

SiRT

SERIOUS INCIDENT
RESPONSE TEAM

Summary of Investigation

SiRT File # 2018-007

Referral from

Cape Breton Regional Police

March 31, 2018

Felix Cacchione

Director

April 23, 2018

On March 31, 2018, at 3:29 pm, a call was received by the Director from Supt. Paul Ross regarding a complaint of a domestic dispute involving a member of the Cape Breton Regional Police Service ("CBRPS"). The complaint came via a 911 call made at 2:10 pm by the Affected Party ("AP") who indicated that she had been assaulted by the Subject Officer ("SO").

CBRPS officers including members of the FIS, attended the scene and began gathering evidence. The parties involved were advised that SiRT would be assuming control of the investigation.

SiRT began its investigation later that day and completed it on April 10, 2018.

The SiRT investigator travelled to Sydney on April 1, 2018 and obtained a statement from the AP that spanned one hour and forty minutes. In this statement, the AP stated that she and the SO argued and struggled over an iPad she was using which caused them both to fall to the ground. The AP indicated that the SO did not hit her. They were pulling and wrestling with each other. No punches were thrown. The AP stated that the marks on her neck must have happened when they were rolling around on the ground. The AP also indicated that that she wanted the relationship to work and that their children wanted to have contact with their father.

The SO fully cooperated with the SiRT investigation and provided a cautioned statement. His statement in many respects mirrored that of the AP regarding a struggle over the iPad which caused them both to fall to the ground where both pulling and struggling ensued. During their struggle, the SO's shirt was ripped. The SO tried to distance himself from the AP, but she pursued him and struck him several times. At one point the AP grabbed him by the face and clawed both sides of his face.

The original complaint together with the supplementary reports and notes of the attending officers were received.

Statements taken from a neighbour and other civilians who were not present during the incident were also reviewed.

On April 5, 2018, the AP called the SiRT office and spoke with the investigator regarding her subsequent recollection of the events. As a result of what the AP said, the investigator asked that she advise the Director. The AP then told the Director, in the presence of the investigator, that since the incident occurred, she had calmed down and reviewed numerous times in her mind what had occurred on March 31, 2018. The AP stated that the SO was simply defending himself from her attack on him and that anything the SO did was in self-defence.

It was agreed that the AP would meet with the investigator and the Director on April 10, 2018 to further discuss the matter.

The AP and SO had no direct or indirect contact with each other since the date of the incident.

The investigator and Director met with the AP on April 10, 2018 and advised her that after a detailed review of the entire investigation, the Director concluded that the SO committed no criminal offence.

The Director also advised the AP that although her actions could have resulted in charges being laid against her, no criminal charges would be forthcoming against her.