



Summary of Investigation

SiRT File # 2013-009

Public Referral –

New Glasgow Police Service

April 26, 2013

Ronald J. MacDonald, QC
Director
November 25, 2013

Facts

On April 29, 2013, SiRT received a complaint from a member of the public, the affected person in this matter (AP). His complaint related to a motor vehicle collision that occurred on the previous Friday night, April 26, when the car he was driving collided with a New Glasgow Police Service (NGPS) vehicle.

SiRT began an investigation the next day. That investigation concluded on October 23, 2013. Statements were taken from AP, another civilian witness, three EHS personnel, and seven police officers. A variety of forensic evidence in relation to the accident was obtained and analyzed.

The investigation showed that at about 9:20 pm on April 26, members of the Pictou County Integrated Street Crime Unit, consisting of New Glasgow Police Service and RCMP - Pictou County members, conducted a traffic stop of AP's vehicle at Exit 20 (Pleasant Valley) on Highway 104 in Pictou County, about nine kilometres west of New Glasgow. AP's vehicle collided with the back end of a police SUV, and AP suffered injuries and was taken to hospital.

On October 24, 2013, a charge of careless and imprudent driving under the Nova Scotia Motor Vehicle Act was laid against Cst. Donald Wadden, a 29 year-old member of the New Glasgow Police Service.

Relevant Legal Issues

The offence of Careless and Imprudent driving is committed when a person operates a motor vehicle without the due care and attention required in the particular circumstances of the incident. Any such offence must be proven in Court 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 Pictou Provincial Court on December 16, 2013 for 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.