

SiRT

SERIOUS INCIDENT
RESPONSE TEAM

Summary of Investigation

SiRT File # 2025-0015

Referral from

RCMP “J” Division

February 14, 2025

Erin E. Nauss
Director
March 5, 2026

SiRT MANDATE

The Serious Incident Response Team (“SiRT”) has a mandate under the Nova Scotia *Police Act*, and through agreement, under the New Brunswick *Police Act*, to investigate or take other steps related to all matters that involve death, serious injury, sexual assault, intimate partner violence or other matters determined to be of a public interest to be investigated that may have arisen from the actions of any police officer in Nova Scotia or New Brunswick. This mandate encompasses incidents that occur on or off-duty, to avoid the real or perceived bias of police investigating police.

At the conclusion of every investigation, the SiRT Director must determine if criminal charges should result from the actions of the police officer. If no charges are warranted the Director issues a public summary of the investigation which outlines the reasons for that decision. The summary must include specific information set out by regulation. Public summaries are drafted with the goal of including adequate information to allow the public to understand the Director’s rationale and conclusions.

In drafting the public summary report, I must also consider whether any privacy interests exist. Furthermore, I am mindful of the sensitives and challenges related to reporting alleged incidents of intimate partner violence, which have been considered when summarizing the evidence in this report. The Affected Party and the Subject Officer have a privacy interest in the evidence gathered as part of this investigation. Their privacy interests outweigh the public interest in having the entirety of the evidence published. As such, I have omitted certain details and information from the report.

Mandate invoked: This investigation was authorized under Section 24.6 of the New Brunswick *Police Act* due to the allegation of intimate partner violence

Timeline & delays: The SiRT investigation started on February 14, 2025, and concluded on February 9, 2026. There were delays due to the analysis of electronic evidence.

Terminology: This summary uses the following language in accordance with regulations made under the *Police Act* and to protect the privacy of those involved:

“Affected Party/AP”: means the person who died or was seriously injured in relation to a serious incident.

“Civilian Witness/CW”: means any non-police individual who is a witness to, was present at or has material information related to a serious incident.

“Witness Officer/WO”: means any police officer who is a witness to, was present at or has material information related to a serious incident.

“Subject Officer/SO”: means the police officer who is the subject of an investigation or whose actions may have resulted in a serious incident

Evidence: The decision summarized in this report is based on evidence collected and analyzed during the investigation, including, but not limited to, the following:

1. Affected Party Statement
2. Civilian Witness Statements (2)
3. Witness Officer Statements (2)
4. Electronic Communications and Evidence
5. Police Records and Files

INCIDENT SUMMARY

In May 2024, the Affected Party (“AP”) contacted the New Brunswick RCMP advising she was going through a separation with the Subject Officer (“SO”) and reported some concerning behaviour. Considering the nature of the allegations and the fact the parties were intimate partners, the file was referred to SiRT for an investigation.

The AP initially did not want to participate in the process and there was no clear evidence of intimate partner violence, so the investigation was terminated. In February 2025, SiRT became aware of new information that resulted in the investigation being reopened.

The AP provided a statement to the SiRT investigator on February 14, 2025. She relayed information about the SO’s communication with her and information she learned from the SO’s new partner. There were allegations that the SO was driving by her house and continuing to seek out information about her. SiRT also obtained statements from civilians who had knowledge of the interactions between the AP and the SO.

Electronic evidence was also reviewed that corroborated some of the statements of the AP and civilian witnesses.

The SO is under no legal obligation to provide a statement as part of the criminal investigation. In this case, the SO declined an interview with SiRT.

LEGAL ISSUES & ANALYSIS

I must now assess the evidence to determine whether there are reasonable and probable grounds to believe the offence of criminal harassment, pursuant to s. 264 the *Criminal Code* has been committed. Reasonable and probable grounds is a standard lower than a balance of probabilities or beyond a reasonable doubt, and more than reasonable suspicion. It also requires that the grounds be justifiable from an objective point of view. In other words, a reasonable person must be able to find that grounds exist. In determining whether there are reasonable and probable grounds to lay a charge, all the evidence gathered must be considered.

Criminal Harassment requires that a person engage in conduct that causes another person reasonably, in all the circumstances, to fear for their safety or the safety of someone known to them. It also requires the person (in this case, the SO) knew, or should have known, that their conduct harassed the victim.

While the conduct of the SO was concerning, after reviewing the entirety of the evidence, I have determined that there are no reasonable and probable grounds to believe the SO committed criminal harassment.

A s. 810 recognizance (commonly known as a peace bond) was considered due to the actions of the SO. In consultation with the AP, it was decided that a peace bond would not be laid at this time.

CONCLUSION

My review of the evidence indicates there are no reasonable grounds to believe the Subject Officer committed a criminal offence.