

IN THE MATTER OF THE *POLICE ACT*, R.S.B.C. 1996, c. 367

AND

IN THE MATTER OF A REVIEW OF
ALLEGATIONS OF ABUSE OF AUTHORITY AND DECEIT
AGAINST

OF THE

AND

FORMERLY OF

**CORRIGENDUM TO
NOTICE OF DECISION**

TO:

AND TO:

AND TO:

AND TO:

AND TO:

AND TO: Mr. Stan Lowe, Police Complaint Commissioner

[1] On October 9, 2013 I provided reasons for decision in this matter. As one of the next steps, I offered each of _____ and _____ a pre-hearing conference. In doing so, I overlooked s. 120(3) of the *Police Act* that prevents a pre-hearing conference where the possible disciplinary action includes dismissal or a reduction in rank.

[2] I therefore amend paragraphs [45] and [46] to read as follows:

[45] As required by s. 117(8) of the *Police Act*, I hereby provide notice to _____ as follows:

- (a) For the reasons set forth herein, the evidence appears sufficient to establish the allegation in Counts 4 through 8 inclusive against _____
- (b) _____ has the right pursuant to s. 119 to request permission to call, examine or cross-examine witnesses at the discipline proceeding, provided such request is submitted in writing within 10 business days following receipt of this notice of decision.
- (c) The range of disciplinary or corrective measures being considered in relation to each of Counts 4 and 5 include:
 - a. Reduction in rank;
 - b. Suspension without pay for not more than 30 days; and
 - c. Transfer or reassignment within _____
- (d) The range of disciplinary or corrective measures being considered in respect of each of Counts 6, 7, and 8 include:
 - a. Dismissal;
 - b. Reduction in rank; and
 - c. Suspension without pay for not more than 30 days.
- (e) I propose that the conduct of any disciplinary hearing in relation to Counts 6 through 8 shall be deferred until the disciplinary process in relation to Counts 1 through 5 has been completed by Disciplinary Authority on Counts 1 through 3, and by me on Counts 4 and 5.

[46] As required by s. 117(8), I hereby give notice to _____ as follows:

- (a) For the reasons set forth herein, the evidence referenced in the investigation reports appears sufficient to substantiate the allegation in Counts 5 through 8 inclusive against _____

(b) _____ has the right pursuant to s. 119 to request permission to call, examine or cross-examine witnesses at the discipline proceeding, provided such request is submitted in writing within 10 business days following receipt of this notice of decision.

(c) The range of disciplinary or corrective measures being considered in respect of Count 5 include:

- a. Reduction in rank;
- b. Suspension without pay for not more than 30 days; and
- c. Transfer or reassignment within

(d) The range of disciplinary or corrective measures being considered in respect of each of Counts 6, 7, and 8 include:

- a. Dismissal;
- b. Reduction in rank; and
- c. Suspension without pay for not more than 30 days.

(e) I propose that the conduct of the disciplinary hearing in relation to Counts 6 through 8 be deferred until the disciplinary process has been completed by the Disciplinary Authority on Counts 1 through 4, and by me on Count 5.

Dated at Vancouver, British Columbia this 10th day of October 2013.



Ian H. Pitfield