



OFFICE OF THE
POLICE COMPLAINT COMMISSIONER

British Columbia, Canada

MEDIA ADVISORY

November 7, 2019

OPCC 2016-12210
PH 2019-01

**Public Hearing for Vancouver Police officers,
Constable Eric Ludeman and Constable Neil Logan**

Victoria - The Police Complaint Commissioner has called a Public Hearing into allegations of police misconduct involving Constable Eric Ludeman and Constable Neil Logan of the Vancouver Police Department as a result of a complaint of excessive use of force and improper entry into the private residence of Mr. Vladamir Tchaikoun and his family.

After investigation by the Victoria Police Department the matter was ultimately referred to a retired judge for review. In a subsequent discipline proceeding, retired Judge Brian Neal, Q.C. determined that although the entry into the private residence was unlawful, the police officers did not commit misconduct.

Complainants are not afforded the opportunity to present oral evidence at discipline proceedings and Mr. Tchaikoun requested the Police Complaint Commissioner arrange a Public Hearing. The Commissioner considered this request and other factors and determined that it is in the public interest to arrange a Public Hearing.

Upon the recommendation of the Associate Chief Justice of the British Columbia Supreme Court, retired Provincial Court Judge Carol Baird Ellan is appointed to preside as Adjudicator in these proceedings, pursuant to section 142(2) of the *Police Act*.

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

Details may be found on the "Decisions" page of the OPCC's webpage, located at www.opcc.bc.ca.

Quote:

"The injuries to Mr. Tchaikoun were serious and occurred in his private residence after what was determined by retired Judge Neal to be an unlawful entry by police. The Commissioner determined

Clayton Pecknold
Police Complaint Commissioner

5th Floor, 947 Fort Street
PO Box 9895 Stn Prov Govt
Victoria, British Columbia V8W 9T8
Tel: (250) 356-7458 / Fax: (250) 356-6503

that a full public accounting of this matter under oath was necessary to both seek the truth and maintain public confidence in the Vancouver Police Department."

Andrea Spindler, Deputy Police Complaint Commissioner

Key Facts:

- The Police Complaint Commissioner is a civilian, independent Officer of the Legislature overseeing complaints, investigations and discipline involving municipal police in British Columbia.
- Public hearings are open to everyone. A public hearing is not limited to the evidence and issues canvassed at the discipline proceeding. The Police Complaint Commissioner can appoint Commission Counsel to act on his behalf during public hearings.
- A retired judge is appointed to sit as the adjudicator and review the evidence, hear sworn testimony and arrive at a decision of whether there is misconduct and if necessary, determine the corrective and/or disciplinary measures to be imposed. The retired judge's decision at a public hearing is final and conclusive.
- The appointed retired judge can also make recommendations to the Chief Constable or Police Board concerning any changes in policy or practice that the retired judge considers advisable.

- 30 -

Media Contact: Andrea Spindler, Deputy Police Complaint Commissioner
1-250-356-7458