



Serious Incident Response Team

Decision of the Civilian Director
SIRT-NL File No. 2022-0004

Michael NR King
Director
March 31, 2022

Introduction

On March 8, 2022, the Royal Canadian Mounted Police (RCMP) notified the Serious Incident Response Team (SIRT-NL) of an incident involving one of its members in Bay Roberts, NL. The RCMP provided the notification after receiving information alleging an RCMP officer assaulted his spouse.

Mandate

SIRT-NL is a civilian led police oversight agency that conducts its own investigations into serious incidents. Serious incidents within this context are those involving serious injury, death, sexual offence, domestic violence or any matter of significant public interest arising from the actions of a police officer in Newfoundland and Labrador. As noted, the within matter involves an allegation of domestic violence by a police officer. For that reason, the matter falls under SIRT-NL mandate. Consequently, I directed a SIRT-NL investigation into the incident.

Investigative Timeline

The SIRT-NL investigation began on March 10, 2022 and concluded on March 24, 2022.

Overview

I have substituted “AP” (affected person) for the name of the spouse involved in the alleged incident. In addition, I have substituted “SO” (subject officer) for the name of the police officer involved. Finally, I have substituted “W#” (witness #) and “WO#” (witness officer #) for civilian witnesses and officer witnesses, respectively.

The RCMP received a referral from Children Seniors and Social Development (CSSD), which referenced AP being pushed against a wall during a dispute with her husband, SO. The incident occurred on March 1, 2022 at the parties’ marital home. The children of the marriage were present.

Investigation

There was no forensic evidence to collect. The investigative plan relied on review of RCMP and CSSD reports as well as conversations and interviews with civilian witnesses and the affected person.

The Affected Person

The SIRT-NL investigator contacted the affected person by phone. AP was adamant she did not want an investigation. She was emotional during the conversation. The investigator explained that CSSD made a Child Protection Referral to the RCMP and we were concerned about how the incident was described in the report. The investigator asked AP to describe the “push against the wall”. AP said the following:

It was not a push. The hallway in their house is very narrow, barely wide enough for two people to stand side by side. SO was walking one way and AP was walking the other way, toward him. She had his phone in her left hand, face up with the speaker on. He snatched the phone from her hand with his left hand as they passed in the hallway. The narrow hallway meant there was no room and the momentum of them both moving pushed her up against the wall. They both continued moving in opposite directions. There was no intentional push as the referral suggests. AP was not injured.

The SIRT-NL investigator asked AP if she would be willing to provide a statement. AP stated she would not do so.

Witness 1 (W1) – The Social Worker

The SIRT-NL investigator contacted CSSD and spoke with the assigned social worker, W1. W1 stated the following:

She made the referral to the RCMP because of the legislation mandating her to do so when children are present in the home and there is a report of a disturbance. She wrote the report out of an abundance of caution because SO is a police officer and she wanted to be transparent. The CSSD file is concluded and they have no current child protection concerns. She has spoken with both parents and is satisfied they are being protective and making decisions with the best interests of the children. AP “self-reported” to CSSD and did not consider her husband the aggressor. AP described the push against the wall in the same manner to W1 as she described it to the SIRT-NL investigator. SO has never been physical toward AP or the children. CSSD does not have a role in the matter at this point.

Issues and Conclusion

The issue for my consideration is whether there are grounds to believe the subject officer committed an offence in relation to the incident.

The evidence obtained from the affected person indicated the subject officer did not assault or threaten her in any way. She was adamant she did not want SIRT-NL to

investigate. The evidence gathered from the social worker was consistent with AP's statement in that AP did not allege SO assaulted her. The social worker stated she referred the matter to the RCMP out of an abundance of caution. Finally, from speaking with both AP and the social worker, we have no reason to believe the safety of AP or the children is at risk. The CSSD worker stated they have concluded their file and have no current child protection concerns. She is satisfied both parents are being protective and making decisions in the best interests of the children.

Given the foregoing, as the civilian director of SIRT-NL, I do not consider there are reasonable grounds to believe the subject officer committed an offence. Accordingly, no charge will be laid.

This file is concluded.

Final Report prepared by:

Michael NR King, Director
Serious Incident Response Team - Newfoundland and Labrador
March 31, 2022
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