

CONCLUSION OF PROCEEDINGS

Pursuant to s.120(16) of the *Police Act*, RSBC 1996, c.367

OPCC File: 2022-22042
September 11, 2023

To: Ms. [REDACTED] (Complainant)

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

And to: The Honorable Judge David Pendleton (Discipline Authority)
Retired Judge of the Provincial Court of
British Columbia

And to: Inspector [REDACTED] (Prehearing Conference Authority)
c/o Delta Police Department
Professional Standards Section

The Office of the Police Complaint Commissioner (OPCC) completed its review of the decision issued by the Prehearing Conference Authority pursuant to section 120 of the *Police Act* in this matter.

1. *Neglect of Duty* pursuant to section 77(3)(m)(ii) of the *Police Act*; Specifically, Constable [REDACTED] failing to adequately document the investigation and obtain a statement from Ms. [REDACTED]

Discipline Proposed:

- (A) Direction to participate and complete the Investigators Development Program (IDP) administered by the Vancouver Police Department Training Branch; and
- (B) Advice to Future Conduct – specific to Constable [REDACTED] investigative missteps in response to Ms. [REDACTED] allegation of assault.

Following the section 117 review, the appointed Discipline Authority determined the evidence appeared to substantiate the allegation of *Neglect of Duty* pursuant to section 77(3)(m)(ii) of the *Police Act* by Constable [REDACTED].

A prehearing conference was offered to Constable [REDACTED] and was held on August 11, 2023, before Inspector [REDACTED] as the Prehearing Conference Authority.

A report following the prehearing conference was received at our office on August 22, 2023. In reviewing the investigation conducted by Sergeant [REDACTED] and considering all the relevant factors in this case, the Prehearing Conference Authority has appropriately considered the aggravating and mitigating factors pursuant to section 126.

Therefore, the agreement reached at the prehearing conference is approved and the resolution is final and conclusive. Our file with respect to this matter will be concluded upon receipt of confirmation that in accordance with the *Police Act*, any disciplinary or corrective measure imposed in relation to, or agreed to by, a member or former member, has been completed, and that their service record of discipline has been updated.

[REDACTED]
Investigative Analyst

cc. Sergeant [REDACTED], Vancouver Police Department