](#) is a process for dealing with formal complaints that have been filed with LECA and screened in. In other words, Early Resolution is conducted after a complaint has been filed but before being referred for an investigation.

[Informal Resolution](#) is a process for dealing with a complaint informally any time after a complaint has been referred for an investigation and before proceeding to discipline. Informal Resolutions are conducted in accordance with s. 169 of the CSPA and Rule 19 of the [LECA Rules of Procedure](#).

Q3: Is there a precedent under the Police Services Act for Local Response?

A: Yes. under the *Police Services Act*, [Local Complaints Regulation](#) allowed police services to deal with complaints from members of the public locally and outside the formal complaint process.

Q4: What is the benefit of Local Response?

A: [Local Response](#) is an effective way of dealing with concerns by members of the public about the conduct of an officer by responding to, explaining, clearing up or settling the matter directly with the member of the public without engaging the formal complaint process. A successful response to a concern through Local Response may increase understanding between the police and the public and increase public confidence in policing. The Local Response document provides officers a place to record the information and to earn the credit of responding to the matter, for submission to LECA.

Q5: What matters can be addressed through Local Response?

A: Any concern from a member of the public may be addressed locally and through Local Response unless one of the following applies:

- the concern is in respect of the conduct of the chief of police or deputy chief of the police service;
- the member of the public chooses to file a formal complaint under Part X; or,
- in the opinion of the chief of police, it is in the public interest for the matter to be dealt with under Part X rather than as a local response.

Usually concerns about matters that are minor or less serious in nature, are related to performance issues, and may not rise to the level of misconduct are more appropriate to be addressed through Local Response.

Q6: Can we respond to a concern from a member of the public if they expressed an intention to file a complaint to LECA?

A: No. If a member of the public has expressed an intention or desire to file a complaint with LECA, they should be provided with information about LECA.

Q7: Can we resolve a formal complaint received by a member of the public through Local Response?

A: No. Upon receipt of a formal complaint from a member of the public, the Service should forward that complaint to LECA in accordance with s. 155 of the CSPA.

Q8: Should we continue to attempt Local Response if it is discovered that the member of the public has already filed a complaint?

A: No. If at any time while attempting a local response, the service discovers that the member of the public has made a public complaint about the same incident or concern that is the subject of the local response, the chief of police shall cease dealing with the matter and terminate the local response process.

Q9: Can discussions that occur as part of an unsuccessful local response be used in an investigation or other proceedings?

A: Discussions that occur as part of an unsuccessful local response will not form part of the screening of a complaint, any review, or investigation. The local response discussions shall not be recorded without the written consent of all parties.

Q10: Who should facilitate the Local Response process?

A: A member of the police service, at the direction of the Chief or the Commissioner or their designate, may facilitate the Local Response process.

Q11: What should the Service do after a matter has been responded to through Local Response?

A: The chief of police, or designate, shall confirm the local response in writing in the [Local Response Summary Form](#) prescribed by the Complaints Director. The form should be reviewed and signed by the member of the public, the chief of police or their designate and the police officer within 15 days of the receipt of the concern by the chief of police, or as agreed by the parties.

A copy of the completed [Local Response Summary Form](#) should be sent to LECA through email at lecacomplaints@ontario.ca within 7 days after being signed.

Q12: Should the Chief, or designate, send a notification of misconduct to the Complaints Director in accordance with section 197 of the CSPA, after responding to a matter through Local Response?

A: Not every matter that has been subject of a Local Response may require a notification to the Complaints Director. Section 197 of the CSPA, [Discipline Regulation](#) and [Guideline 007](#) should be consulted in determining if a notification to LECA would be required.

Q13: What are the examples of issues that can be responded to through Local Response but may not require a notification?

A: Actions or omissions by an officer that may not rise to the level of misconduct but otherwise result in dissatisfaction or inconvenience for a member of the public, or otherwise constitute a performance issue may be responded to through Local Response but may not require a notification to LECA.

Q14: How can the police service decide when to issue a notification relating to a local response?

A: In deciding when to issue a notification, the chief or their designate should consult section 197 of the CSPA, [Discipline Regulation](#) and [Guideline 007](#).

Q15: What happens if the Complaints Director receives a notification about a matter that was subject of Local Response?

A: In reviewing a notification and determining whether the potential misconduct may require LECA to initiate an investigation in the public interest, the Complaints Director may consider whether:

- a) the issues raised in the complaint have been reasonably dealt with through the local response process;
- b) the member of the public alleges they were misled with respect to material facts or subjected to intimidation or coercion in relation to the local response;
- c) the chief of police or his or her delegate did not carry out one or more of his or her duties under [LECA Rules of Procedure](#), and
- d) the signed [Local Response Summary Form](#) was not provided to the Complaints Director.

Q16: Can members of the public file a complaint about a concern that was subject of Local Response?

A: Yes, However, in screening the complaint, the Complaints Director may take into account the Local Response. In determining whether to send a complaint for investigation, the Complaints Director may consider:

- a) the issues raised in the complaint have been reasonably dealt with through the local response process;
- b) the member of the public alleges they did not understand the material facts or were subjected to intimidation or coercion in relation to the local complaint;
- c) the chief of police or his or her delegate did not carry out one or more of his or her duties under Rule 7 of the [LECA Rules of Procedure](#).
- d) the signed [Local Response Summary Form](#) was not provided to the Complaints Director.

Q17: What would LECA do with the Local Response Summary Form?

A: LECA will retain the [Local Response Summary Form](#) for statistical purposes and use it for screening subsequent complaints or notifications about the same incident.

Q18: What happens if a matter is resolved but a Local Response Summary Form cannot be signed and completed?

A: A [Local Response](#) is only considered finalized if the form has been signed and provided to LECA. However, if the Chief decides that the subject of the Local Response may require a notification to LECA, the Chief may include information about their attempts at Local Response on the notification portal.

Q19: Where can I find more information about Local Response?

A: you may find more information about Local Response in three ways:

1. By reviewing Rule 7 of the [LECA Rules of Procedure](#)
2. By visiting LECA website at leca.ca
3. By contacting lecacomplaints@ontario.ca

Q20: Where can I find more information about Early Resolution?

A: you may find more information about Early Resolution in three ways:

1. By reviewing Rule 19 of the [LECA Rules of Procedure](#)
2. By visiting LECA website at leca.ca
3. By contacting LECAEarlyResolution@ontario.ca

Q21: Where can I find more information about Informal Resolution?

A: you may find more information about Informal Resolution in three ways:

1. By reviewing Rule 19 of the [LECA Rules of Procedure](#) and section 169 of the CSPA
2. By visiting LECA website at leca.ca
3. By contacting the assigned LECA Investigator

Q22: Where can I find more information about Notifications of Misconduct to the Complaints Director?

A: you may find more information about Notifications of Misconduct in four ways:

1. By reviewing section 197 of the CSPA and Rule 14 of the [LECA Rules of Procedure](#)
2. By Reviewing [Guideline 007 – Notifications From Chiefs and Commissioner](#)
3. By contacting LECA Legal Case Coordinator at leca.legal@ontario.ca