



Serious Incident Response Team

Civilian Director's Report
SIRT-NL File No. 2025-0006

Stephen Ring
Director
May 21, 2025

Introduction

On January 29, 2025, the Serious Incident Response Team of Newfoundland and Labrador (SIRT-NL) received a notification from the Royal Newfoundland Constabulary (RNC). The RNC requested that SIRT-NL investigate an allegation of sexual assault and assault by one of their police officers on another police officer.

Mandate

SIRT-NL is a civilian led 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. Because this matter involved an allegation of sexual assault by a police officer, it fell within SIRT-NL mandate. I directed an investigation into this matter on February 3, 2025.

The strategy for the investigation was a traditional one focusing on interviewing witnesses and obtaining any corroborating and/or refuting evidence that was available. The complexity of the investigation did not merit initiating major case management.

Terminology

I have made the following substitutions to protect the privacy of those involved:

- “Affected person” or “AP” for the individual who alleged she was sexually assaulted;
- “Subject Officer” or “SO” for the police officer who is the subject of this investigation;
- “Witness officer #” or “WO#” for any police officer who provided relevant information; and
- “Witness #” or “W#” for any civilian who provided relevant information.

Investigation

The SIRT-NL investigation began on February 24, 2025, and concluded on March 10, 2025.

During the investigation, SIRT-NL took the following steps:

- Collected and reviewed:
 - RNC SIRT referral letter and a Notification to SIRT-NL.
- Obtained audio/video recorded statements from AP.

- Obtained audio recorded statements from:
 - WO1, W02, WO3, WO2, WO3, WO4, WO7, WO8, WO9, WO10, WO11, WO12, WO13, W1, and W2.
- Had conversations with:
 - WO5, WO6, WO13, and W3

Overview

On January 27, 2025, AP reported to her immediate supervisor that SO had touched her inappropriately.

AP reported that SO had touched her buttocks during their shift without her consent, which she found deeply concerning. AP further alleged this was not the first instance, stating that similar incidents had occurred on two other occasions over the past year. The RNC referred the matter to SIRT-NL.

The Affected Person (AP)

On February 23, 2025, the SIRT-NL investigator obtained an audio recorded statement from AP. AP's complaint covers three separate incidents. Following is her account of what happened:

1. The first incident occurred at a team lunch. According to AP there were two tables close together, she was sat at one with other people and SO sat at the other table. When AP got up to walk (scooch) between the tables SO poked her in the buttocks. AP said she "felt like it might have been an elbow". AP said she was "shocked and froze" but thought it may have been an accident because the tables were so close. SO was the only person in the immediate vicinity that could have done it. AP told her husband about the incident.
2. The second incident occurred when there was a RNC presence at Confederation Building. At the time, AP was eating lunch in the main lobby and talking to someone when SO walked past her and poked her in the buttocks. AP looked back and SO just kept walking. It looked like he had a plastic utensil in his hand. AP thought that the poke may have been an accident and maybe he didn't mean to poke her so low. AP told her husband about the incident.
3. The third incident occurred on January 27, 2025, at an RNC office. AP was getting ready to do a subject interview and was stood up near the kitchen and office entrance with her hands full. She was waiting on another officer to get ready when SO walked towards her, passed her, reached back, and grabbed/touched her on the buttocks. AP confronted SO on this occasion and said, "did you just touch me on the ass?" AP said "no, DSS (audio recorder) was in her pocket". This didn't make sense to AP. She was upset and left. Later

in the day she spoke to SO again and said: "I'm pissed at you. You grabbed my ass." He responded by saying something along the lines of: "I've never seen a woman so repulsed by a man grabbing their ass." She responded with, "It's my ass, nobody touches my ass." She said SO laughed and walked off. AP told her husband about the incident.

Witness Officers

There were no witnesses who observed the first or second incidents. There were witnesses present for some of the interaction between AP and SO during the third incident.

Witness Officer 1 (WO1)

On February 17, 2025, the SIRT-NL investigator obtained an audio recorded statement from WO1. Following is a summary of WO1's interview:

WO1 was present at the time of the third allegation. Around lunchtime, he walked into the office where SO was standing next to AP. They were leaning over and talking to WO2, WO1 joined the conversation. When the conversation ended, WO1 and SO turned to walk to their cubicles. WO1 was on one side of AP and SO was on the other. SO said something like, "You got it, do you understand". SO's hand went down and tapped AP. WO1 didn't see exactly where the hand hit. As WO1 turned around to walk away, he saw SO's hand swing down. AP turned around and said, "Did you just tap my ass?". SO looked over at her and said, "No, I hit your side. Your cell phone." WO1 recalled SO saying the words "side" and "cell phone". WO1 turned and looked back at AP and noticed that her cell phone was sticking out of her right back pocket. WO1 went back to his cubicle and nothing else was said. He thought nothing about the incident at the time.

Witness Officer 2 (WO2)

On February 17, 2025, the SIRT-NL investigator obtained an audio recorded statement from WO2. Following is a summary of WO2's interview:

WO2 was present at the time of the third allegation. While he didn't see the incident, he heard AP state "Did you slap my ass" or "Did you smack my ass". He heard SO say "No" or "What are you getting on with".

Witness Officer 3 (WO3)

On February 13, 2025, the SIRT-NL investigator obtained an audio recorded statement from WO3. Following is a summary of WO3's interview:

WO3 is one of the supervisors for AP and SO. On January 27, 2025, she received a call at home from AP who advised there was an incident in the office earlier that day. AP told her that she was walking toward her desk when SO touched her on the behind. AP confronted him and said "did you just touch me on the ass" He denied it and said he hit her DSS (audio recorder) but that didn't make sense to her. There were two other times something similar happened in the past.

Witness Officer 4 (WO4)

On February 17, 2025, the SIRT-NL investigator obtained an audio recorded statement from WO4. Following is a summary of WO4's interview:

WO4 became aware of incident 3 via conversation with WO3. WO4 was present at the time of incident 2 and recalled: "nothing stood out".

Witness Officer 5 (WO5)

On February 19, 2025, the SIRT-NL investigator had a telephone conversation with WO5. Following is a summary of the conversation:

WO5 was working in the same office as AP and SO at the time of incident 3. WO5 did not hear or see anything firsthand. He may have been outside at the time of the incident. It is also possible that he had on noise cancelling headphones which is his normal practice when working in the office.

Witness Officer 6 (WO6)

On February 19, 2025, the SIRT-NL investigator had a telephone conversation with WO6. Following is a summary of the conversation:

WO6 stated that she was working on shift on January 27, 2025, but was out for lunch when the incident occurred.

Witness Officer 7 (WO7)

On February 13, 2025, the SIRT-NL investigator obtained an audio recorded statement from WO7. Following is a summary of WO7's interview:

WO7 has no recollection of incident 3. WO7 is confident he was not present when the assault occurred. It was just a regular workday for him.

Witness Officer 8 (WO8)

On February 13, 2025, the SIRT-NL investigator obtained an audio recorded statement from WO8. Following is a summary of WO8's interview:

WO8 was present at the time of incident 1. WO8 didn't observe any questionable behavior. SO is a "very touchy feely type of person" and "sometimes needs to know his audience better". WO8 mentioned a time when she was in the office doing the dishes and complained about her shoulders hurting when SO came over and rubbed her shoulders. WO8 didn't consider this action as being sexual in nature and if it had bothered her, she would have told SO to "fuck off".

Witness Officers 9, 10, and 11

Between February 13 to 17, 2025, the SIRT-NL investigator obtained audio recorded statements from Witness Officers 9, 10, and 11. These statements were essentially the same. Following is a summary:

Witness Officers 9, 10, and 11 were present at the time of incident 1 and could not recall anything unusual about the lunch and didn't have any firsthand information regarding incident 3.

Witness Officer 12 (WO12)

On February 12, 2025, the SIRT-NL investigator obtained an audio recorded statement from WO12. Following is a summary of WO12's interview:

WO12 was present at the time of incident 1 and couldn't recall anything out of the norm happening.

Witness Officer 13 (WO13)

On February 19, 2025, the SIRT-NL investigator had a telephone conversation with WO13. Following is a summary of the conversation:

WO13 was present at the time of incident 2 but was not able to provide any insight, she stated: "it was too long ago to remember". She also advised: "she was not saying it didn't happen ...she just cannot recall".

Civilian Witnesses

Witness 1 (W1)

On February 17, 2025, the SIRT-NL investigator obtained an audio recorded statement from W1. Following is a summary of W1's interview:

W1 had no information to provide about the incidents involving AP and SO. W1 stated that she received text messages from SO where he commented on her behind, her pants, and the type of underwear she was wearing. W1 did not keep the text message. W1 believed SO had texted and made other inappropriate comments to her in the past but could not remember any specifically.

W1 also described an incident where she was sitting down on a phone call when SO came by to ask a question. W1 put her finger up to indicate that she was busy on a call. He reached down between the chair and her bum and took a handful of her buttocks. She got out of the chair and backed out of the cubicle. He started walking towards her so she kicked her foot out and kept it straight in the air. She remained on the phone call. She couldn't remember if he just left after that.

W1 was not interested in pursuing criminal charges with respect to her matter. She simply wished to support her friend.

Witness 2 (W2)

On February 12, 2025, the SIRT-NL investigator obtained an audio recorded statement from W2. Following is a summary of W2's interview:

AP, W2's spouse, told him on numerous occasions about inappropriate incidents with SO. On January 27, 2025, AP told W2 that SO touched her butt. SO denied the accusation and said that he "touched her recorder". When SO confronted AP about the incident later that day, he said something like: "I can't believe how grossed out you get about a man touching you". AP told W2 she didn't want to go to work the next day as she didn't want to see SO.

W2 also recalled incidents 1 and 2. AP told him about these incidents on the day that they occurred.

Witness 3 (W3)

On February 14, 2025, the SIRT-NL investigator had a telephone conversation with W3. Following is a summary of the conversation:

SIRT-NL investigator asked W3, the General Manager of the restaurant where the team lunch occurred in incident 1, whether there was any inside surveillance camera footage. W3 confirmed there was no video footage for the date in question.

Subject Officer (SO)

On February 20, 2025, the SIRT-NL investigator was advised by SO's counsel that SO declined to participate in an interview.

Issue and Conclusion

The issue for my consideration is whether there are grounds to believe that SO assaulted AP. An assault pursuant to s. 266 of the **Criminal Code** requires an intentional application of force to a person, either directly or indirectly, without the consent of the other person. A sexual assault under s. 271 requires:

1. an assault
2. of a sexual nature such that the integrity of the victim is violated
3. to which the complainant did not consent

With respect to the first two incidents, AP was troubled by the touching but could not rule out that there may have been other explanations or that the touching was accidental. When the last incident occurred, AP determined that it was very unlikely that contact with her buttocks a third time could be accidental, and she confronted SO about it.

AP asked SO about the third incident and said, "did you just touch me on the ass?" SO denied the allegation and said "no" he touched "the DS (audio recorder) was in her pocket". WO1 did not

see where SO touched AP and said that SO's response to AP was: "No, I hit your side. Your cell phone." WO1 noticed that AP's cell phone was sticking out of her right back pocket. When asked about SO's response to AP, WO2 said the response was "No" or "What are you getting on with".

I have not formulated reasonable grounds to lay charges with respect to the first 2 incidents given AP's uncertainty about whether the touching by SO was accidental. I have also not formed reasonable grounds to lay a charge with respect to the third incident when I consider the totality of the evidence and the fact that it is possible that SO had intended to touch AP's audio recorder. I note that this conclusion is not a result of any concerns about the credibility or reliability of the complainant but based upon the high evidentiary threshold required to lay charges.

While I have not formulated grounds for laying charges, this investigation revealed concerning behavior by SO. In addition to his interactions with AP, W1 said that SO grabbed "a handful of her bum" on one occasion and sent her a text message on another occasion where he commented about her behind and the type of underwear she was wearing. WO8 advised that SO once gave her an unsolicited shoulder/neck rub. While WO8 indicated that this did not bother her, this behaviour is concerning.

We have provided our investigative file to the RNC to assist with any internal/disciplinary process they may wish to undertake.

SIRT-NL will now conclude this file.

Final Report prepared by:

Stephen Ring, Director
Serious Incident Response Team - Newfoundland and Labrador
May 21, 2025
File No. 2025-0006