



OFFICE OF THE
POLICE COMPLAINT COMMISSIONER

British Columbia, Canada

NEWS RELEASE

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OPCC orders a review into the conduct of a Special Municipal Constable

Victoria - The Office of the Police Complaint Commissioner has ordered a review by a retired judge into the findings of a Discipline Proceeding relating to allegations of *Discreditable Conduct* and *Deceit* against a Special Municipal Constable (SMC) with the Victoria Police Department (VicPD).

The SMC was the subject of a disciplinary conduct investigation under the *Police Act* in relation to taking inappropriate video recordings of others and showing those videos. The SMC was also alleged to have been untruthful during a *Police Act* interview.

The matter was investigated by the VicPD and the SMC was ultimately found to have committed *Discreditable Conduct* when he took an inappropriate video of a prisoner in VicPD cells and showed that video to co-workers. The Discipline Authority recommended that the SMC receive a two-day suspension without pay. The Discipline Authority found that the member did not commit misconduct in relation to another instance of taking and showing an inappropriate video and for *Deceit*.

In his Notice of Review on the Record issued today, the Police Complaint Commissioner has determined that there is a reasonable basis to believe that the findings by the Discipline Authority are incorrect. In consultation with the Associate Chief Justice of the Supreme Court of British Columbia, the Commissioner has appointed the Honourable Brian Neal, K.C., retired BC Provincial Court Judge, to preside as the adjudicator of the Review on the Record. The Review will be scheduled by the adjudicator.

The Notice of Review on the Record is available [here](#).

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

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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 member’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.

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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