

SiRT

SERIOUS INCIDENT
RESPONSE TEAM

Summary of Investigation

SiRT File # 2012-014

Referral from

RCMP - Antigonish

September 25, 2012

Ronald J. MacDonald, QC
Director
January 22, 2013

Facts

On Tuesday September 25, 2012, at approximately 3:00 pm, the SiRT was contacted by the Antigonish Detachment of the RCMP and advised of a possible domestic violence incident involving Luc Louis MacInnis, an Antigonish RCMP constable. The alleged victim is Cst. MacInnis' spouse.

Earlier that day, the Staff Sergeant of the Detachment had received information regarding the matter from the local women's centre. After a preliminary investigation, Cst. MacInnis was arrested by local RCMP when he arrived for work that afternoon. SiRT assumed responsibility for the investigation from that point forward under authority of the *Police Act*.

The SiRT investigation was completed on November 2, 2012. Nine civilian witnesses were interviewed, and notes and reports of three police officers were received as well.

On October 9, 2012, two charges of assault contrary to section 266 of the *Criminal Code* were laid against Cst. MacInnis. One offence is alleged to have occurred in December of 2011, the other in June of 2012.

Relevant Legal Issues

An assault is committed whenever a person intentionally applies force against another without their consent. Any such offence must be proven beyond a reasonable doubt before the accused can be found guilty.

Conclusion

This report is filed to meet the requirements of the *Police Act*, which mandates that the SiRT Director file a public summary of an investigation within three months of its completion. However, this matter is currently before the courts, returning to Antigonish Provincial Court on March 28, 2013 for trial. In accordance with SiRT policy, 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. The SiRT Regulations under the *Police Act* state that the Director may choose to provide a supplemental summary of the investigation at the conclusion of the prosecution.