



OFFICE OF THE  
POLICE COMPLAINT COMMISSIONER

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British Columbia, Canada

June 23, 2015

OPCC 2015-10329/10342

## **MEDIA STATEMENT**

### **Disclosure of Complaint Details Pursuant the *Police Act***

*Victoria* - The Office of the Police Complaint Commissioner (OPCC) announced today that Commissioner Stan T. Lowe has determined that it is in the public interest to publically release the determination of our Office as it relates to complaints submitted by Saanich Mayor Richard Atwell against members of the Saanich Police Department (SPD). This disclosure is intended to maintain public confidence in the civilian oversight of law enforcement through enhanced transparency and accountability.

The OPCC is entrusted through legislation with a “gatekeeping” role in terms of determining whether a complaint received by our Office is admissible pursuant to criteria stipulated by *Police Act*. In arriving at our determination, it is important that the public understand that the complaint made by Mayor Atwell was treated no differently than any other complaint received from a member of the public.

The Commissioner regrets the lengthy delay in arriving at our admissibility determination in this case as the complaint by Mayor Atwell was made on January 12, 2015, through his legal counsel. It is important that the public is made aware that a substantial portion of this delay can be accounted for by a prolonged attempt to resolve this matter between the parties through voluntary Alternative Dispute Resolution (ADR).

The Commissioner is a strong supporter of ADR and at the outset sought the assistance of Mr. Wally Oppal, Q.C., a specialist in the area of dispute resolution, to assist the parties in reaching a resolution. After approximately four months of engagement, the process came to an unsuccessful end on May 15, 2015.

On May 19, 2015 the admissibility assessment commenced, in which we sought further information from Mayor Atwell, and examined materials received from a number of sources, including the investigative findings of the Information and Privacy Commissioner on a related matter.

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Stan T. Lowe  
Police Complaint Commissioner

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Based on the information we have received to date, we have determined Mayor Atwell's complaints against members of the Saanich Police Department are inadmissible as they do not constitute misconduct as defined pursuant to the *Police Act* of British Columbia. Mayor Atwell has been provided a more detailed written explanation of our decision.

Accordingly, pursuant to section 83(1)(d) of the *Police Act*, and following careful and serious consideration of Mayor Atwell's complaint, we direct that no further action under Division 3 of the *Police Act* is required or necessary.

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To learn more about the Office of the Police Complaint Commissioner, please visit the OPCC webpage at [www.opcc.bc.ca](http://www.opcc.bc.ca).

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