

MOHAMED v. CITY OF VANCOUVER

Mohamed v. City of Vancouver
2001 BCCA 290 (CanLII)

A Vancouver police officer, on patrol in a police cruiser with his police dog, Czar, received information that three men were involved in a robbery. A few minutes later, the officer saw three men fitting the description. The officer got out of his vehicle with his dog and called, "Stop, police!" twice. Two of the men stopped. The third man, Mohamed, ran into a laneway, and the officer sent Czar after the suspect while he radioed for help. While Mohamed tried to jump a small retaining wall, Czar caught him. Mohamed fell over the wall and broke his leg. Czar bit his arm and held it for a minute or two until backup officers arrived. A large knife was found by the wall.

Mohamed claimed the police used excessive force and that the officer should have followed Czar after he let the dog loose. Mohamed sued the police and the city for personal injuries. He felt that police dogs should be trained in other ways of apprehending suspects besides the "bite and hold" method.

- a) What type of law is involved in this case: public or private? Explain.
- b) Why do you think Mohamed was unsuccessful in his lawsuit against the City of Vancouver?