

**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: [REDACTED]

Date of Complaint: 09/03/2024

Type of Investigation:

Referred to Same Service: ☐

Referred to Other Service: ☒

Retained by LECA: ☐

Service Investigations Referred to: [REDACTED]

### De-identified Summary of Complaint

The complainant alleged the officers falsely apprehended him under S.17 of the Mental Health Act, used excessive force, and treated him in a demeaning manner when they detained him at the hospital. Furthermore, he alleged the officers did not respect the prosecutor's directives to allow him back into the courtroom for the prosecution to continue.

### Unsubstantiated Code of Conduct Allegations

- 1) Unlawful Arrest - Sec 7(1) CSPA Reg. 407/23
- 2) Conduct Undermines Public Trust - Sec 10 CSPA Reg. 407/26
- 3) Unnecessary Force - Sec 11 CSPA Reg. 407/27

### Decision and Reasons

The respondent officers had sufficient grounds to proceed with an apprehension based on the complainant's behavior. The force used was both reasonable and necessary to affect the apprehension and there was no evidence to suggest the complainant was treated in a demeaning manner while at the hospital. Furthermore, the prosecutor did not give the officers direction as she did not have the authority to supersede an apprehension.

The information available throughout the course of the investigation did not substantiate the allegations made by the complainant.

There was no basis or information to substantiate misconduct on the part of the respondent officers.