

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: 06/09/2025

Type of Investigation:

Referred to Same Service: ☒

Referred to Other Service: ☐

Retained by LECA: ☐

Service Investigations Referred to:

De-identified Summary of Complaint

On January 17, 2025, the Complainant submitted a formal complaint to the Law Enforcement Complaints Agency (LECA), alleging that members of [REDACTED] ([REDACTED]) conspired with her building's management to fabricate concerns regarding her mental health. She claims this alleged collaboration resulted in multiple involuntary apprehensions under the Mental Health Act (MHA).

The Complaint references three incidents—November 2021, May 2022, and September 30, 2024. The first two matters were previously reviewed and closed by the Office of the Independent Police Review Director (OIPRD) through the informal resolution process.

With respect to the September 30, 2024 incident, the Complainant states that the Respondent Officers attended her residence in response to reports of possible suicidal behavior. She was subsequently apprehended under the MHA. The Complainant alleges the apprehension was unlawful and unwarranted, and further asserts that the officers used excessive force, including the use of handcuffs and the application of downward pressure to her head, which she contends was unnecessary.

Unsubstantiated Code of Conduct Allegations

Allegation 1: Section 8(1) Community Safety and Policing Act - Unlawful Detention:

A police officer shall not authorize or make a physical or psychological detention if, at the time of the detention, the officer knows or reasonable ought to know that the detention was unlawful.

Allegation 2: Section 11(1) Community Safety and Policing Act - Unnecessary and/or Excessive Use of Force:

A police officer shall not use force unless; (a) the force is used for the purpose of carrying out a duty; (b) the officer is entitled, by statute or common law, to use force for the purpose of carrying out that duty; (c) the officer is acting on reasonable grounds; and (d) the force used is no more than is necessary given the circumstances.

Decision and Reasons

Allegation 1: Section 8(1) CSPA- Unlawful Detention:

Findings: This investigation has determined that the officers were acting within the lawful scope of their duties and in full compliance with all applicable legal authorities. The investigative review uncovered no evidence to substantiate the allegation of unlawful apprehension. Throughout the incident, the officers consistently demonstrated a deliberate focus on protecting the Complainant's safety, preventing imminent harm, and exercising their lawful authority. Accordingly, the apprehension is assessed as lawful, justified, reasonable, proportionate, and fully consistent with [REDACTED] Police Service policy and procedures.

Based on these findings, the Investigator has concluded that there is insufficient evidence to establish reasonable grounds that misconduct occurred. Therefore, the allegation of unlawful detention is unsubstantiated.

Allegation 2: Section 11(1) CSPA - Unnecessary and/or Excessive Use of Force:

Findings: This investigation has determined that the officers were acting within the lawful scope of their duties and in full compliance with all applicable legal authorities. The investigative review found no evidence to support the allegation of excessive force. Throughout the incident, the officers consistently demonstrated a measured and deliberate focus on safeguarding the Complainant's safety, preventing imminent harm, and exercising their lawful authority. The limited use of force applied is assessed as lawful, justified, reasonable, proportionate, and fully consistent with [REDACTED] Police Service policy and procedures.

Based on these findings, the Investigator has concluded that there is insufficient evidence to establish reasonable grounds that misconduct occurred. Therefore, the allegation of unnecessary and/or excessive use of force is unsubstantiated.