**DISCLAIMER:** In accordance with the *Community Safety and Policing Act* and the *Freedom of Information and Protection of Privacy Act*, the summary below has been de-identified to remove the personal information of individuals, including public complainants and persons who were the subject of the investigation.

# DE-IDENTIFIED SUMMARY UNDER SECTION 167(2) OF THE CSPA

Original Police Service:

Date of Complaint: 04/26/2024

Type of Investigation:

Referred to Same Service: ◉ Referred to Other Service: ○ Retained by LECA: ○

Service Investigations Referred to:

| De-identified Summary of Complaint |
|---|

On April 26th, 2024, the Respondent Officers attended a radio call regarding an 'Assault Just Occurred' between two young persons.

The Respondent Officers attended the Complainants address at 1:30 am to speak to the Complainant and her son, known as the subject.

The Complainant was not happy that the officers attended at that time and that the officers said they would charge her son who was under 12 years old.

## Unsubstantiated Code of Conduct Allegations

Section 19- Neglects to Duty
Section 10- Conduct Undermines Public Trust

## Decision and Reasons

Section 19 Neglects to do Duty

The officers were alleged to have unlawfully entered the dwelling the unit. This investigation has revealed the Respondent Officers did not enter the dwelling unit of the Complainant. The officers knocked, announced their presence, could hear a child's voice from within, but their call out and door knock went unresponsive. They checked the door handle and found the unit unlocked. They opened the door a small amount to ensure the child was not home alone but did not enter the unit. The Respondent Officers were met by the Complainant where their investigation continued at the threshold of the doorway. The Respondent Officers were not neglectful in their duties and were lawfully placed to ensure the well-being of a child.

Peace Officers have grounds under Child and Youth Family Services Act, Section 7, to investigate without a warrant if a child is in need of protection.

Section 10- Conduct Undermines Public Trust

This investigation has revealed the Respondent Officers were justified in attending the Complainant's residence at 1:30am to speak with her and her child as they had concerns for the child's well-being and for the violent nature of the assault. The Respondent Officers believed the child was 12 years old at the time and advised the Complainant that her son could be charged.