



OFFICE OF THE
POLICE COMPLAINT COMMISSIONER

British Columbia, Canada

PH 2006-01

NOTICE OF WITHDRAWAL OF PUBLIC HEARING

IN THE MATTER OF A PUBLIC HEARING
REQUESTED BY CONSTABLE R.C. EVELEIGH UNDER THE
POLICE ACT, R.S.B.C. 1996, c. 367

TO: Constable R.C. Eveleigh (Respondent)

AND TO: Chief Constable Ben Andersen (Originating Discipline Authority)

AND TO: Deputy Chief Constable Clayton Pecknold (Designated Discipline Authority)

WHEREAS:

- A. On March 15, 2006, I issued Notice of Public Hearing, initiated at the request of the Respondent under s. 60(3)(a) of the *Police Act*.
- B. On February 13, 2007, the Respondent, through counsel, formally withdrew her request for a public hearing.
- C. By virtue of *British Columbia (Police Complaint Commissioner) v. Vancouver (City) Police Department*, [2003] B.C.J. No. 399 (S.C.), a public hearing initiated by an officer can only be terminated with the consent of the Police Complaint Commissioner as guardian of the public interest.
- D. I have determined that it is in the public interest for me to consent to the termination of the public hearing.

THEREFORE I ORDER THAT:

1. The public hearing in this matter is hereby terminated.

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2. The appointment of commission counsel pursuant to s. 61(2) of the *Police Act* is hereby terminated.
3. The appointment of the adjudicator pursuant to s. 60.1(2) of the *Police Act* is hereby terminated.

Dated at Victoria, British Columbia, this 20th day of February, 2007.



Dirk Ryneveld, Q.C.
Police Complaint Commissioner