



Supplemental Summary of Investigation

SiRT File # 2012-014

Referral from

RCMP - Antigonish

September 25, 2012

Ronald J. MacDonald, QC
Director
April 2, 2013

This is a supplemental summary filed under subsection 9(5) of the Serious Incident Response Team Regulations made pursuant to the *Police Act*. In cases where SiRT lays charges, that section provides that the Director may file a supplemental summary at the conclusion of the prosecution, setting out reasons why the charge was laid. The original summary for this matter is dated January 22, 2013, and can be found at sirt.novascotia.ca. Court proceedings in this matter concluded on March 28, 2013.

Facts:

On Tuesday September 25, 2012, 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 was Cst. MacInnis' spouse. 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. The SiRT investigation gave sufficient reasonable and probable grounds to lay two charges of assault contrary to section 266 of the *Criminal Code* against Cst. MacInnis on October 9, 2012. One offence was alleged to have occurred in December of 2011, the other in June of 2012. In both cases there was no allegation of lasting bodily harm and therefore the charges were what many refer to as “common assault”.

Conclusion:

Court proceedings in this matter concluded on March 28, 2013. The prosecution of charges is the responsibility of the Public Prosecution Service of Nova Scotia, and Crown Attorneys exercise independent prosecutorial discretion whether to proceed with a prosecution. Subsequent to the conclusion of the SiRT investigation, information became available relevant to the viability of the prosecution. A decision was subsequently made by the Crown to offer no evidence in the matter. As a result charges against Cst. MacInnis were dismissed by the court on March 28.