

THE LAW ENFORCEMENT REVIEW ACT (L.E.R.A.)

IN THE MATTER OF: T E. B Complaint No. 1740

I was assigned to hear the appeal of the above-noted Complainant. The appeal was scheduled for Wednesday, July 21, 1993, commencing at 9 a.m. in the 12th Floor Boardroom, 405 Broadway, Winnipeg, Manitoba.

Notice of the hearing of the appeal was sent to Mr. T B, X ADDRESS, Winnipeg, Manitoba, on July 6, 1993.

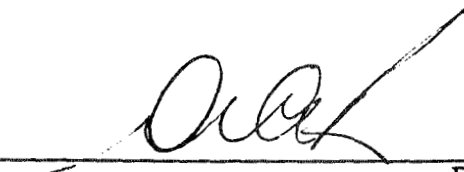
The hearing was convened at 9 a.m. and when it became apparent that Mr. B was not present, I dealt with another hearing where I heard submissions from the Complainant (in writing) and from Paul McKenna (orally).

At approximately 10:45 a.m. on July 21, 1993, at the conclusion of the other scheduled hearing, I called for the appearance of Mr. T B. I noted that Mr. T B was not present. Both Constable C C and Constable G C were present in person and with counsel. As the burden of proof was on the Complainant T E. B to show that the Commissioner erred in declining to take further action on the complaint and as T E.E was not present to give submissions I determined that the Commissioner did not err in declining to take further action on the complaint. I therefore

dismissed the application of the Complainant, T E. B .

Pursuant to Section 13(4.1) I ordered that no person shall cause the Respondents' names to be published in a newspaper or other periodical publication or broadcast on radio or television.

DATED at Winnipeg, in Manitoba, this 6th day of August, 1993.



P.J.C.