

ROYAL NEWFOUNDLAND CONSTABULARY

INTERNAL COMPLAINT REPORT

RNC FILE #2004-33331

Member Involved: Constable Joe Smyth, Reg. # [REDACTED]

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ROYAL NEWFOUNDLAND CONSTABULARY

Internal Complaint Report

RNC File # 2004-3333 Date Submitted: September 14, 2004

Re: Internal Complaint of: Staff Sergeant Carl Morgan

Date of Complaint July 16, 2004

Member Involved: Constable Joe Smyth, Reg. [REDACTED]

Nature of Complaint:

On June 11, 2004, Constable J. Smyth attended a call at [REDACTED] Flowers Hill where a serious assault had occurred.

The file was forwarded to a supervisor to investigate and determine if Constable Smyth handled the file properly.

Background Information:

Constable J. Smyth has been employed with the RNC for approximately three years.

Details of Investigation

On July 22, 2004, I received a file from Staff Sergeant C. Morgan requesting that an investigation take place regarding the handling of a file by Constable J. Smyth, [REDACTED]

Documentation had been sent previous from Staff Sergeant B. Cranford concerned that Constable J. Smyth had attended a serious assault on Flowers Hill and that no NCO, Major Crime Section, or Ident had been notified to attend the scene.

On 04 07 27 I spoke to Constable J. Smyth regarding the matter and requested a report regarding the file.

Constable Smyth states that on June 11, 2004, he responded to a serious assault at [REDACTED] Flowers Hill where a male alleged he had been assaulted by a group of unknown males. [REDACTED] Bradley [REDACTED] the victim, had a serious injury to his right leg and some lacerations and swelling to his face. The victim states he had been assaulted by eight males wearing bandanas and that it occurred somewhere on Flower's Hill. The victim stated he was helped into the house by a friend.

Constable Smyth states there was some water on the floor but very little blood.

The victim was conveyed to the hospital.

Because of the nature of the complaint Constable Smyth notified an NCO and Sergeant Paul Murphy attended the scene.

All the area was checked and no evidence could be located to suggest a crime scene; therefore, the Major Crime Section or Ident Section were not requested.

It was stated to the victim's father that a member of CID would be in contact in the morning. (report attached)

On July 27, 2004, Sergeant P. Murphy gave a report stating that on June 11, 2004 he was requested to attend a possible crime scene at [REDACTED] Flower's Hill.

On his arrival he spoke to Constable J. Smyth who explained the situation and that the victim had been conveyed to the hospital.

Sergeant Murphy stated him and Constable Smyth checked the area and that no evidence or crime scene could be located.

Sergeant Murphy states there was no need to call out Ident or Major Crime as there was no scene to be found.

He states Constable Smyth followed RNC Policy by contacting an NCO.

He states the file was forwarded to CID as further investigation would be required. He felt there were no substantial witnesses or suspects. (report attached)

Conclusion:

After reviewing all reports from Constable J. Smyth and Sergeant P. Murphy it is my opinion that the decisions were made based on the evaluation of the situation. Both Sergeant Murphy and Constable Smyth felt that Major Crime and Ident were not required as no crime scene could be located.

It was noted on the dispatch ticket that Sergeant P. Murphy had been dispatched and attended the scene. I spoke to Constable Smyth of the importance of writing all information in his report.

I also explained to both Sergeant Murphy and Constable Smyth that calls of this nature, Major Crime and Ident should be called. They both agreed to do so in the future.

I respectfully submit this file to be closed.

Sergeant M. Jesso  
Regimental [REDACTED]  
NCO Central District - Team 2