SiRT | SERIOUS INCIDENT RESPONSE TEAM

Summary of Investigation

SiRT File # 2026-0033

Referral from

Halifax Regional Police

March 12, 2026

Erin E. Nauss
Director
November 5, 2026

SiRT MANDATE

The Serious Incident Response Team ("SiRT") has a mandate to investigate all matters that involve death, serious injury, sexual assault, and 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 and 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 will issue a public summary of the investigation which outlines the reasons for that decision, which must include the information set out by regulation. Public summaries are drafted with the goal of adequate information to allow the public to understand the Director's rationale and conclusions.

Mandate invoked: This investigation was authorized under Section 26I of *Police Act* due to the serious injuries of the Affected Party.

Timeline: This incident was referred to SiRT by the Halifax Regional Police on March 12, 2026, and the investigation commenced that day. The investigation concluded on October 1, 2026. There was some delay in confirming whether the Subject Officer would provide a statement to SiRT.

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 died or was seriously injured, may have been sexually assaulted or involved in an incident of intimate partner violence, or was affected by a serious incident that is determined under the Act to be in the public interest to be investigated;

- "**Civilian Witness/CW**" means any non-police individual who is a witness to or has material information relating to a serious incident.

- "**Witness Officer/WO**" means any police officer who is a witness to or has material information relating to a serious incident.

- "**Subject Officer/SO**" means a 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. Medical Records of the Affected Party
3. Witness Officer Notes and Statement (1)
4. Civilian Statements (2)
5. Police Radio Transmissions
6. Photographs and Video
7. Police Reports
8. GPS Data
9. Accident Reconstructionist Documents

INVESTIGATION SUMMARY

Introduction

On March 11, 2026, a student walkout took place at a local high school in Halifax, Nova Scotia. A member of the Halifax Regional Police, who is the Subject Officer (SO), was parked on the road, monitoring the event. The Affected Party (AP) and two friends, Civilian Witness #1 (CW1) and Civilian Witness #2 (CW2), drove past to observe the walkout. The AP was driving at a high rate of speed close to the walking students. The SO attempted to stop the vehicle and activated his emergency lights. While the SO was following the vehicle driven by the AP, the AP crashed into a fire hydrant and power pole. The AP attempted to flee the scene on foot after the accident, but was apprehended by the SO. The AP sustained an injury to his spine and experienced seizures following the incident.

Affected Party

The Affected Party (AP) provided a statement to SiRT on March 20, 2026. He confirmed that he was the driver of the vehicle in the March 11, 2026, collision near Halifax West High School and the Canada Games Centre and said he had six weeks of driving experience. He stated there was one passenger in the vehicle, Civilian Witness #1 (CW1) (*Director's Note: It was later confirmed there were two passengers in the vehicle)*. The AP stated that a student walkout was taking place at the school that day. He did not participate and instead went to his vehicle. He drove past the walkout to see where the students were, looped around the school, and turned near a gas station. He stated that while driving near the BMO Centre, he planned to park and return to class. He then took a turn toward the Canada Games Centre and drove onto Thomas Raddall Drive. The AP said he took the turn too narrowly and accelerated to go wider. He stated he was unsure whether he was

speeding but knew that he had accelerated. After accelerating and making the turn, he noticed a police vehicle behind him. He said he panicked and intended to press the brake but pressed the accelerator instead. The AP stated that by the time he realized what was happening, he could not brake in time or react, and the vehicle left the road and struck a pole.

The AP could not recall exactly how far behind him the police vehicle was but stated "*It was close from what I could tell and remember"*. He mentioned seeing a red light but did not recall seeing any other lights or hearing sirens. The AP stated that after the collision he exited the vehicle and was arrested for dangerous operation of a motor vehicle. The AP said Emergency Health Services (EHS) assessed him at the scene and cleared him, advising him to seek another medical assessment if he felt worse. The AP described his head as "cloudy", but recalled the paramedics were worried about internal bleeding and had him sign some papers. (*Directors Note: The AP's mother was present during the interview and clarified the paramedics were very concerned about the AP's vitals and recommended that he attend the hospital due to concerns of internal bleeding.*) The AP was then driven to the police station and released with a court date. He attended the hospital later that day and learned he had a possible brain bleed, a concussion, and an injury to the wrist and spine. At the time of his statement to SiRT (9 days later), he stated his wrist still hurt and he was continuing to experience concussion symptoms, including dizziness and balance issues.

The AP consented to the release of his medical records, and the SiRT investigator followed up with the AP's medical practitioners to confirm his diagnosis. It was learned that the AP sustained a minor C7 fragment (a chip or piece of bone broken off the C7 vertebra). A CT scan also determined the AP may have sustained a minor traumatic subdural hemorrhage (brain bleed). An Xray showed no broken bones in the wrist, but a splint was applied and the AP was sent for orthopedic follow-up. The AP's medical practitioner described the combination of injuries as serious. The AP's family doctor advised that the AP had started to experience seizures following the accident.

Civilian Witnesses

Civilian Witness #1 (CW1), a passenger in the AP's vehicle, was interviewed by SiRT on March 20, 2026. CW1 stated that there was a walkout at school and that several students had gathered outside of the Canada Games Centre. He, the AP, and another student, Civilian Witness #2 (CW2), went to the AP's car so they could check out the walkout. CW1 stated that the AP was driving, CW2 was seated in the front passenger seat, and he was seated in the back with his seatbelt on. CW1 stated they drove down Lacewood Drive and then did a U-turn at the stoplight. The AP then accelerated up the road and made a turn on Thomas Raddall Drive. CW1 recalled that at that point, a police officer activated their emergency lights without a siren. CW1 recalled the AP didn't say

anything but sped up. He assumed the AP had panicked.CW2 told the AP to pull over into a parking lot, but the AP continued driving and turned by the BMO centre. CW1 stated the AP was travelling fast, although he didn't know the speed because he was sitting in the back seat. As they took the turn by the BMO Centre, CW2 shouted for the AP to slow down. CW1 recalled that the AP accelerated, failed to make the turn and struck a fire hydrant. CW1 stated he didn't know why the AP was not stopping and assumed he was trying to flee from the police. CW1 described the front of the vehicle as "totaled". Following the collision, the AP tried to run out of the car in the snow, but a bush obstructed the path. The AP then raised his hands, and the police officer put him in handcuffs. CW1 sustained minor injuries as a result of the crash.

SiRT interviewed Civilian Witness #2 (CW2) on March 20, 2026. He was seated in the front passenger seat at the time of the collision. CW2 stated he was at school that day when he learned about a walkout and decided to check it out with the AP and CW1. They entered the AP's vehicle, with the AP driving and CW2 wearing his seatbelt in the front passenger seat. CW2 stated they turned right onto Lacewood Drive before the AP suddenly made a U-turn and headed back toward the Canada Games Centre. CW2 stated as they passed the Canada Games Centre, driving toward the BMO centre, a police officer pulled out and activated his emergency lights. CW2 stated he told the AP to pull over in an apartment building parking lot, but the AP continued driving. CW2 recalled the AP travelling fast stating, "*he was definitely going faster than he was supposed to"*. CW2 and CW1 yelled at the AP to slow down, but he did not do so. As they made the turn, CW2 knew they were going to crash and braced himself for impact. The AP lost control of the vehicle and hit a pole. CW2 could not recall exactly how far behind them the police officer was, but stated the distance was short. CW2 stated the police car was behind them because of the speed at which the AP was travelling. CW2 could not say for certain why the AP did not stop but assumed he was trying to flee from the police. Following the collision, the police officer (the Subject Officer/SO) advised them to stay in the vehicle. The AP exited the vehicle and went to the back of the car before being arrested.

Witness Officers

Witness Officer #1 (WO1) provided a statement to SiRT on October 9, 2026. SiRT also reviewed her notes. She was on duty on the day of the collision and responded to a call about a motor vehicle collision involving youth. She did not witness the collision or the SO's driving. When she arrived at the scene, she saw the SO, and the AP and both civilian witnesses outside the vehicle. She could not recall what the SO was doing at that time. WO1 helped the youth contact their guardians and ensured that EHS was available to assess them. She confirmed that there were three occupants in the AP's vehicle: the AP, CW1, and CW2.

Subject Officer

Subject Officers are not required by law to provide their notes, reports or a statement for the purposes of a SiRT investigation. In this matter, the SO did not consent to the release of notes and reports and did not provide a statement.

GPS Data

GPS Data of the SO's vehicle was provided to SiRT by HRP as part of the investigation. The data confirmed the SO was driving in the area of Thomas Raddall Drive during the time of the collision and eventually came to a stop at the collision site. The SO's highest recorded speed during this time was 83km/hour. (*Director's Note: the posted speed limit for the area is 50 km/hr)*.

Video Footage

SiRT obtained video footage from the BMO Centre in Halifax showing two camera angles. The first angle shows the AP's vehicle passing in front of the Centre, with the police vehicle following closely behind. The second angle does not show the crash; however, the camera view captured the scene immediately after the crash. The footage shows the AP's car over a snowbank, the police car stopped, and the SO outside the vehicle. The footage shows clear weather, dry roads, and minimal traffic. There are no pedestrians visible in the area.

Accident Reconstruction

Following the collision, HRP's Forensic Identification Section processed the scene and took photos. The accident reconstruction officer prepared a forensic map and provided an opinion on the cause of the accident.

Photos show the AP's car off the road, on a snowbank, next to a power pole. The front of the vehicle has significant damage and the airbags were deployed. The map depicts the AP's vehicle travelling along the turn and then going off the road, striking a fire hydrant before hitting a power pole. The Accident Reconstructionist concluded, based on experience and the damage sustained by the AP's vehicle, that the speed of the AP's vehicle was a contributing factor to the accident.

Police Radio Transmissions

Police Radio Transmissions were obtained and reviewed by SiRT. At 10:16 am, the SO is heard on the radio stating a car had crashed and EHS was required. The SO further stated the car crashed into a light pole and youth were involved.

The SO provided a description of the incident over radio. He stated that the AP's vehicle sped at a high rate of speed past the SO at the Canada Games Centre. He stated that as he turned his lights

on it continued to drive. The SO stated as he came around the corner, he noticed the vehicle had crashed.

RELEVANT LEGISLATION

***Criminal Code*:**

Dangerous Operation

320.13 (1) Everyone commits an offence who operates a conveyance in a manner that, having regard to all of the circumstance, is dangerous to the public;

(2) Everyone commits an offence who operates a conveyance in a manner that, having regard to all of the circumstances, is dangerous to the public and, as a result, causes bodily harm to another person.

Motor Vehicle Act* (Nova Scotia)*:

Duty to Drive Carefully

100 (1) Every person driving or operating a motor vehicle on a highway or any place ordinarily accessible to the public shall drive or operate the same in a careful and prudent manner having regard to all the circumstances.

(2) Any person who fails to comply with this Section shall be guilty of an offence.

Careful and prudent speed

101 A person operating or driving a vehicle on a highway shall operate or drive the same at a careful and prudent rate of speed not greater than is reasonable and proper, having due regard to the traffic, surface and width of the highway and of all other conditions at the time existing, and a person shall not operate or drive a vehicle upon a highway at such a speed or in such a manner as to endanger the life, limb or property of any person.

Exemption of police or emergency vehicle

109 (1) The speed limitations as set forth in this Act shall not apply to vehicles when operated with due regard to safety under the direction of the police in the chase or apprehension of violators of the law or of persons charged with or suspected of any such violation, nor to fire departments or fire patrol vehicles when travelling in response to a fire alarm, nor to public or private ambulances when travelling in emergencies and the drivers thereof sound audible signal by bell, siren or exhaust whistle.

(2) This Section shall not relieve the driver of any such vehicle from the duty to drive with due regard for the safety of all persons using the highway, nor shall it protect the driver of any such vehicle from the consequences of a reckless disregard of the safety of others.

LEGAL ISSUES & ANALYSIS

I must assess the evidence to determine whether there are reasonable and probable grounds to believe that a criminal offence was committed. This threshold is higher than reasonable suspicion but lower than either the balance of probabilities or proof beyond a reasonable doubt.

The Supreme Court of Canada in *R v Beatty*, [2008] 1 S.C.R. 49 (S.C.C.) and *R v. Roy*, [2012] 2 S.C.R. 60 (S.C.C) has articulated the law on dangerous driving. First, there must be consideration whether the driving was done "in a manner that was dangerous to the public, having regard to all the circumstances, including the nature, condition and use of the place at which the motor vehicle is being operated and the amount of traffic that at the time is or might be reasonably be expected at that place." An accident does not necessarily mean there was dangerous driving. There must be a meaningful inquiry into the manner of driving, not the consequences of driving, such as an accident.

Second, there must be consideration as to whether "the dangerous manner of driving was the result of a marked departure from the standard of care which a reasonable person would exercise in the same circumstances." (*R v. Beatty*, supra, para 48).

I must also assess whether the SO was in violation of any provincial offence. Subsection 100(1) of the Nova Scotia *Motor Vehicle Act* requires that everyone operating a motor vehicle drive in a careful and prudent manner having regard to all the circumstances. Courts have held that perfection is not the standard. However, drivers must proceed with care that is reasonable, having regard to circumstances affecting the safety of others. It has been noted that the offence of careless driving is something which goes beyond mere error in judgement--it indicates a measure of indifference, a want of care and an indifferent regard for the rights of others. The fact that there has been a collision does not necessarily mean that the offence of careless driving has been committed, and circumstances of each situation must be considered. Imprudent and careless driving looks at all the circumstances but particularly looks at whether the defendant has assumed intentionally a particular risk. Section 101 of *Motor Vehicle Act* deals with speed, and Section 109 creates an exemption for police vehicles when operated with due regard to safety during a chase or when apprehending those in violation of the law.

In this case I cannot conclude that the SO was operating his vehicle in a dangerous manner under the *Criminal Code* or a careless manner under the *Motor Vehicle Act*. Upon review of the evidence, I am satisfied the SO was lawfully justified in attempting to stop the AP. Both CW1 and CW2 stated the AP was speeding and then continued to accelerate after the SO turned on the police lights. This is corroborated by the evidence from the scene, including the photos and videos, and the opinion of the Accident Reconstructionist. The SO was travelling in the same direction with

his lights flashing. The SO's GPS data indicates he reached a maximum speed of 83 km/hr in a 50 km/hr zone. The video evidence shows the SO travelling behind the AP with his lights activated. The video further showed the officer was not driving recklessly, considering the road conditions, lack of pedestrians, weather, and traffic. Although an unfortunate collision occurred, I cannot conclude that the SO intentionally engaged in dangerous or careless driving. I am further satisfied the SO had due regard for safety and did not conduct himself in a manner that was reckless or imprudent.

CONCLUSION

After a careful review of the evidence and the law, I have determined that no charges are warranted against the SO.