

SiRT

SERIOUS INCIDENT
RESPONSE TEAM

Summary of Investigation

SiRT File # 2023-027

Referral from

Cape Breton Regional Police

May 7, 2023

Alonzo Wright, KC
Director
July 17, 2023

On May 7th, 2023, SiRT was contacted by the Cape Breton Regional Police, who reported an allegation of assault on an Affected Person (AP) by an off-duty Cape Breton Regional Police Officer, the Subject Officer (SO). The incident is alleged to have occurred on May 5, 2023. An investigation began that day and concluded on June 9th, 2023.

Information obtained during the investigation included, but was not limited to, a statement from the AP, a statement from a civilian witness, the involvement of various members of the Cape Breton Regional Police, video evidence and medical reports.

On June 9th, 2023, a charge of assault causing bodily harm was laid against Cst. Curtis Wayne MacDonald. Cst MacDonald appeared on July 6, 2023, in the Provincial Court in Sydney NS. Cst. MacDonald's next court appearance is scheduled for August 24, at 9:30 a.m., at the Sydney Provincial Court, 136 Charlotte Street, Sydney NS.

RELEVANT LEGAL ISSUE:

An assault is committed whenever a person intentionally applies force against another person without their consent. Bodily harm occurs when the assaulted party suffers injuries that are not transient or trifling in nature.

Where reasonable grounds exist to believe a criminal offence has been committed, the Director may charge the police officer. Any offence must be proven beyond a reasonable doubt before the accused can be found guilty.

CONCLUSION:

This investigation has led to the conclusion that there were sufficient grounds to lay a charge against Cst. MacDonald. This matter is currently before the courts therefore this report will not discuss the facts of the matter in any further detail. To do otherwise might compromise the fair trial interests of the accused.