

MANITOBA HUMAN RIGHTS BOARD OF ADJUDICATION

BETWEEN:

K.F.

Complainant,

-and-

CITY OF WINNIPEG – WINNIPEG POLICE

Respondent,

Order

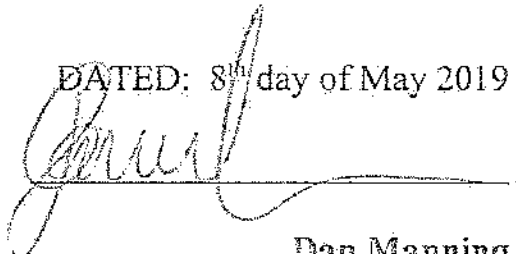
DAN MANNING, adjudicator:

1. Counsel for the Commission, Ms. Khan, requests an adjournment of the May 7 – 10, 2019 hearing dates. All parties agree. On May 6, 2019 I granted the adjournment. I indicated that I would provide brief written reasons granting the adjournment. These are my brief reasons.

2. This matter was scheduled to proceed to a hearing May 7 – 10, 2019. On Friday, May 3, 2019 counsel for the Commission, Ms. Khan requested an adjournment.
3. Ms. Khan submitted that the recent decisions of *Kalo v. City of Winnipeg* involve similar issues as the instant case. (*Kalo v. City of Winnipeg*, 2018 MBQB 68, fresh hearing ordered in *Kalo v. City of Winnipeg*, 2019 MBCA 46). There are distinguishable context and features between the cases but the core issue is the same: whether it is appropriate for the Winnipeg Police Service to disclose information related to non-conviction information (such as stayed charges) to members of the public. In my view, it is important to avoid different conclusions from different forums on this important issue.
4. Given the consent for the adjournment by all parties, I am prepared to grant the adjournment. I do have concerns about holding the matter in abeyance until the conclusion of the *Kalo* matter. The longer a hearing is delayed the more likely it is that a party could be prejudiced owing to faded memories, unavailability of witnesses, or lost or degraded evidence. I will hear from parties about the preferred way to proceed forward that addresses my concerns and request that a prehearing conference be convened as soon as practicable.

5. The hearing on this matter is adjourned *sine die*.

DATED: 8th day of May 2019

A handwritten signature in cursive script, appearing to read 'Dan Manning', is written over a horizontal line.

Dan Manning
Adjudicator