

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: 09/06/2025

Type of Investigation:

Referred to Same Service:

Referred to Other Service:

Retained by LECA:

Service Investigations Referred to:

De-identified Summary of Complaint

On May 15, 2025, the Complainant was involved in a dispute with a customer service agent. As a precautionary measure, the Complainant started recording the interaction.

The Customer Service Agent protested against being recorded and the situation escalated to the point where there was a brief struggle for the Complainant's cellphone.

The Complainant reported the incident as an assault, to three different police officers but no police report was ever taken.

As a result, the Complainant filed a complaint with the Law Enforcement Complaints Agency alleging the officers neglected to do their duty.

Unsubstantiated Code of Conduct Allegations

Section 19 - Neglects to do duty.

Decision and Reasons

Based upon the information presented to the Respondent Officer at the time, he concluded that the depicted incident was not a criminal offence and therefore, not a police matter.

The Officer based this on the following:

The Customer Service Agent told the Complainant that she could not record her face without her permission, and to stop recording her. To which, the Complainant did not do.

As a result, the Customer Service Agent tried to grab the Complainant's cell phone. The cell phone imagery became indiscernible due to the struggle for the phone.

The Complainant was heard complaining on the video about the unknown employee trying to grab her cell phone.

Based on this reasoning, any unwanted contact between the Customer Service Agent and the Complainant would be considered incidental contact. This is based on the Customer Service Agent's protest of the recording and her intent to stop or disrupt the Complainant from recording her.

Subsequently, there is insufficient evidence to support the allegation that the Customer Service Agent's primary intention was to assault the Complainant.

The Respondent Officer's assessment of the depicted incident was reasonable and in line with the investigative findings that there is insufficient evidence to substantiate the criminal allegation of assault. Therefore, the incident would be categorized as a civil matter with the Customer Service Agent and her employer, and not a police matter for investigation.