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: 12/10/2025

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 filed a complaint with the Law Enforcement Complaints Agency (LECA), alleging that the Respondent Officer had failed to properly investigate safety concerns or take action, despite a report that neighbors were harassing the complainant. The complainant alleged that two individuals installed cameras directed at the complainant's property which were being used to monitor, harass, and intimidate the complainant and their family. The complainant alleges that the Respondent Officer dismissed these concerns and refused to investigate the incident.

Unsubstantiated Code of Conduct Allegations

Duty-Neglect or Omit - Sec 19 CSPA Reg. 407/23

Decision and Reasons

According to section 19 of the Community Safety and Police Act (CSPA):“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.”

The complainant alleged Criminal Harassment by two individuals who had installed a surveillance camera on their own property. The complainant believed the camera invaded their privacy, was concerned it captured parts of their property, and alleged that repeated calls to police regarding potential trespassing constituted Criminal Harassment. The complainant further alleged that Respondent Officer failed to ensure a proper investigation was completed. Canadian law recognizes property owners have a legitimate interest in protecting their property and reporting potential trespassing to police does not, on its own, constitute Criminal Harassment.

Criminal Harassment requires conduct that is repeated, without lawful authority, and causes a reasonable fear for safety. Section 264 of the Criminal Code states:“Everyone who, without lawful authority, engaged in conduct that caused someone to reasonably, in all the circumstances, fear for their safety or the safety of anyone known to them was guilty of an indictable offence and liable to imprisonment for a term not exceeding five years. For the purposes of subsection (1), ‘engaged in conduct’ included: (a) repeatedly following the person or anyone known to them; (b) repeatedly communicating with, either directly or indirectly, the person or anyone known to them; (c) repeatedly watching the dwelling-house, or place where the person, or anyone known to them, resided, worked, carried on business or happened to be; or (d) engaging in threatening conduct directed at the person or anyone known to them.”

The investigation revealed that the camera was located on the individuals’ property, approximately 58m from the complainant’s tarped area, and 92m from their garage. Thick trees, heavy foliage, and the garage blocked any view of private areas on the complainant’s property. The camera had been installed to monitor a semi-private road for potential trespassing, not to observe the complainant’s home or private activities. Given these circumstances, there was a low