



The Police Complaints Process and The Role of Civilian Oversight

Online Information Session – Surrey

February 24, 2026



We acknowledge the communities and nations on whose territories we do our work, more specifically the ɫəkw̓əŋən (Lekwungen) People, now represented by the Songhees Nation and Esquimalt Nation (Xwsepsum). They have provided stewardship, care and leadership on the land in which our main office is located, in downtown Victoria. However, our work extends across the different homelands of Indigenous Peoples within what we now call British Columbia. We honour the many territorial keepers of the lands and waters where we work.

We also welcome those joining us from Métis Nation British Columbia (MNBC), representing 39 Chartered Communities across seven regions, and acting as the recognized governing body for Métis in B.C.

At the OPCC, we understand that our work in police accountability and oversight is inherently connected to Canada's own legacy of colonialism and the historical traumas of policing on Indigenous Peoples, communities, and ways of life. Our intentions with public legal education are rooted in a desire to make meaningful changes and improvements, and communicate our purpose more broadly where needed. These discussion of polcing may be impactful for some participants, who should be encouraged to respond as they need to

in the session in terms of self care.

The OPCC is committed to Truth and Reconciliation and has taken some initial steps to increase the level of Indigenous Cultural Safety in the police complaint process. This includes engaging a Cultural Safety Advisor, mandatory all-staff San'yas training, Trauma Informed Practice training specific to the justice sector, focused training in Indigenous restorative justice approaches, increased connections to advocacy and cultural safety and supports that offer more voice and choice for Indigenous community members in the police complaint process. We are focused on next steps that are concrete, and action oriented as well as informed by Indigenous representatives and agencies. And we're also in the process of hiring for an Indigenous Initiatives and Services Lead position.

Who is the OPCC?

- We are an independent office of the Legislature since 1998 that provides civilian oversight to ensure police accountability.
- We actively monitor and oversee complaints and investigations involving municipal police officers and departments in British Columbia.
- We can order systemic investigations to proactively investigate issues arising from police complaints or problems identified in the complaints process.
- We can issue recommendations to prevent police misconduct and improve the system of policing.
- We ensure the complaints process is fair, accessible and equitable to all parties involved.



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- The OPCC is a civilian, independent office of the legislature, established in 1998.
- We are independent of both government and police, overseeing complaints and investigations into police misconduct, and we also can provide recommendations to government and police boards.
- This session focuses on the OPCC's role in overseeing complaints and investigations into police misconduct under the Police Act.
- In that role, the OPCC is responsible for screening complaints (deciding which complaints should be investigated) and then overseeing those investigations in real time, to ensure they are conducted fairly and thoroughly by the police investigators assigned to them.
- We also review all misconduct decisions and when we think those decisions are incorrect, we can appoint a retired judge to review them – either through a complete rehearing of the matter in a trial-like process called a public hearing or a more summary process called a review on the record.
- The OPCC can also conduct systemic investigations. This is a relatively new power added to the Police Act in 2024 – it will allow the OPCC to take a deeper look at systemic causes of police misconduct and recurring problems with investigations and discipline under the Police Act.

Police Departments



- Approximately 4,000 municipal police officers and special municipal constables fall under OPCC's jurisdiction.
- We do not provide oversight to RCMP departments or officers.

VANCOUVER ISLAND

- Oak Bay
- Central Saanich
- Saanich
- Victoria

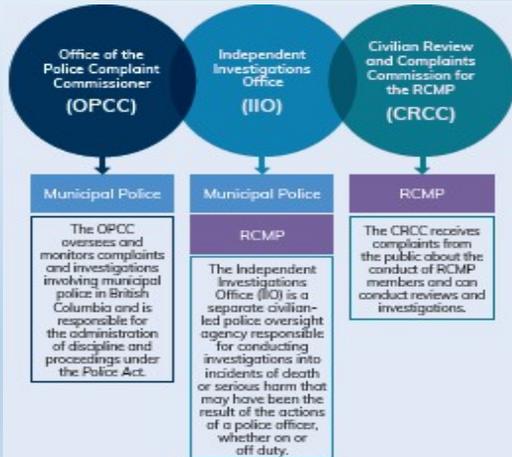
MAINLAND

- Abbotsford
- Delta
- Nelson
- New Westminster
- CFSEU – BC/OCABC
- Port Moody
- Transit Police
- Stl'at'limx Tribal Police
- Vancouver
- West Vancouver
- Surrey



- There are approximately 4,000 municipal police officers and special municipal constables that fall under OPCC jurisdiction.
- Most police detachments are in Greater Vancouver and Greater Victoria, with the exception of Nelson, and Stl'at'limx - the only Indigenous police service in British Columbia.
- Our oversight jurisdiction has recently expanded. The Surrey Police Service (SPS) became the police of jurisdiction on Nov. 29, 2024. The B.C. RCMP, as the provincial police service, has remained active in Surrey, providing support to the SPS until the transition is completed, with both agencies working together under a temporary arrangement.
- We are not responsible for providing oversight to RCMP departments or its members.
- There are two other police oversight bodies operating in BC:
 - The Civilian Review Complaints Commission is responsible for oversight of RCMP complaints; and
 - The Independent Investigations Office (IIO) investigates serious harm and death during a police encounter.
- The Canadian Association for Civilian Oversight of Law Enforcement or "CACOLE" is a national oversight body representing oversight agencies in each province, as well as First Nations and the Federal Government.

Civilian oversight of police – BC context



Other agencies:

Municipal Police Boards

- Employer of police staff
- Set priorities/goals and governance, policy and financial oversight

Director of Policing – Public Safety and Solicitor General

- Responsible for safe and effective policing in BC
- Establish, and evaluate compliance with, provincial policing standards
- Conduct studies and reviews on policing

BC Coroners Service

- Investigate deaths and conducting public inquests
- Make recommendations to improve public safety and reduce the risk of future deaths



- Illustration of the three policing oversight offices and their roles.

Transition from RCMP to SPS

- The Surrey Police Service (SPS) officially took over as the police of jurisdiction from the RCMP on November 29, 2024. This transition is still ongoing.
- The SPS is now responsible for all policing in Whalley/City Centre, Newton, and South Surrey while the RCMP continues to provide support in Guildford and Cloverdale.
- The OPCC is responsible for oversight of policing in Surrey under this new municipal police model.
- We want to ensure Surrey residents know their rights and where to turn if they have concerns about municipal police.
- We listen to all voices involved in the police complaint process and do so with compassion and through a trauma informed approach.



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- As the OPCC is still relatively new to Surrey, we want to raise the awareness about our office and talk about how we can support citizens through transparency and accountability.
- There are thousands of police interactions in Surrey over the course of the year – most of them positive. We only see where an interaction goes wrong or doesn't occur as they should have.
- That context is very important, and we want you to know that the OPCC's experience with the Surrey Police Service (SPS) has been very cooperative so far.
- Data from our most recent annual report (2024/25) shows that demand for OPCC oversight continues to grow - a trend that we expect will continue.
- As City of Surrey grows and as the SPS widens its service area, more people will become aware of the OPCC, and our work in Surrey, and we expect the number of complaints to grow too.
- The total number of files opened by our office during that time grew by nearly five per cent and investigations increased by 10 per cent.
- We have met with Chief Constable Norm Lipinski multiple times, and we have a good working relationship.
- We look forward to collaborating with the SPS more in the future.
- Prior to the transition, complaints about members of the RCMP went to the Civilian Review and Complaints Commission (CRCC).

- The CRCC only has the ability to receive complaints online, via fax or by mail.
- Meanwhile, you can call or email us in addition to filing a complaint online, sending it via mail or fax. You can even visit our office in Victoria and we're looking to open a location in downtown Vancouver in the future. www.opcc.bc.ca
- Since the transition began, we have also met with a dozen support agencies in Surrey to hear from community leaders and learn about what is affecting them.

How we serve the community

- Receive and screen complaints for admissibility and determine next steps.
- Direct and oversee investigations into police misconduct and monitor progress.
- Review investigative materials, reports and decisions in real-time, not after an investigation.
- Actively provide advice and/or direction to the investigator to make sure the investigation is fair and being conducted thoroughly.
- Appoint retired judges as a necessary check and balance on police-led investigations and decisions.



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- Our role includes reviewing complaints to determine if they are admissible under the Police Act and educating complainants about their options and the different complaint channels: Questions and Concerns, Registered Complaint, and Complaint Resolution.
- Even if no complaint is submitted, the Commissioner can order an investigation if the OPCC learns about a situation of police misconduct.
- The OPCC will determine if a Professional Standards Section (PSS) officer from a different, or external department is required. For example, if a complaint is from a small department with tightly knit staff.
- An OPCC investigative analyst reviews materials such as videos, police reports and witness statements while the PSS conducts their investigation. We provide advice and direction to ensure the investigation is thorough and fair.
- PSS officers create a Final Investigation Report that a Discipline Authority reviews to determine if there is an appearance of misconduct. The OPCC reviews this decision to determine whether the appointment of a retired judge is necessary.
- Further steps in the investigation process involve OPCC staff reviewing a Pre-hearing Conference Report to determine whether discipline is appropriate and adequate.
- Finally, the Commissioner determines if there are issues in the complaint that may lead to recommendations made to police boards and government.
- Data from our most recent annual report (2024/25) shows that demand for OPCC oversight continues to grow – a trend we expect will continue.

How to file a complaint

- Any individual or community agency can submit a complaint about a municipal police officer or department.
- You do not have to directly observe or experience police misconduct to make a complaint and can act on someone's behalf or file a third-party complaint.

Complaints can be submitted:

- Online - www.opcc.bc.ca/complaints/
- Phone - 1-877-999-8707
- Email - info@opcc.bc.ca
- In person at a municipal police department or our Victoria office (947 Fort Street)



- Intake services are the public's first point of contact with the OPCC. Intake staff help people understand the processes available to them and can connect complainants with community agencies.
- It's important to know that support agencies have the ability to make a third-party complaint. Clients may be fearful for different reasons and may have more confidence in an advocate or support person helping them navigate the process. If someone files a complaint in a police department, the OPCC is automatically notified.
- Complaint forms and brochures are available in 13 languages and are available upon request.
- To ensure a complaint is admissible, it must:
 - Describe an identifiable claim of misconduct as defined in the Police Act.
 - Be made within 12 months of the incident - although this can be waived at the Commissioner's discretion.
 - Not be "frivolous or vexatious" ie: must have a basis or air of reality.
- Sometimes a complaint about a negative experience will not meet the admissibility threshold. Our Intake staff can provide further information and appropriate resources.

Supporting the complaints process

The OPCC can:

- Assist with the taking of complaint details and descriptions.
- Provide options on how to address your concerns (complaint, question/concerns, service or policy complaint).
- Explain the complaints process and any next steps.
- Arrange professional and confidential language services (interpretation, translation, sign language, or other communication support).
- Facilitate referrals to specialized resources and supports.
- Arrange other accommodations, upon request.



- Intake staff can help people:
 - Document their complaint over the phone.
 - Provide information about different complaint channels (complaint, questions/concerns, service or policy complaint).
 - Provide professional, confidential language support (interpretation and translation).
- Other communication supports like sign language interpreters or other accommodations.
- Neutral locations: Complainants may prefer to be interviewed or meet with professional standards section officers in a neutral location, rather than the police department as part of a formal investigation or complaint resolution. Either the OPCC or Professional Standard Section officers can assist with finding neutral space that is agreeable to all parties. For example, a room at a community library can be booked.

Support agencies working with OPCC

- Over 30 different organizations across sectors and identities, including Indigenous service providers, settlement, anti-violence, law student clinics, disability organizations and agencies serving people in poverty with complex social, housing, and health needs.
- Support can involve:
 - Elders and knowledge keepers
 - Legal advocates
 - Settlement workers
 - Interpreters
 - Community-based victim support workers



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- Support agencies are community organizations, and their staff or volunteers, who can help their client base with documenting a complaint or accompanying a complainant for meetings (either in-person, telephone, or virtual), including interviews with Professional Standard Section officers to investigate misconduct.
- They may also facilitate complaint resolution or the Alternative Dispute Resolution processes.
- Support can be layered or changed based on the different stages of a complaint. Someone may require cultural or disability expertise at one stage of a complaint, and assistance from a law student at a later stage. The complainant must identify which type of support, if any, they want or need.
- OPCC can provide training, resources, and mentorship to support agency staff and volunteers who are assisting people with police complaints.

Complaint filed. Now what?

- OPCC will send a letter confirming receipt of the complaint and information about available resources to assist with the process.
- The letter will also notify you of the screening decision as not all complaints will be admissible.
- If admissible, we will provide you with next steps. If not, we will explain our decision.
- Not all complaints will be investigated. Some will be diverted to a resolution process. If there will be no investigation, you will be provided with reasons.
- Restorative approaches often lead to quicker outcomes.



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- When someone submits a complaint, they can expect to receive a letter, generally by email, from the OPCC notifying them whether or not their complaint is “admissible” and setting out the specific areas of misconduct that apply under the Police Act. The letter may also include some information about options for complaint resolution. If any additional areas of misconduct are revealed in the investigation, the investigator is required to share that information with both the OPCC and the complainant. An OPCC analyst can assist with better understanding the complaint process and the steps involved.
- When deciding on admissibility, we must ensure that your complaint meets the three criteria previously noted:
 - Meet the definition of police misconduct under the Police Act section 77
 - Not be frivolous or vexatious (be reasonable and made in good faith – not just to cause trouble or waste time)
 - Be filed within one year of the incident.

Rights of a complainant

Complainants have the right to:

- Receive updates about the status of the investigation.
- Receive a report with decision at the conclusion of the investigation.
- Request a review through the appointment of a retired judge.
- Make submissions about the complaint, the investigation or appropriate disciplinary or corrective measures.

**An OPCC staff member will be assigned to your complaint
and can assist you with understanding the process.**



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- Legislation sets out the various rights that complainants have during the complaint process. This includes regular progress reports that are provided by the Professional Standards Section officer; the first within 30 business days of initiating an investigation and subsequent reports ever 20 business days thereafter.
- Complainants also receive investigation logs with the following information:
 - Chronological listing of all investigative steps taken
 - Summary of the information received
 - Brief analysis of the information / evidence obtained, and
 - An indication of what follow up is required or what the next investigative step will be.
- The complainant receives a “Final Investigation Report” at the conclusion of the investigation that includes the following:
 - Brief account of the investigative steps taken
 - Complete summary of the relevant evidence
 - List of all witnesses
 - List of all records related to the investigation
 - The investigating officer’s assessment of the evidence and analysis of the facts.

Restorative approaches to resolution

- Rebuilds trust between a community members and police.
- Can promote intercultural learning (e.g., restorative healing circle).
- Potential reduction in further complaints.
- Establish understanding not just about what occurred, but the impact of actions.
- Encourage personal growth and responsibility rather than narrow focus on the legal criteria.



Restorative Healing Circle Case Study

- Issue: Indigenous Peoples continue to experience harm and marginalization by justice and policing systems, often in the form of bias. Mechanisms like healing circles, can be used to better address intercultural components of a complaint.
- Background: An Indigenous family could not access culturally safe avenues of review and were treated dismissively by police.
- Process: Communication is key. Steps include an expression of interest from the complainant, support from an Elder, commitment from the Professional Standards Section officer, openness from the responding officer, support from the Police Union, and an expert Indigenous Facilitator. This requires time, commitment to in-person communication, and augmenting written agreements.
- Conclusion: The OPCC is committed to expanding the use of restorative justice in the police complaint process, including the use of a healing circle facilitated by Indigenous restorative justice practitioners.

What is complaint resolution?

- An accountable and effective way to resolve police complaints.
- Allows participants to be actively involved in the outcome of a complaint.
- Is voluntary.
- Can occur at any time during the complaints process.
- Offers a powerful learning opportunity for everyone.
- Often results in quicker outcomes and allows you to get answers to questions.
- Supports for complainants are available.

Outcomes can include:

- An apology, acknowledgement of the impact of the officer's conduct, an exchange of perspectives, training for the officer, or a culturally relevant restorative process.



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- Complaint Resolution requires agreement from all parties to successfully conclude the process. It is not used for files that are serious and complex in nature. The outcome involves agreements that are made in writing between the parties. Either the complainant or the police officer can request complaint resolution at any time in an investigation process.
- Examples of issues often resolved through resolution include *Discourtesy*: How an officer treated a member of the public, *Neglect of Duty*: Officer failed to fulfill a duty, or *Abuse of Authority*: Detentions, arrests, searches.
- The OPCC remains committed to expanding the use of restorative justice in police complaint, including the use of a Healing Circle facilitated by Indigenous restorative justice practitioners.

Example of a Surrey police complaint

- Abuse of Authority – oppressive conduct towards a member of the public.
- Background: Complainant was stopped by members of the Surrey Police Service.
- Incident: A police officer swore in Punjabi at the complainant, who also spoke Punjabi.
- Making a complaint: This complaint was found to be admissible. It went to complaint resolution where the officers involved apologized, reflected on feedback from the victim, and acknowledged the importance of professional and respectful communication
- Role of support agency: Ensure the client is aware of their legal right to make a police complaint, where and how to file a complaint, and the specific and appropriate supports that are available.



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Case Study:

- Surrey Example: Abuse of Authority – oppressive conduct towards a member of the public. This could include using excessive force, unlawful detention or unwarranted arrests/searches, harassment or intimidation, or using abusive language. Example: A police officer swearing in Punjabi at a complainant who also spoke Punjabi. This complaint was found to be admissible. It went to complaint resolution where the officers involved apologized, reflected on feedback from the victim, and acknowledged the importance of professional and respectful communication.

Complaint process:

- Intake - This person can submit their complaint over the phone with assistance from a professional interpreter, coordinated by OPCC intake staff.
- Admissibility – The complaint is assessed for admissibility. If admissible, the complaint could proceed as an investigation, or possibly a complaint resolution. The complainant is assigned an oversight analyst who can ensure the process is thorough and fair. The complaint will be assigned to a Professional Standards Section Investigator who will contact the complainant to initiate the process.

Role for Agency staff:

- Ensure that the complainant is aware of their legal rights relative to the Police Act, know where and how to file a complaint, understand that the OPCC ensures a fair process,

and that support or assistance is available to accompany a person through the process if needed/requested.

- In addition to language support, assistance can also be provided by a settlement worker, a law student clinician, or a trauma counsellor. The type of support needed is determined by the complainant. A support person can also attend meetings with both the OPCC and the PSS investigators in person, on the phone, or virtually.
- Unless there is a formal agreement in place, the OPCC would not communicate with another party about the complaint, including the support agency, without the complainant being present. This does not preclude the agency staff or volunteer from contacting the analyst assigned to a file with questions about the complaint process.

Investigations into police misconduct

- The OPCC is not an investigative agency – investigations are conducted by specialized police officers, with oversight from the OPCC.
- These Professional Standards Section officers are paired with an OPCC Investigative Analyst.
- Discipline Authorities will review the officer’s report and make decisions about whether police committed misconduct.
- These investigations and decisions are then reviewed by the OPCC who can provide advice on investigative steps or decide that further remedial steps must be taken.



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- Each police department has a section of officers (Professional Standards Section/PSS) that investigate police misconduct and update the Commissioner on the progress of an investigation in “real time”.
- Investigations require the PSS officer to provide the OPCC with all information or records related to the investigation, in the manner and form specified by the Commissioner,
- The OPCC provides advice to the investigating officer or the discipline authority (senior officer) on investigative steps and direct that further investigative steps be taken.

What is police misconduct?

- Public Trust Offence
- Abuse of Authority
- Accessory to Misconduct
- Corrupt Practice
- Damage to Police Property
- Damage to Property of Others
- Discourtesy
- Discreditable Conduct
- Improper Disclosure of Information
- Improper Off Duty Conduct
- Improper Care or Use of Firearm
- Misuse of Intoxicants
- Neglect of Duty
- Deceit



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- Police misconduct refers to behaviours and actions that are unlawful, inappropriate or deemed to violate trust that the public places in officers to behave ethically, and within the law. There are 14 broad categories of misconduct.
- The definition of misconduct was expanded in April 2024 to include discriminatory jokes or gestures, Indigenous identity, and gender identity or expression.
- It is also a disciplinary breach of trust to, when on duty or off duty but in uniform, use profane, abusive, discriminatory or insulting language, jokes or gestures to any person including, without limitation, language, jokes or gestures that would likely be seen to demean or show disrespect to the person on the basis of that persons:
 - Race, colour, ancestry, place of origin or Indigenous identity
 - Political belief or religion
 - Marital or family status
 - Physical or mental disability
 - Age
 - Sex, sexual orientation, gender identity or expression
 - Economic or social status

Discipline or corrective measures

- Advice as to future conduct
- Verbal reprimand
- Written reprimand
- Direction to participate in specified program
- Direction to undertake professional counselling
- Special training or retraining
- Work under close supervision
- Suspension without pay (up to 30 scheduled working days)
- Transfer/reassignment
- Reduction in rank
- Dismissal

**Not all investigations result in misconduct and discipline*



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- Legislation states that seeking to correct or educate an officer takes precedence over an emphasis on discipline, unless it is unworkable or would bring the administration of police discipline into “disrepute”.
- The level of discipline for misconduct depends on aggravating or mitigating factors:
 - Seriousness of the misconduct
 - Member’s service record of discipline
 - Impact on member’s family and career
 - Likelihood of future misconduct
 - Acceptance of responsibility
 - Degree to which the department’s policies or procedures may have contributed
 - Discipline or corrective measures in similar circumstances
 - Other aggravating or mitigating factors

Systemic Investigations

The Police Complaint Commissioner has the authority to initiate systemic investigations in the public interest. Through this we aim to:

- Strengthen police accountability through independent investigations.
- Identify and investigate patterns of misconduct.
- Issue meaningful, actionable recommendations to improve policing and oversight.
- Ensure transparency by making findings and recommendations publicly available.
- Engage with diverse interest holders and impacted parties to better understand the systemic issue and possible solutions.



Mandate

- To identify and investigate systemic issues arising from police complaints, or problems identified with the municipal police complaints process and provide meaningful recommendations aimed at preventing police misconduct and improving the system of police accountability.
- Investigating issues systemically aims to better understand and identify underlying causes, serves as a catalyst for corrective action and change, and supports public confidence in policing and civilian oversight of police.
- An investigation must be considered necessary in the public interest. The OPCC must consider:
 - The nature and seriousness of the matter
 - The prevalence of the matter
 - Whether an investigation is necessary to preserve public confidence in the disciplinary process
 - Whether the matter has been previously studied or investigated by the Director of Police Services
- The OPCC will also consider additional factors such as the anticipated support for the investigation by impacted communities, the scope and complexity of the issue and the OPCC's capacity.

Additional types of complaints

➤ Question or Concern

- Can be a helpful starting point when someone has a concern and would like more information.
- A written or oral report by a citizen that raises a question or concern about the conduct of a police officer but does not result in the making and registering of a formal complaint.

➤ Service or Policy Complaint

- These complaints are related to the department rather than an individual officer.
- For example, staffing and resource allocation so that members of the public can be better supported.



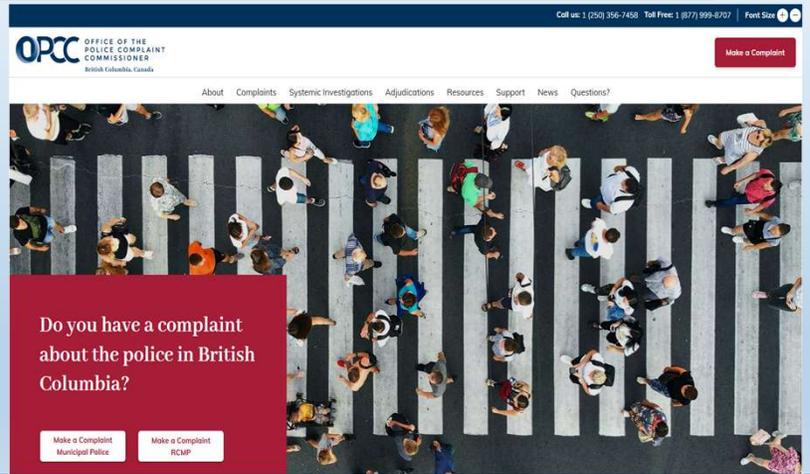
- Questions or concerns: Can be a helpful starting point when someone has a concern and would like more information but does not wish to register a formal complaint. These can be made through the OPCC or a police department. They can be elevated to a registered complaint if the person asking a question is not satisfied with the response, or if the party receiving a complaint (OPCC or municipal police department) is required to respond to a public trust issue.
- Questions and concerns receive oversight from the OPCC and an analyst is assigned to the file.
- Service or policy complaint: Not about an individual officer, but the police department itself. These can be submitted directly to the Police Board, through the OPCC or a police department. They are not assessed for “admissibility” and may include:
 - General direction and management of the police department
 - Inadequacy or inappropriateness of staffing and resource allocation, training programs or resources, standing orders or policies, the ability to respond to requests for assistance, or internal procedures.
 - A municipal police department’s Police Board acts as the decision maker of these complaints.
 - The Commissioner can make recommendations regarding service and policies of a department.

Additional information

Website: www.opcc.bc.ca

Resource links:

- [Accessibility Plan](#)
- [Annual Reports](#)
- [Discipline Decisions Digest](#)
- [Multilingual Brochures](#)
- [Multilingual Complaint Forms](#)
- [Reports of Interest](#)
- [Support Agency List](#)



A list of helpful resources.