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: 08/04/2026

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 reported that they had used a beach since the purchase of their home and believed they had registered, deeded access to that beach. According to the complainant, after the beach was sold by the Province, the new owners advised them that they no longer had access. The complainant stated they had not received a court order or formal amendment from the land registry office indicating that their beach rights had been extinguished, and that they were peacefully using the beach at the time of the police interaction.

The Complainant alleged that the Respondent Officer issued a trespass ticket without conducting a proper investigation, stating that the ticket appeared to have been prepared before the officer spoke with them. The complainant further stated that the Respondent Officer did not ask for their side of the story and refused to review documentation offered to support their claim of registered access. The Complainant also reported being told that they could be charged with harassment if they returned to the beach, which they believed was not explained or investigated.

The Complainant expressed concern that the matter was civil in nature and should not have resulted in a trespass ticket. They also referenced comments allegedly made by the new owner about having friends at the Police station, while noting that they hoped the Respondent Officer did not have a prior relationship with the neighbour involved. The complainant stated that after receiving the ticket, they attempted for approximately six weeks to pursue early resolution but were advised by Court Services that the ticket had not been received from the Respondent Officer and had not been uploaded to the system. The Complainant questioned whether the ticket was intended as intimidation and requested that the officer explain the situation.

Unsubstantiated Code of Conduct Allegations

Allegation 1 – Improper Use of Position 16(1)
A police officer shall not use their position to benefit themselves or one or more persons with whom they have a personal relationship.

Allegation 2 – 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 reasonable ought to know that their act or omission would amount to a failure to perform their duties appropriately.

Decision and Reasons

The allegation of Improper Use of Position is not substantiated on reasonable grounds. The Respondent Officer reviewed evidence that Owner had purchased the parcel and received substantially consistent information from the Complainant that deeded beach rights included in historical sales arose from fraudulent or invalid conveyances. The Respondent Officer could have issued a caution only, but he instead exercised his discretion to issue the provincial offence notice.

On the evidence available to him, that approach was not incorrect or outside the range of reasonable police responses, although another officer might reasonably have exercised discretion differently. Most importantly, there is no evidence that the Respondent Officer had any previous personal or professional relationship with the property owner or that he used his position to benefit him because of such a relationship. The Complainant's concern about a possible prior relationship was investigated and was not supported by the evidence.

The allegation of Neglects to do Duty is not substantiated on reasonable grounds. The Respondent Officer documented that, after serving the provincial offence notice, he returned to headquarters and placed it in the designated submission box. The evidence supports that the Respondent Officer submitted the ticket for court processing. Although the Complainant was later advised that Court Services had not yet received or uploaded it, the investigation found no evidence that the Respondent Officer withheld the notice, failed to submit it or otherwise failed to perform his duty.

Both allegations are unsubstantiated.