



OFFICE OF THE
POLICE COMPLAINT COMMISSIONER

British Columbia, Canada

NEWS RELEASE

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Victoria Police Officer Requests Review

Victoria - Police Complaint Commissioner Prabhu Rajan appointed a retired judge to conduct a review after a member of the Victoria Police Department requested further examination of disciplinary measures proposed against him including dismissal.

This follows an investigation and discipline proceeding that found Constable Denis Belkin committed a total of five counts of misconduct relating to incidents on December 7 and 9, 2023.

One witness reported seeing Constable Belkin knock a man off his bike and repeatedly punch and kick him. The witness later provided cell phone video showing the officer delivering multiple punches and knee strikes. The man also raised his own concerns about that incident and the officer's handling of seized property and another use-of-force incident two days later.

An investigating officer investigated the complaints. During the investigation, Constable Belkin provided information that was contrary to what could later be seen in the cell phone video. A senior police officer held a discipline hearing. The evidence included testimony and admissions of misconduct from Constable Belkin as well as statements from other witnesses, police records, an expert report, and the cell phone video.

The senior police officer found that Constable Belkin committed the following three types of misconduct and proposed the following disciplinary measures:

- **Abuse of Authority:** For unnecessary force used against complainant
 - Proposed measure: 5-day suspension without pay
- **Neglect of Duty:** Three separate allegations related to inadequate documentation and improper handling of seized property
 - Proposed measures: Suspensions ranging from 4 to 8 days without pay
- **Deceit:** For providing false or misleading information to the investigating officer regarding the use of force
 - Proposed measure: Dismissal

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Constable Belkin focused his request for an independent review on the following areas:

- How the senior police officer assessed his likelihood of future misconduct
- How the Deceit allegation was characterized
- Whether his acceptance of responsibility was properly considered
- Consistency with comparable cases
- Whether dismissal is proportionate

The retired judge will conduct a review on the record under section 141 of the *Police Act*. She will review the existing evidence, including Constable Belkin's admissions of misconduct, receive submissions, and determine the appropriate disciplinary or corrective measures. In accordance with section 142 of the *Police Act* and the OPCC's appointment procedures, Commissioner Rajan has appointed the Honourable Elizabeth Bennett, retired judge of the Court of Appeal for British Columbia, to conduct the review. She will issue the final decision on discipline.

Dates for the review have not yet been scheduled, and updates will be posted on the OPCC website.

Further details are in the Notice of Review on the Record which can be [found 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.
- A review on the record is a form of adjudicative review in which the adjudicator, a retired judge, generally considers an existing evidentiary record, receives submissions and comes to a new decision about misconduct and/or disciplinary or corrective measures under the Police Act.
- Section 137(1) of the *Police Act* says that the Police Complaint Commissioner must arrange a public hearing if a member who has been dismissed requests a review. Section 137(2) qualifies this by saying the Police Complaint Commissioner can instead arrange a review on the record in appropriate circumstances.

Note to media: The OPCC is unable to comment on this review while it is underway.

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