



Summary of Investigation

SiRT File # 2012-016

Public Referral

November 2, 2012

Ronald J. MacDonald, QC

Director

April 18, 2013

Facts

On Thursday, November 8, 2013 SiRT received a statement from a female which contained allegations of a sexual assault against a male member of the Halifax Regional Police (HRP), Cst. Chris Mosher. The alleged victim had dated Cst. Mosher for just over a week.

SiRT is mandated to investigate all allegations of sexual assault against a police officer under the provisions of the *Police Act*. As a result, an investigation commenced on that date.

The SiRT investigation was completed on March 22, 2013. During the investigation, SiRT interviewed one police officer and 14 civilian witnesses, and conducted a variety of other investigative steps.

On Tuesday, December 11, 2012, Cst. Mosher was arrested by SiRT investigators. On February 6, 2013, he was charged with one count of sexual assault, contrary to section 271 of the *Criminal Code*, and one count of administering a noxious thing with intent to aggrieve, contrary to section 245(b) of the *Criminal Code*. Both offences were alleged to have occurred between November 2 and 3, 2012.

Relevant Legal Issues

A sexual assault is committed whenever a person intentionally applies force against another without their consent, in circumstances of a sexual nature where the sexual integrity of the victim is compromised. The offence of administering a noxious thing is committed whenever someone intentionally gives a substance to another person, including what might otherwise be an innocuous substance, with intent to aggrieve or cause annoyance to that person. Any criminal 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 Dartmouth Provincial Court on April 25, 2013 for the purpose of election and/or plea. 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 Serious Incident Response Team 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.