

CONCLUSION OF PROCEEDINGS

Pursuant to s.133(6) of the *Police Act*, RSBC 1996 c.367

OPCC File 2023-23724

April 1, 2025

To: [REDACTED] (Complainant)

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

And to: The Honourable Judge Brian Neal (ret'd) (Discipline Authority)
Retired Judge of the Provincial Court of British Columbia

And to: Chief Constable Adam Palmer
c/o Vancouver Police Department
Professional Standards Section

The Office of the Police Complaint Commissioner (OPCC) completed its review of the decision issued by the Discipline Authority pursuant to section 133 of the *Police Act* in this matter.

1. *Discourtesy*, pursuant to section 77(3)(g) of the *Police Act*; specifically, laughing while standing over the handcuffed and prone Affected Person immediately subsequent to her arrest.

Discipline Proposed

- Written reprimand
- Prepare an apology to the Affected Person
- Training and education with respect to policing in vulnerable communities (Constable Ungvari only)

[REDACTED] and Constables [REDACTED] [REDACTED] and [REDACTED] (Members) were provided a copy of the Honourable Brian Neal's findings in relation to each allegation of misconduct and determinations on appropriate disciplinary or corrective measures at the Discipline Proceeding. [REDACTED] and the Members were informed that if they were aggrieved by either the findings or determinations, they could file a written request with the Police Complaint Commissioner to arrange a public hearing or review on the record.

To date, the OPCC has not received a request from [REDACTED] or the Members.

Based on a review of the discipline proceeding, we have determined that there is not a reasonable basis to believe the decision of the Discipline Authority is incorrect and that a Public Hearing or Review on the Record is not necessary in the public interest.

Based on a review of the available evidence, our Office is satisfied that the Discipline Authority appropriately determined the allegation of *Neglect of Duty* does not appear to be substantiated on the basis of the reasoning provided.

Therefore, there are insufficient grounds to arrange a public hearing or review on the record in the circumstances. This assessment has been reviewed by the Police Complaint Commissioner who agrees with the determination in this matter.

The decision to conclude this matter is final and this office will take no further action.

In relation to the substantiated allegation, the disciplinary or corrective measures imposed are approved. Our file with respect to this matter will be concluded upon receipt of confirmation that in accordance with *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.



Team Lead, Oversight Operations

cc: Sergeant [REDACTED], Vancouver Police Department