

FAMILY CROWN SERVICES OPERATIONAL MANUAL

COMPLAINTS AGAINST FAMILY CROWN COUNSEL	New	Office of the Attorney General / Family Crown Services	Policy 14
Policy Title	New or Amended	Division / Branch / Section	Policy #

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COMPLAINTS AGAINST FAMILY CROWN COUNSEL

1. Statement of the policy

Complaints against Family Crown Counsel will be dealt with objectively and in a timely manner in order to maintain public confidence in the justice system. In order to ensure an appropriate and just response to complaints, only written complaints shall be accepted.

2. Overview of responsibilities

The Assistant Deputy Attorney General of Family Crown Services is responsible for responding to any complaint concerning the conduct of a Family Crown Counsel. The Deputy Attorney General is responsible for resolving any complaint concerning the conduct of the Assistant Deputy Attorney General and any such complaint shall be referred to the Deputy Attorney General.

3. Initiating formal complaints

A complaint shall be initiated in writing to the Assistant Deputy Attorney General of Family Crown Services and shall indicate the following:

- (a) the name and contact information of the complainant;
- (b) the name of the person who is the subject of the complaint;
- (c) a description of the conduct that forms the basis of the complaint; and
- (d) a reference to the specific file or case in which the conduct occurred if applicable.

4. Processing formal complaints

4.1 Complaints against Family Crown Counsel

Where a written complaint is received concerning the conduct of a Family Crown Counsel, the following procedure should be followed:

1. Within 10 days of receipt, the Assistant Deputy Attorney General shall send a copy of the complaint to the Family Crown Counsel against whom the complaint was made, requesting a response to the complaint and answers to any questions the Assistant Deputy Attorney General may have.
2. Within 30 days of receipt of the complaint, the Family Crown Counsel against whom the complaint was made shall submit to the Assistant Deputy Attorney General a response to the complaint and to any questions asked by the Assistant Deputy Attorney General, as well as any additional relevant material.
3. Within 30 days of receipt of the Family Crown Counsel's response and any additional relevant material, the Assistant Deputy Attorney General shall respond, in writing to the complainant. A copy of this response shall be sent to the Family Crown Counsel against whom the complaint was made and to the Deputy Attorney General.

4.2 Complaints against the Assistant Deputy Attorney General

Where a written complaint is received concerning the conduct of the Assistant Deputy Attorney General of Family Crown Services, the following procedure should be followed:

1. Within 10 days of receipt, the Deputy Attorney General shall send a copy of the complaint to the Assistant Deputy Attorney General against whom the complaint was made requesting a response to the complaint and answers to any questions the Deputy Attorney General may have.
2. Within 30 days, the Assistant Deputy Attorney General against whom the complaint was made shall submit to the Deputy Attorney General a response to the complaint and to any questions asked by the Deputy Attorney General along with any additional relevant material.
3. Within 30 days of receipt of the Assistant Deputy Attorney General response and any additional relevant material, the Deputy Attorney General shall respond in writing to the complainant. A copy of this response shall be sent to the Assistant Deputy Attorney General against whom the complaint was made.

5. Responses to complaints

When drafting a response to a complainant, the author should:

- (a) bear in mind that where a matter is still before the court, it is generally inappropriate to comment on the issue; otherwise
- (b) respond to the central or overriding concern;
- (c) respond to the other issues raised by the complainant where appropriate;
- (d) identify issues raised by the complainant that are beyond the scope of the author's authority and redirect the complainant to the appropriate authority;

- (e) show compassion and understanding of the complainant's position and emphasize balance and perspective;
- (f) simplify phrases and legal terminology accordingly;
- (g) be mindful of any publication ban or restrictions imposed by the *Family Services Act* or any other statute; and
- (h) indicate, as appropriate, any person with whom the complainant may make further inquiries or comments and provide that person's contact information.

6. Related Documents

None