

# SiRT

SERIOUS INCIDENT  
RESPONSE TEAM

Summary of Investigations

SiRT File # 2015-007 and

SiRT File #2015-008

RCMP - Halifax

March 25, 2015

Ronald J. MacDonald, QC

Director

June 3, 2015

## **Facts**

On March 30, 2015, SiRT was contacted by the RCMP regarding a complaint of inappropriate sexual touching against a male member of the RCMP – Halifax. The complainant was a female civilian employee, and the incident was alleged to have occurred on March 25, 2015, during a three day RCMP meeting at White Point Beach Lodge in Queen’s County.

On March 31, 2015, further information was received by SiRT relating to an allegation of an assault by the same male member of the RCMP against a female member of the RCMP. This incident was alleged to have occurred on March 24, 2015 at the same meeting.

Given the related nature of these investigations this summary is intended to report on both matters.

SiRT commenced its investigation of the sexual assault allegation on March 30, and of the assault on March 31. Those investigations were both completed on June 3, 2015.

In the sexual assault investigation, SiRT interviewed three police witnesses and three civilian witnesses, including the complainant. In the assault investigation, SiRT interviewed 18 police witness officers, and three civilian witnesses. Other evidence relevant to the matters was gathered and carefully reviewed.

On June 5, 2015, SiRT will lay one charge of sexual assault against Sgt. Kenneth James Taker, 47, of Dartmouth, alleged to have occurred on March 25, 2015. Sgt. Taker will be summoned to appear in Liverpool Provincial Court on July 7, 2015.

## **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. Consent is only obtained when the complainant has given voluntary agreement to engage in the sexual activity in question.

An assault is committed whenever a person intentionally applies force against another person without their consent.

Where reasonable grounds exist to believe such an 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 are sufficient grounds to lay a charge of sexual assault against Sgt. Kenneth Taker. However, this matter is currently before the courts. In accordance with SiRT policy, this report will not discuss the facts of that matter in any further detail. To do otherwise might compromise the fair trial interests of the accused.

At the conclusion of the assault investigation a decision was made not to lay a charge of assault against Sgt. Taker. The facts of that incident may be relevant to the current sexual assault charge. As a result this report will also not discuss the facts of that matter or the reasons not to lay a charge, again to protect 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.