



Office of the
Police Complaint Commissioner

British Columbia, Canada

Friday, May 24, 2013

OPCC ORDERS A PUBLIC HEARING

Victoria - The Office of the Police Complaint Commissioner today announced a Public Hearing into one allegation of abuse of authority, five allegations of deceit, and one allegation of discreditable conduct with respect to the complaint involving Constable Ken Jansen (#134) of the South Coast British Columbia Transportation Authority Police Service (SCBCTAPS).

On May 13, 2010, the Office of the Police Complaint Commissioner issued an Order for Investigation based on information received from the South Coast British Columbia Transportation Authority Police Service regarding allegations of professional misconduct by Constable Ken Jansen. It was alleged that on April 22, 2010, while at Surrey Memorial Hospital, Constable Jansen and a member of the Royal Canadian Mounted Police used unnecessary or excessive force on an individual at that location.

Following an investigation of the incident, and a Discipline Proceeding into the matter, the Discipline Authority substantiated one allegation of abuse of authority, one allegation of discreditable conduct, and five allegations of deceit. The disciplinary measures imposed were a five day suspension from duty without pay for the abuse of authority; a three day suspension from duty without pay for the discreditable conduct; and dismissal for each allegation of deceit both individually and collectively.

Pursuant to section 137(1) of the *Police Act*, an officer is entitled to a public hearing in circumstances where the proposed discipline is dismissal or a reduction in rank. The Police

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Complaint Commissioner has the discretion to either arrange a public hearing or a review on the record in accordance with the requirements stipulated in the legislation.

Having reviewed the issues associated with this matter, the Police Complaint Commissioner is of the view that it may be necessary to examine and cross-examine witnesses, as well as receive evidence not canvassed in the discipline proceeding. Accordingly, the Commissioner has determined that a public hearing is warranted in these circumstances.

Pursuant to the recommendation of the Associate Chief Justice of the Supreme Court of British Columbia, The Honourable Carole D. Lazar, a retired Provincial Court Judge, is appointed to preside as Adjudicator in these proceedings. Commission Counsel will be appointed by Mr. Lowe.

A date for the Public Hearing will be determined in the future.

Details may be found in the Notice of Public Hearing located at www.opcc.bc.ca

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