

## CONCLUSION OF PROCEEDINGS

Pursuant to s. 133(6) of the *Police Act*, RSBC 1996 c.367

OPCC File 2018-14988

May 17, 2021

To: Mr. [REDACTED] (Complainant)

And to: Constable [REDACTED] (Members)  
Constable [REDACTED]  
Constable [REDACTED]  
Constable [REDACTED]  
c/o Vancouver Police Department  
Professional Standards Section

And to: The Honourable David Pendleton (ret'd) (Discipline Authority)  
Retired Judge of the Provincial Court of British Columbia

The Office of the Police Complaint Commissioner (OPCC) has completed its review of the decision issued by the Discipline Authority pursuant to section 133 of the *Police Act* in this matter.

Mr. [REDACTED] and Constable [REDACTED], [REDACTED] and [REDACTED] (respondent members) were provided a copy of Adjudicator Pendleton's findings in relation to each allegation of misconduct at the Discipline Proceeding. Mr. [REDACTED] and the respondent members were informed that if they were aggrieved by either the findings or determinations, they could file a written request with the Police Complaint Commissioner to arrange a public hearing or review on the record.

To date, the OPCC has not received a request from Mr. [REDACTED].

Based on a review of the discipline proceeding, we have determined that there is not a reasonable basis to believe the decision of the Discipline Authority is incorrect and that a Public Hearing or Review on the Record is not necessary in the public interest.

Based on a review of the available evidence, our Office is satisfied that Adjudicator Pendleton appropriately determined the allegations of *Abuse of Authority*, *Discourtesy*, *Discreditable Conduct*, and *Damage to Property of Others* do not appear to be substantiated on the basis of the reasoning provided.

Therefore, there are insufficient grounds to arrange a Public Hearing or Review on the Record in the circumstances. This assessment has been reviewed by the Police Complaint Commissioner who agrees with the determination in this matter.

The decision to conclude this matter is final and this office will take no further action.

[REDACTED]

[REDACTED]

Investigative Analyst

cc: Inspector [REDACTED] Vancouver Police Department