**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: 09/09/2024

Type of Investigation:

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

Service Investigations Referred to:

## De-identified Summary of Complaint

The complainant states that the respondent Officer has failed to do their duty by failing to record accurate information and failing to include information that the complainant provided to Police in the Police report.

The complainant stated that they submitted a freedom of information request. They advised that the report they received in response contains incorrect information and is missing information and other documents that they dropped off. They also note that they have other evidence that Police did not want to accept at the time.

The complainant further clarifies that they only spoke about one Officer with [redacted] Police when they came in to make their report, but the report speaks about multiple Officers with [redacted] police.

## Unsubstantiated Code of Conduct Allegations

Allegation 1 – Neglects to do Duty 19

## Decision and Reasons

Based on the evidence obtained during the investigation the following finding was made.

Allegation 1 – Neglects to do Duty 19

A Police Officer shall not, by act or omission, fail to perform their duties appropriately without lawful excuse if, at the time, they know or reasonably ought to know that their act or omission would amount to a failure to perform their duties appropriately.

It is alleged that the Respondent Officer failed to perform their duties by recording accurate information and including a statement and map that the complainant dropped off at Police Headquarters in their file.
It has been established that the Respondent Officer was performing his duties appropriately. The Respondent Officer believed the mental health of the complainant was in decline and therefore took action to lead the spouse of the complainant in the right direction if their mental health were to continue to decline. Their report reflects this belief.

The Respondent Officer was limited in the investigative action he could take with the information that the complainant gave them because the complainant asked the Respondent Officer to refrain from speaking to any of the involved parties that they spoke about. There were also jurisdictional issues with where some of the alleged actions occurred.

Unfortunately, the original statement that the complainant handed in got misplaced, but there is no evidence to suggest that this was done with ill intent, it was simply lost in transition somewhere within the Police Service building.

Based on a review and analysis of all the available information, it has determined that there is insufficient evidence to establish that misconduct occurred during this interaction. As a result, with respect to this allegation, the conclusion is unsubstantiated.