

File No. \_\_\_\_\_  
Appeal No. \_\_\_\_\_

IN THE PROVINCIAL COURT OF MANITOBA  
WINNIPEG, MANITOBA

IN THE MATTER OF

*THE LAW ENFORCEMENT REVIEW ACT*  
Complaint # 2018/157

AND IN THE MATTER OF

An Application Pursuant to s.13 of the *Law Enforcement Review Act*  
R.S.M. 1987, c. L75

BETWEEN

██████████

Complainant

and

████████████████████

Respondent

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HEARING  
(Pages T1 - T4)

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February 27, 2019  
Winnipeg, Manitoba

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**BAN ON PUBLICATION**

TABLE OF CONTENTS

Description		Page
February 27, 2019	Afternoon Session	T1
Discussion		T1
Ban on Publication		T2
Certificate of Transcript		T4

1 Proceedings taken in the Provincial Court, Winnipeg, Manitoba

2

3

4 February 27, 2019

Afternoon Session

5

6 The Honourable Judge

The Provincial Court of Manitoba

7 B. Stewart

8

9 T. Dobson

For the LERA Commissioner

10 G. Bartel

For the Respondent

11 [REDACTED]

Court Clerk

12

13

14 **Discussion**

15

16 MR. BARTEL:  
17 complaint number 2018/157.

The next matter on the list is *LERA*

18

19 THE JUDGE:

Right.

20

21 MR. BARTEL:  
22 matter is in attendance, Mr. [REDACTED]. So --

I -- I suspect that the complainant in that

23

24 MR. DOBSON:  
25 Mr. [REDACTED]. Stand up, sir.

Your Honour, this gentleman right here is

26

27 THE JUDGE:

Come on up, sir.

28

29 MR. DOBSON:  
30 sense. Just stand here. Just make sure that can pick you up. Don't talk into it, though.

I'll just get him right here, if that makes

31

32 THE JUDGE:

All right, sir. Do you have a lawyer?

33

34 MR. [REDACTED]:

No, I went to see my son's lawyers.

35

36 THE JUDGE:  
37 do?

Okay. And what -- what are they going to

38

39 MR. [REDACTED]:  
40 voluntarily statement, and they will be contesting the admissibility of it at -- at the  
41 trial.

Well what they said is that it wasn't a

1  
2 THE JUDGE: Okay. So -- but as it relates to the *LERA*  
3 application, you're going to leave it up with them to deal with it at trial?  
4  
5 MR. [REDACTED]: I'm going to let them do it at trial because  
6 I've got too many -- like, I say, when -- what -- with what I went through, I don't  
7 want to go through anymore. I can't do it. I've too many issues.  
8  
9 THE JUDGE: Yeah. Okay. No, that's fine. So we'll just  
10 withdraw this application and basically you're going to have -- are -- they're going  
11 to act for you --  
12  
13 MR. [REDACTED]: They're going to act for me at trial  
14 because --  
15  
16 THE JUDGE: Yeah.  
17  
18 MR. [REDACTED]: -- when I told them what happened, they  
19 said that's --  
20  
21 THE JUDGE: Okay.  
22  
23 MR. [REDACTED]: -- not voluntarily.  
24  
25 THE JUDGE: All right. So it'll be withdrawn.  
26  
27 MR. [REDACTED]: Okay.  
28  
29 THE JUDGE: Thank you.  
30  
31 MR. [REDACTED]: Okay. Thank you very much.  
32  
33 **Ban on Publication**  
34  
35 MR. BARTEL: Just at -- as a matter of record, if I may.  
36 Given that it did reach this point, I would ask that the publication ban under Section  
37 13(4.1) be issued.  
38  
39 THE JUDGE: Yes. And, in fact, it -- it is issued.  
40  
41 THE COURT CLERK: Can I get that section number again?

1  
2 MR. BARTEL: Section 13(4.1).  
3  
4 THE COURT CLERK: Thank you.  
5  
6 MR. [REDACTED]: I'm free to go now?  
7  
8 THE JUDGE: Yes, thanks very much.  
9  
10 MR. [REDACTED]: Okay. Thank you.  
11  
12 MR. BARTEL: Thank you, Your Honour.  
13  
14 \_\_\_\_\_  
15  
16 PROCEEDINGS CONCLUDED  
17 \_\_\_\_\_

T4

IN THE MATTER OF *THE LAW ENFORCEMENT REVIEW ACT*

██████████ V. ██████████

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I, KARI SHORT, Court Transcriber, HEREBY MAKE OATH AND SAY that the foregoing typewritten pages being numbered T One (T1) to T Three (T3), inclusive, contain a true and correct transcription of the recorded proceedings taken herein to the best of my knowledge, skill and ability.

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