

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: 06/03/2025

Type of Investigation:

Referred to Same Service: ☒

Referred to Other Service: ☐

Retained by LECA: ☐

Service Investigations Referred to:

De-identified Summary of Complaint

In June of 2025, the complainant contacted the [Redacted] Police Service requesting assistance in having her children returned to her custody. The children were currently in the care of her ex-husband (CW#1) who was refusing to return them.

Upon being dispatched to investigate, the RO attended CW#1's residence first to check on the welfare of the children before speaking with the complainant. The RO found the children to be well cared for and after speaking with CW#1, the RO was informed that CW#1, acting on the advice of his family lawyer was withholding the children from the complainant due to his concerns about her mental health and potential addiction issues. CW#1 had filed a request for an emergency custody order but at the time of the police investigation, the hearing had not yet taken place.

The RO attended the complainants residence and confirmed for her that the children were safe but would not be returned.

The complainant believed that the RO was influenced CW#1's employment and failed to return the children despite having documentation stating that she had full custody of the children.

The RO determined that the children were safe and there were no police enforceable conditions on the current custody agreement.

The RO documented the incident and sent a copy of the report to Family and Children's Services [Redacted] .

The complainant felt that police should not have attended CW#1's residence first and failed to gather necessary information that she believed to be relevant to any investigation.

Unsubstantiated Code of Conduct Allegations

Section 10 - Undermine public trust.

Decision and Reasons

In review of the complaint and the subsequent investigation by the RO in relation to this complaint, The PSU investigator is satisfied that the RO followed all applicable [Redacted] Police Service General Orders and the appropriate legislation governing child welfare and custody.

Withholding the children - CW#1 acting under the direction of his legal counsel has withheld the children from the complainant until the Family Court can hear his application for sole custody of the children.

The RO was satisfied that there were no criminal offences committed and CW#1 (acting on the advice of his counsel) did not commit any violations to the applicable provincial law governing child custody.