

7 August 2025

Office of the Police Complaint Commissioner
501-947 Fort Street
PO Box Stn Prov Govt
Victoria, BC V8W 9T8

Via email: info@opcc.bc.ca

To Commissioner Prabhu Rajan:

Re: Request for Review Vancouver Police Board Decision
OPCC File # 2024-26602
Vancouver Police Board File #2024-022

We write in respect of the above-captioned matter to request a review of the handling and final result of a service and policy complaint made to the Vancouver Police Board (the “Board”) pursuant to s 168 of the *Police Act*, RSBC 1996, c 367 (the “Act”). This complaint was made on 18 September 2024 by the BC Civil Liberties Association (“BCCLA”) and Pivot Legal Society (“Pivot”) in respect of surveillance and overpolicing by the Vancouver Police Department (the “VPD”) of *Charter*-protected protest in solidarity with the people of Palestine (the “Complaint”).

In our view, the Board’s handling of this matter was marred from the outset by an inappropriate choice of external investigator and refusal to communicate with the complainants. This flawed process has resulted in a final investigator report, dated 5 May 2025, (the “Report”) that is deeply biased. The Board, in its decision issued on 9 July 2025 (the “Decision”), adopts the results of the Report uncritically.

We therefore request that you exercise your discretion under s 173 of the Act to review the Decision and recommend that the matter be studied by an independent and impartial investigator with expertise in matters of police surveillance, free expression, and anti-Palestinian racism. To assist you in deciding whether and how to act, we briefly outline what we believe to be the flaws in the process and the Report below. We would be happy to discuss any of these concerns with your office further, and to provide any supporting documentation you may require, upon request.

1. Process

The first communication to the complainants from the Board in respect of this matter was a one-page letter dated 8 October 2024, acknowledging receipt of the Complaint and advising that it would be considered at the Board meeting on 31 October 2024.

On 30 October 2024, Pivot wrote to the Board advising that they had learned that the Service and Policy Complaint Review Committee would be making its recommendation to the Police Board in advance of the 31 October 2024 meeting, rather than considering the matter for the first time at that meeting as the Board’s letter had advised. Pivot further called the Board’s attention to the fact that Pivot’s delegation request to the 31 October 2024 meeting had been denied on 29 October 2024. Due to this denial, Pivot provided written submissions in this letter on several points related to the complaints, including the need for an impartial investigator and anti-retaliation protections for affected community members. In particular, the letter notes that “the Police Board’s investigative function should not be used to authorize current *and former* police to investigate complaints about the adequacy and appropriateness of their own policies and practices, given the risks of structural and other bias”.¹ Despite this correspondence, Pivot staff were denied entry to the 31 October 2024 meeting.

At the 31 October 2024 meeting of the Vancouver Police Board, two delegations appeared before the board to speak about the importance of this surveillance complaint. One delegation was Meghan McDermott who represented the BCCLA and urged the board to ensure a neutral third party with the requisite expertise was chosen to investigate. The second was a joint delegation made up of representatives from West Coast LEAF and the South Asian Legal Clinic of BC, both of which encouraged the board to ensure the complaint was investigated impartially.²

On 19 November 2024, the complainants received a letter from the Board advising that “an investigator who is external to, and independent from, the VPD and Board [would] be asked to provide a full, complete and objective review and reporting of the facts, relevant policies and practices”.³ This communiqué consisted of a single paragraph and did not disclose any information about the process or criteria by which the investigator would be selected, nor did it provide an opportunity for the complainants, or any other members of the public (including those impacted by the surveillance), to provide any feedback about the board’s process for identifying and evaluating potential investigators.

Although there is no explicit legal obligation for the Vancouver Police Board to have consulted with the complainants or others prior to choosing a third party to contract, we note that this police board has already faced scrutiny about its process for choosing third parties to investigate service

¹ Letter from Lyndsay Watson, Legal Director of Pivot Legal Society, to the Vancouver Police Board (30 October 2024), page 4, emphasis added.

² See delegations speaking from approx. 5:00 to 20:00 in online video of Vancouver Police Board Meeting, October 31, 2024, online: Vancouver Police Board <<https://vimeo.com/showcase/11109208/video/1025245661>>.

³ Letter from Allan Black, KC, Chair of Service or Policy Complaint Review Committee to Meghan McDermott and Lyndsay Watson (19 November 2024).

and policy complaints, prompting an investigator to make the following relevant conclusions in 2021⁴

Conclusions about the preparation of the RFP and identification of proponents

The first finding at this stage relates to the Board’s decision to invite the Department to comment on the draft RFP, notably the scope of work it set out. I have found no evidence that the Department improperly sought to narrow the ambit of the proposed work or slant expectations in its favour. In fact, the Department usefully pointed out that the scope of work was broad and somewhat generally stated and could be refined. This said, there is no doubt that—although it was done in good faith—inviting the Department to comment on the scope of work for an independent, external review of the Department’s own work on the issue could reasonably cause observers to question the independence of the external review.

The second finding is that the Board could have done more to identify possible proponents. This is not to say that Pyxis did not have the skills or experience to do the work, or that it should have not been retained. That is clearly not an issue, as the description below of Pyxis’s qualifications shows. Rather, the material before me establishes that, although it asked the Department, Street Check Committee members and the BCCLA for the names of possible proponents, the Board could have taken further steps to identify qualified proponents.

There are no indications in the material, for example, that the Board asked colleagues across the country for assistance. Nor did the Board advertise the opportunity, including through BC Bid, or reach out to individuals who had done similar work in Ontario or Nova Scotia. This likely was driven by the Board’s desire to proceed quickly, having set a very ambitious sixmonth deadline for the work. Still, further efforts could have been made to identify possible consultants, which might have helped combat perceptions that the field of candidates was limited.

The minutes of that 31 October 2024’s meeting indicate that the decision had already been made at the 31 October 2024 meeting to appoint Robert “Bob” Rolls, a former VPD member who served for 33 years and retired as Deputy Chief Constable, as the ‘external’ investigator, despite questions raised by Board members that he would not be sufficiently independent of the VPD and did not have the necessary expertise in human rights.⁵

⁴ David Loukidelis, Vancouver Police Board’s Street Checks Complaint Process (April 2021), online: Government of BC < <https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/criminal-justice/police/publications/independent/service-and-policy-complaint.pdf> > at pages 20-21.

⁵ Vancouver Police Board, Service or Policy Complaint Review Meeting Package (21 November 2024), online: Vancouver Police Board <<https://vancouverpoliceboard.ca/police/policeboard/agenda/2024/1121/2024-11-21%20COMBINED%20Service%20or%20Policy%20Agenda%20and%20Materials.x28972.pdf>>, pages 3-4.

Mr. Rolls reached out to the complainants via two emails from a gmail.com generic email address before the Board had formally advised either complainant of his appointment, and requests to the Board for a copy of his terms of reference or mandate letter were ignored. Also ignored were requests for clarification on how any evidence provided to Mr. Rolls would be stored and handled, and inquiries about what, if any, anti-retaliation measures would be in place to ensure that community members would not face repercussions for sharing their evidence with him. Due to the lack of this information, and concerns about the ability of a longtime VPD member and former Deputy Chief Constable to be impartial, the complainants did not feel comfortable sharing additional evidence gathered from affected community members with Mr. Rolls. Further, it does not appear that any effort was made to interview or gather information directly from the members of the public who participated in relevant demonstrations. Those individuals most affected by the oversurveillance were functionally excluded from the investigative process by the Board's inappropriate and unilateral choice of Mr. Rolls and refusal to engage with the complainants' concerns, and by Mr. Rolls' apparent failure to independently attempt to canvass any members of the affected community.

2. Bias

Mr. Rolls' career history with the VPD should have disqualified him from appointment on that ground alone as it gives rise to a reasonable apprehension of bias: a reasonable person, with knowledge of the circumstances, is likely to conclude that Mr. Rolls, whether consciously or otherwise, would not determine the matter fairly because of his longtime close association with the very body he is retained to investigate. Actual bias is not necessary for a decision-maker to be disqualified, merely this reasonable apprehension.⁶

Unfortunately, the Report demonstrates ample indicia of actual bias, not just apparent bias. A comprehensive analysis of the bias in the Report would be lengthy, perhaps lengthier than the Report itself, so we will limit our comments to representative and glaring examples.

a. Outsourcing work to the VPD itself

Part VI of the Report, containing a review of other police bodies' approaches to policing Palestine solidarity demonstrations, shows that Mr. Rolls relied on the VPD to gather information on his behalf and conduct research for the Report. This is demonstrated in both subparts of Part VI of the Report.

The first subpart describes how other Canadian police services were canvassed with respect to their own handling of Palestine solidarity protest activity. The passive voice implies that it was Mr. Rolls who did the canvassing, but the first paragraph of page 35 of the Report advises that it was the VPD, not Mr. Rolls, who received responses from other police services. Interestingly,

⁶ See discussion of reasonable apprehension of bias in *Wewaykum Indian Band v Canada*, 2003 SCC 45, paras 60-67.

these responses indicate that the protest atmosphere and police reaction to Palestine solidarity demonstrations “appears to be consistent”⁷ across the jurisdictions canvassed. This is consistent with the complainants’ concerns about institutional and cultural forces leading to a particularly suppressive response to Palestinian solidarity expression.⁸ It is, however, inconsistent with the VPD’s assertion that local organizations such as the complainants and unnamed “militant Indigenous groups” poisoned the relationship between the VPD and Palestine solidarity protestors in the days following 7 October 2023, an assertion that the Report uncritically replicates.⁹

The second subpart is a summary of a literature review conducted by the VPD Planning and Research Section, not Mr. Rolls himself nor any independent consultant.¹⁰ Based on the VPD’s research then, Mr. Rolls concludes that “the VPD’s policing of demonstrations is consistent with current best practices.”¹¹ It is unclear whether or to what extent Mr. Rolls conducted any analysis independent of the VPD Planning and Research Section.

b. Uncritical adoption of VPD positions

Throughout the Report, Mr. Rolls presents the VPD’s perspective as factual with little or no analysis or independent investigation. One example of this is the above-mentioned recapitulation of the VPD’s critique of BCCLA’s public legal education materials: Mr. Rolls describes the BCCLA’s September 2023 publication, the *Arrest Pocketbook*, as “contain[ing] some highly inflammatory and inaccurate information, which has likely had an adverse effect of [sic] the VPD’s efforts to work towards building a better relationship with protestors.”¹²

This ironically inflammatory smear of BCCLA’s work is not explained within the body of the Report: for the substance of the alleged inaccuracies, we must look to the conclusion of the VPD’s written response, which is Appendix B to the Report. There, the VPD excerpts the section of a different BCCLA publication, the *Arrest Handbook*, on protest and civil disobedience, critiquing it for its plain language and summary nature (e.g., lacking definitions and examples) and for describing police behaviour that the VPD says it does not engage in. These critiques are vacuous – for example, the comment that the VPD “does not share information with any agency without the lawful authority to do so” when the text makes no allegation of illegal information sharing – and fundamentally misunderstand the purpose of the text.

The *Arrest Handbook* is a plain-language public legal education text aimed at a national audience, so its references to what police may do cannot be disproved with reference to the VPD’s practice

⁷ Report, page 35.

⁸ This is often referred to as the “Palestine Exception” to free expression. For further background on this, see Islamophobia Research Hub, “Documenting the ‘Palestine Exception’: An Overview of Trends in Islamophobia, Anti-Palestinian, and Anti-Arab Racism in Canada in the Aftermath of October 7, 2023” (2025). Online: York University <www.yorku.ca/laps/research/islamophobia>.

⁹ Report, pages 5 and 20.

¹⁰ Report, page 35.

¹¹ Report, page 36.

¹² Report, page 5.

alone. It is not a persuasive text, where clear definitions and examples with citations would be required, or a commentary on the VPD in particular. Its purpose is not to “drive a wedge between protestors and the police”, as the VPD alleges, but to translate caselaw and reported community experience from across Canada into plain, clear language so that lay members of the public can make informed decisions about their safety and legal risk when participating in protest. It is not the role of BCCLA or the text to encourage or discourage protestors from working with the police, but rather to identify that they have a choice and the possible implications of that choice.

The VPD, like Mr. Rolls, misidentifies this publication as the *Arrest Pocketbook*, which is a 20-page, wallet-sized quick reference extracted from the 107-page trade-paperback-sized *Arrest Handbook*, and characterizes it as “inaccurate and inflammatory”, the same wording as is used in the Report. If Mr. Rolls had applied independent judgment to this allegation in the VPD’s submission or had taken the time to read the materials for himself, he would have realized the error instead of echoing the VPD’s misidentification and mischaracterization of this resource. This misapprehension appears to have led Mr. Rolls to make the recommendation that the VPD produce an alternative to BCCLA’s public legal education materials that elides the legal risks citizens face when providing information about their activities to the police.¹³ This recommendation is, in our view, an inappropriate suggestion to address the substance of the complaint, although the VPD may wish to do so for its own purposes.

The descriptions in the Report of “incidents of note” also uncritically reflect the position of the VPD that pro-Palestine demonstrators are inclined toward criminality and require a heavy-handed police response, despite the Report’s earlier indication that “*Criminal Code* violations were recorded” at less than 5% of the Palestine solidarity demonstrations in Vancouver during the 2024 calendar year.¹⁴ Although obscured by passive language, it was presumably the VPD who recorded those alleged violations and it is unclear whether Mr. Rolls conducted any review of the facts to determine whether those characterizations were accurate.

The “incidents of note” on pages 21 and 22 are described using only information that makes the charges appear well-founded and tend to increase their perceived severity, omitting anything that may undermine their gravity or legitimacy. It is, for example, consistently noted when charges are laid, but never when the Crown declines to lay charges. In respect of the 2 March 2024 alleged assault on a police officer, it is noted that “a charge assessment by Crown [sic] is currently being appealed”, but not what the result of the charge assessment was. Presumably the Crown declined to lay charges, and the VPD is appealing this decision. Although none of these incidents are reported to have led to convictions, the Report treats allegations as facts and conclusorily describes certain utterances as “hate speech”.

¹⁴ Report, page 22.

As part of the methodology that produced the Report, Mr. Rolls not only reviewed the relevant policies but “followed up with meetings with the VPD to ensure a clear understanding of the intent of these documents.”¹⁵ This indicates an acceptance of the VPD acting in accordance with unwritten policy “intent” instead of the plain language of the written policy, rendering the written policies misleading and hollow. If the intent materially changes the meaning of the policy’s plain language, this means that the policies are subservient to unwritten variations to which the public has no access. When police behaviour is based on an ‘intent’ that conflicts with the plain language, it undermines public confidence that the police abide by their own policies. It further creates opportunity for differential application of the policy, as the written policies are not being used as a governing document to ensure consistency across different units that may have different understandings of this nebulous “intent”.

One glaring example of this preference of unwritten intent to the actual language of the policy is the assertion that the policy that states that “[drone f]lights will not be conducted for surveillance purposes” actually applies only to covert surveillance.¹⁶ This is a material revision to the policy as written that raises *Charter* issues, given that overt surveillance is no less chilling of free expression than is covert surveillance. Indeed, it is arguably more problematic, in free expression terms, for police to be overtly and conspicuously surveilling stigmatized political expression, although covert surveillance may be more concerning from a privacy perspective. The Report’s insensitivity to this issue highlights the importance of an investigator who is sensitized to free expression issues.

Another example can be found in the flat assertion at page 30 that photos that “can be characterized as crowd photos and not photos of single individuals” have “no practical requirement for the ... member to notify the crowd that they were being photographed.” This is inconsistent with the text of the policy regarding Digital Recordings at s 1.9.20, quoted at page 25 of the Report, which requires that members *must* inform the subject that they will be recorded “unless it is not reasonably practical or unsafe to do so”. The fact that a person who is being recorded is in a crowd does not render it ‘not reasonably practical’ to inform them that they will be recorded, as informing them can be accomplished through a simple announcement.

Indeed, the Report’s conclusion, and the Decision that cites it, goes so far as to rewrite the complaint so that it can be determined to be unfounded: it finds “no evidence to support the allegation that the VPD did not abide by the intent of their own Regulations, Procedures and Policies”¹⁷, when the actual allegation was that they did not abide by the *text* of those instruments. Indeed, the Report contains ample evidence that the text of these instruments is routinely disregarded in favour of unwritten ‘intent’. This shifting of the question from actual text to ‘intent’ allows the Report to elide the noncompliance and, rather than recommend that the VPD abide by its policies, recommend that the policies be watered down to licence the poor practice.

¹⁵ Report, page 10.

¹⁶ Report, pages 25-26.

¹⁷ Report, page 38.

d. Deference to VPD characterization of surveillance

In describing the surveillance gathered at the specific events identified in the complaint, the Report consistently refers to ‘evidence gathering’ in the absence of any alleged crimes that would be the proper subject of an investigation. For example, in regards to the 27 May 2024 rally surveillance, the Report uncritically characterizes “gathering evidence as to the totality of the protest and its impact on passersby, members of the public, and vehicles” as a proper investigative purpose.¹⁸

This language around ‘gathering evidence as to the totality of the protest’ reoccurs in describing the other two specific incidents, and is deeply concerning as it implies either that the totality of the protest is being treated as criminal or that *any* surveillance of the public can be a valid investigative purpose in the absence of any alleged crime. This framing bears no indication of the balancing required by the *Charter*, the necessity “to strike a reasonable balance between the right of individuals to be left alone and the right of the state to intrude on privacy in the furtherance of its responsibilities for law enforcement.”¹⁹ If it is accepted, it will be deeply corrosive to the right of people in Canada to live our lives free from surveillance by the state. It is repugnant to the Canadian constitutional order that the gathering of evidence, unattached to any alleged crime, would be a law enforcement purpose that can licence the collection of personal information without consent. Further, if such a perverse outcome were intended by the legislature, it would have included a blanket carveout for law enforcement agencies, regardless of purpose, to the *Freedom of Information and Protection of Privacy Act*’s²⁰ (“FIPPA”) prohibition on collection of personal information without consent, rather than the narrower exceptions for law enforcement purposes at s 26(b). The legal review included as Appendix C to the Report points out that law enforcement’s license to collect personal information is expressly limited under FIPPA, which is inconsistent with the Report’s characterization of this general surveillance as being proper.²¹

3. Omissions from the Report

The Report fails to consider adequately, or at all, several crucial issues to the resolution of this complaint. Of these, the most glaring is the failure to adequately consider the institutional bias of the VPD against people protesting for Palestinian human rights in Canada, as indicated by the official public statements of then-Chief Constable Adam Palmer highlighted at page 3 of the Complaint. The Report does not consider these statements or the effects that they could have had on the relationship between the VPD and supporters of Palestinian human rights, preferring to adopt the VPD’s perspective that nonprofit organizations and “militant Indigenous groups” are to blame for the poor state of relations. It characterizes protestors’ observing and documenting VPD members as ‘baiting’ of those members²² while failing to consider the position of mere police

¹⁸ Report, page 31.

¹⁹ *R v Duarte* [1990] 1 SCR 30, 1990 CanLII 150.

²⁰ RSBC 1996, c 165.

²¹ Report, Appendix C, pages 4-5.

²² Report, page 23.

presence in the use-of-force continuum²³ and the escalatory effect that overdeployment and overt oversurveillance can have on a protest. The result of these failures, combined with the uncritical adoption of VPD framing described above, is the conclusion that the oversurveillance and overpolicing of Palestine solidarity protest documented in the Report itself is the fault of the protestors themselves, with the VPD only being required to “try harder” to build relationships.²⁴

The Report states as fact that “there are no allegations of racism being investigated by the OPCC and/or the VPD’s Professional Standards Section ... that involve any VPD officer while they were deployed to a Palestinian or Israeli protest event.”²⁵ The BCCLA has actual knowledge that this is false, as we have made such a complaint in relation to an officer who prima facie committed misconduct at a demonstration when photographed wearing a patch that combined the Israeli flag with the ‘Punisher skull.’²⁶ Our information suggests this officer may have worn this patch for months on end and appeared to be appointed to the unit that policed these protests, being present and allegedly using excessive force on Palestinian solidarity protestors at the railway blockade on 31 May 2024. The BCCLA filed a complaint with your office about this on April 29, 2024 in which we highlighted the impact of such policing on a person in Vancouver:²⁷

The Palestinian onlooker, who wishes to remain anonymous, informed Ms. Martisius that observing a member of the VPD wearing the Israel flag patch on his police uniform at a pro-Israel rally was jarring and frightening. To them, it indicated police were biased towards a nation-state inflicting unrelenting attacks on Palestinians and denying humanitarian aid in Gaza, where some of their family members live. The patch made the Palestinian onlooker feel unsafe, undermining their trust in the police.

We understand that this complaint was merged with an already-existing complaint in respect of the same officer. As we are not considered complainants in regard to the matter of the officer wearing the patch indicating his bias, we are in the dark as to its investigation and resolution. The BCCLA did however follow up with a letter on September 18, 2024 to then-VPD Chief Constable Palmer, reiterating concerns about the violation of provincial unbiased policing standards and explicitly asking “why was Constable Sheinerman deployed to be on duty at these protests against Israel’s actions when he is under investigation for wearing the Israel flag patch on his uniform,

²³ The Vancouver Police Department’s Use of Force regulation provides that “The simple presence of an officer can affect both the subject and a situation. Visible signs of authority such as uniforms and marked police cars can change a person’s behaviour.” See “1.2 Use Of Force 1.2.1 Use of Force – Justification”

at page 28, available online: <https://vpd.ca/wp-content/uploads/2025/06/regulations-and-procedures-manual.pdf>

²⁴ Report, page 37.

²⁵ Report, page 33.

²⁶ See letter from BCCLA to Adam Palmer, Chief Constable, VPD and Office of the Police Complaint Commissioner (18 September 2024), online: BCCLA <<https://bccla.org/2024/09/follow-up-for-misconduct-investigation-into-vpd-constable-dimitri-sheinermanvpd-member-3390/>>.

²⁷ See April 29, 2024 letter “re VPD officers wearing the Israel national flag and the ‘Thin Blue Line’ patches at proIsrael” online: BCCLA <<https://bccla.org/wp-content/uploads/2024/09/VPD-Uniform-Complaint-Final-1.pdf>>.

and possibly a known far-right symbol?”²⁸ VPD leadership and the Board have yet to explain how such blatant non-compliance with policy and pro-Israel bias festered for so long.

Similarly, the Report fails to adequately consider the free expression and assembly implications of the high level of policing and surveillance that it documents. It is telling that the term “free expression” only appears in the body of the Report when it is a direct quote from the complaint. The only attempt at analysis of this issue is contained in the legal review, which was conducted by a lawyer whose expertise in privacy and human rights law comes from the private law context of the workplace, a context to which the *Charter* does not generally apply. This reviewer’s unfamiliarity with the issues material to such an analysis is evident, as her discussion of the *Charter* addresses only the s 8 protection against unreasonable search and seizure. The s 2 protections of free expression and assembly are not considered, nor is the chilling effect of overt surveillance on the ability to exercise these fundamental freedoms. Despite this lack of relevant expertise and analysis, Mr. Rolls and the Board chose not to supplement the legal reviewer’s work with input from an expert on issues of free expression and assembly.

The issue of access to recordings of oneself made by the VPD, as required by FIPPA, is also not considered in the text of the Report. It is commented on only in the legal review at Appendix C, which reiterates the law and assumes without investigation that the VPD complies with it in good faith. In our view, a review of the information disclosure practices of the VPD in relation to FIPPA requests by demonstration attendees would be necessary to conclude that the VPD’s practice is proper. No such review appears to have taken place.

In fact, BCCLA is aware of at least two separate instances in which people under such surveillance in the context of Palestine solidarity demonstrations have made FIPPA access requests and been unable to access such records from the VPD. One of these is still pending, after being mislabeled as withdrawn, despite the statutorily-mandated deadline for response having passed. In respect of the other, the request was outright denied on the basis that the images of the applicant also contained other people in a crowd setting. Interestingly, this invocation of the privacy of individuals in a crowd to deny access to information held by the VPD is in tension with the VPD’s position, adopted by the Report, that individuals’ privacy is not relevant for VPD collection of their information in the same setting.

Conclusion

Despite its manifest flaws, the Report ultimately demonstrates that the complaint was well-founded while purporting to find otherwise. Although the Report provides welcome information about the degree to which Palestine solidarity demonstrations and demonstrators are oversurveilled and overpoliced, the biased interpretation of this information, the preference for unwritten ‘intention’ over the plain language of written policy, the reliance on the VPD itself to define best practices,

²⁸ See September 18, 2024 letter “re Follow-up for Misconduct Investigation” online: BCCLA <<https://bccla.org/wp-content/uploads/2024/09/BCCLA-Ltr-VPD-OPCC-September-18-2024.pdf>>.

and the failure to consider the material issues identified above undermine the Report's conclusions and recommendations.

Accordingly, we request that you exercise your statutory discretion to recommend that:

1. A properly independent investigation into the Complaint be conducted by an impartial investigator;
2. The terms of reference for such investigator be provided to the complainants at the outset of the investigation; and
3. The VPD institute a moratorium on the use of remotely piloted aerial systems, or drones, and other devices, including smartphones and body worn cameras for the surveillance, overt or covert, of political protest until the conclusion of this investigation and the implementation of any relevant resulting recommendations.

Thank you for your consideration of this request. Please do not hesitate to contact us should you require anything further to assist in your decision.

Sincerely,

Meghan McDermott
Policy Director
BCCLA

Caitlin Shane
Lawyer
Pivot Legal Society