

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: 04/29/2026

Type of Investigation:

Referred to Same Service: ☒

Referred to Other Service: ☐

Retained by LECA: ☐

Service Investigations Referred to:

De-identified Summary of Complaint

On April 29, 2026, a Law Enforcement Complaints Agency (LECA) file was referred to the [REDACTED]. This complaint related to an incident that occurred on January 17, 2026. The case in question, [REDACTED], involved police attending a restaurant in [REDACTED] after management reported having difficulty with a patron who was refusing to pay a food bill following a dispute over service.

The complainant was dining with their children at the time of the incident. The complainant was not arrested, charged with a criminal offence, or issued a provincial offence notice. The complainant was ultimately trespassed from the property.

A summary of the complainant's complaint includes:

- C alleged that the respondent officers abused their powers by intervening in and continuing to investigate what C believed was a civil dispute.
- C alleged that the presence and positioning of multiple officers around C and their children was intimidating and amounted to harassment.
- C alleged that an officer threatened C with arrest and advised that, if C was arrested, arrangements would have to be made for the care of C's children.
- C alleged that police acted as private debt collectors by requiring C to pay the restaurant bill or potentially face arrest.
- C alleged that the respondent officers were negligent by failing to promptly determine that the matter was civil in nature and discontinue their involvement.
- C maintained that police should have left once it was determined that C had not yet committed an offence and cited *Fleming v. Ontario*, 2019 SCC 45 in support of this position.
- C identified the officer's comments regarding the possibility of arrest and the resulting implications for C's children as the primary concern arising from the interaction.

Unsubstantiated Code of Conduct Allegations

Ontario Regulation 407/23 made under the Community Safety and Policing Act, 2019:

a) Abuse of Powers as a Police Officer – Sections 10(1) and 16(1)

Section 10(1) – Conduct that Undermines Public Trust in Policing

Section 16(1) – Improper Use of Position

Intimidation or Harassment – Sections 10(1) and 16(1)

Section 10(1) – Conduct that Undermines Public Trust in Policing

Section 16(1) – Improper Use of Position

c) Police Acting as Private Debt Collectors – Sections 10(1) and 16(1)

Section 10(1) – Conduct that Undermines Public Trust in Policing

Section 16(1) – Improper Use of Position

d) Neglect of Duty – Section 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.

Decision and Reasons

a) Abuse of Powers as a Police Officer – Sections 10(1) and 16(1) – Unsubstantiated

A review of the available evidence determined that the respondent officers had lawful authority to attend and investigate a reported refusal to pay for food. At the outset, officers were required to determine whether the circumstances amounted to a Criminal Code offence, a provincial offence under the Trespass to Property Act, or a civil dispute. The officers' involvement remained connected to the investigation, maintaining the peace and giving effect to the occupier's lawful direction. There was no evidence that any respondent officer used their position for a personal, private or otherwise improper purpose. C was not arrested, detained, charged or physically restrained. The allegation was therefore unsubstantiated.

b) Intimidation or Harassment – Sections 10(1) and 16(1) – Unsubstantiated

The investigation included a review of body-worn camera footage and statements from the complainant, civilian witnesses and respondent officers. Additional officers attended due to C's elevated and confrontational behaviour, with one officer attending in a supervisory capacity. The body-worn camera footage showed that the officers remained controlled and professional, did not yell at C, used no force or physical restraint, and repeatedly attempted to resolve the matter through discussion and de-escalation.

An officer advised C that continued behaviour could result in arrest and that, if C were arrested while responsible for two young children, arrangements for their care could become necessary. Although the comments caused C significant concern, they described a reasonably foreseeable consequence should an arrest become necessary and were not made for an improper purpose. The evidence did not establish threats, harassment or intimidation amounting to misconduct. The allegation was therefore unsubstantiated.

c) Police Acting as Private Debt Collectors – Sections 10(1) and 16(1) – Unsubstantiated

The respondent officers encouraged C to pay the outstanding bill and one officer was firm and direct in explaining that intentionally refusing to pay for food received could result in arrest. However, officers were responding to a reported offence and an ongoing disturbance. They were not enforcing a civil judgment or collecting an overdue account on behalf of the restaurant.

The comments regarding possible arrest were made during an active investigation while officers were attempting to resolve the incident without arrest or charge and described a possible legal consequence rather than an attempt to collect a private debt. The officers remained on scene to maintain the peace and facilitate the conclusion of the incident and the complainant's removal from the property. The allegation was therefore unsubstantiated.

d) Neglect of Duty – Section 19 – Unsubstantiated

The respondent officers attended in response to what was initially reported as a possible Criminal Code offence and also considered the applicability of the Trespass to Property Act. Through their investigation, the circumstances developed into a civil dispute. Rather than arrest or charge C, officers remained on scene to keep the peace and successfully de-escalate the situation.

Body-worn camera footage captured the interaction and showed that the officers remained professional, used no force, did not physically restrain C and attempted to resolve the matter without arrest or charge. C ultimately paid the bill and left the property with their children. The investigation found that the officers performed the duties required of them and there was insufficient evidence to establish neglect of duty. The allegation was therefore unsubstantiated.