



OFFICE OF THE
POLICE COMPLAINT COMMISSIONER

British Columbia, Canada

NEWS RELEASE

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OPCC orders a review after police officer disobeys order not to communicate with witness in significant police investigation

Victoria - The Office of the Police Complaint Commissioner (OPCC) has ordered a review by a retired judge into the findings of a Discipline Proceeding relating to allegations of Discreditable Conduct against a police officer with the Combined Forces Special Enforcement Unit of British Columbia (CFSEU-BC).

CFSEU-BC Sergeant Brian Gateley was investigated under the *Police Act* for allegations that in February 2021 he communicated with a witness and relative of a deceased person within the context of a significant police investigation and in contravention of directions given to him by supervisors.

The matter was investigated by the Vancouver Police Department and during a subsequent Discipline Proceeding, Sergeant Gateley was found to have committed Discreditable Conduct under the *Police Act*. The Discipline Authority recommended that the officer receive a one-day suspension.

In his Notice of Review on the Record issued today, the Police Complaint Commissioner determined that the proposed discipline did not reflect the seriousness of the circumstances, and that the low level of discipline proposed by the Discipline Authority is not proportionate to the seriousness of the misconduct.

The Honourable James Threlfall, retired Provincial Court Judge, will preside as the adjudicator of the Review on the Record, which has yet to be scheduled.

Updates on the review will be shared on the OPCC website.

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OPCC ID 1813-20190619

The full notice of review is available [here](#).

About the OPCC and Reviews on the Record:

- The Police Complaint commissioner is a civilian, independent Officer of the Legislature overseeing complaints, investigations and discipline involving municipal police in British Columbia. For more on the OPCC, visit <https://opcc.bc.ca/about-us/>
- Discipline Authorities are generally senior ranking police officers who are required under the *Police Act* to make determinations regarding the investigation and discipline of police officers alleged to have committed misconduct.
- A Review on the Record is a form of adjudicative review in which the adjudicator, a Retired Judge, conducts a “paper review” of all evidence and materials from the investigation and discipline hearing. The adjudicator may also receive submissions from the respondent’s counsel, the Police Complaint Commissioner’s counsel, the complainant and the Discipline Authority before rendering his/her decision. More on the OPCC’s involvement in and processes for complaints involving police and misconduct allegations: <https://opcc.bc.ca/police-faq/>
- An adjudicator must determine whether there is misconduct and, if so, determine the corrective or disciplinary measures to be imposed. The adjudicator’s decision at a Review on the Record is final and conclusive. In some cases, reviews can be focused solely on the issue of the discipline imposed.

Note to media: The OPCC is unable to comment on this review while it is underway. For general queries related to the OPCC’s role and processes, please contact:

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