



OFFICE OF THE
POLICE COMPLAINT COMMISSIONER

British Columbia, Canada

NEWS RELEASE

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OPCC Public Hearing results in Suspension for Victoria Police Officer and Recommendations to Victoria Police Department and Board

VICTORIA – Adjudicator Wally Oppal, K.C., has issued a seven-day suspension without pay and made three recommendations following his finding that Constable (now Sergeant) Ron Kirkwood committed misconduct when he fired ARWEN rounds leading to the death of Lisa Rauch in 2019.

Specifically, Adjudicator Oppal recommended that:

- the Victoria Police Board, on a priority basis, take steps to ensure that VicPD acquires and implements the use of body-worn cameras for its front-line officers;
- the Chief Constable of the VicPD communicate with the Minister of Public Safety and Solicitor General and encourage the Province to provide legislative guidance regarding the designation of officers subject to investigation by the IIO, and the treatment of their notes and reports; and
- the Chief Constable of the VicPD and the Victoria Police Board develop a policy that provides for reliable, timely, accurate and sensitive communications with, and support for, the injured party (where applicable), the family members of an injured or deceased individual, and the officer(s) involved in traumatic events which trigger an IIO investigation.

The Adjudicator's final ruling and recommendations can be found [here](#).

In calling the Public Hearing, the OPCC identified concerns about the nature of the ARWEN deployment along with the need to gain clarity on the law respecting the duties of police to make notes or otherwise account for their actions, especially following incidents that result in death or serious injury, and the role of legal counsel and police unions in the accountability processes in British Columbia.

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Statement from Prabhu Rajan, Police Complaint Commissioner:

“I welcome the recommendations made by Adjudicator Oppal and encourage their implementation. I agree with his recommendation encouraging the Province to legislate clear note making guidance, as it shines a light on the need for consistent policy and practice across BC’s municipal police departments. This issue has been an ongoing concern for my office. Detailed, accurate, and comprehensive notes of an officer’s interaction with a member of the public are foundational to police accountability and public confidence in policing.”

About the OPCC and Public Hearings:

- The OPCC initiates mandatory Police Act investigations whenever death or serious harm results from an incident involving municipal police officers or in instances where someone is in the care or custody of police. These investigations are separate and distinct from investigations by the Independent Investigations Office (IIO) and are not restricted to evidence gathered by the IIO.
- A Public Hearing is not limited to the evidence and issues canvassed at the discipline proceeding. The Police Complaint Commissioner can appoint Commission Counsel to act on their behalf during Public Hearings.
- A retired judge is appointed to sit as the Adjudicator and review the evidence, hear sworn testimony, and arrive at a decision as to whether there is misconduct and, if necessary, determine the corrective and/or disciplinary measures to be imposed.
- 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/>

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- 30 -