

SiRT

SERIOUS INCIDENT
RESPONSE TEAM

Summary of Investigation

SiRT File # 2015-025

Cape Breton Regional Police

August 1, 2015

Ronald J. MacDonald, QC

Director

September 4, 2015

Facts

On the morning of Saturday, August 1, 2015, SiRT was contacted by the Cape Breton Regional Police (CBRP) who reported two incidents of alleged domestic violence between a male CBRP officer and his girlfriend, the affected person (AP). On this date, at approximately 12:30 a.m., CBRP officers responded to a disturbance at the Dominion Fire Hall. They removed the officer from the Hall at the request of security personnel. CBRP subsequently received information that alleged the officer had assaulted AP while at the Fire Hall. At approximately 2 a.m., CBRP received further information about another alleged assault involving the officer and AP, this time occurring on the street near Fat Boy's Pizza in Dominion. A second woman was allegedly involved in this incident as well. The CBRP subsequently located the officer and placed him in custody. SiRT was then contacted, at which time SiRT assumed responsibility for the investigation.

During the investigation, SiRT obtained statements from 19 civilian witnesses, and statements or reports from eight police witnesses. The investigation also involved obtaining relevant scene examination and photographs, a review of relevant video, and the gathering of other information.

On September 8, 2015, one charge of assault will be laid against Cst. Jefferey Hennessey in relation to the allegations from the Dominion Fire Hall. AP is alleged to be the victim in this charge. In addition, two charges of assault will be laid against Cst. Hennessey in relation to the incident occurring near Fat Boy's Pizza in Dominion. AP and the second woman are the alleged victims in these charges. Cst. Hennessey is scheduled to appear in Provincial Court in Sydney on September 24, 2015.

Relevant Legal Issues

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

Where reasonable grounds exist to believe a criminal 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 three charges of assault against Cst. Hennessey. This matter is now 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.

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.