

SiRT

SERIOUS INCIDENT
RESPONSE TEAM

Summary of Investigation

SiRT File # 2017-032

Referral from

RCMP – Colchester

October 20, 2017

John L. Scott
Interim Director
November 24, 2017

Facts

On the afternoon of October 20, 2017, SiRT was contacted by the Colchester District Royal Canadian Mounted Police (RCMP) regarding an allegation of assault made by a female member of their force, the Affected Party (AP), against a male member of their force. AP and the officer were married. SiRT commenced its investigation of the matter that afternoon. That investigation was completed on November 21, 2017.

During the investigation SiRT interviewed the AP, seven police officers and received notes from one other officer. Other evidence related to the matter was collected and reviewed.

On November 27, 2017, one charge of assault and one charge of uttering threats will be laid against Cst. Gregory Whalen, 47, of Bible Hill, NS. The incidents are alleged to have occurred on October 19, 2017 in Bible Hill, NS at the residence of AP. Cst. Whalen is scheduled to appear in Provincial Court in Truro on November 29, 2017.

Relevant Legal Issues

An assault is committed whenever a person intentionally applies force against another person without their consent.

Uttering Threats is committed when a person knowingly utters, conveys or causes any person to receive a threat to cause death or bodily harm to any person. “Bodily harm” is defined in Section 2 of the Criminal Code as any hurt or injury that interferes with the health or comfort of the person and that is more than merely transient or trifling in nature.

Where reasonable grounds exist to believe a criminal offence has been committed, the Interim Director may charge the police officer. Any offence must be proven beyond a reasonable doubt before the accused can be found guilty.

Conclusion

This investigation has led to the conclusion that there are sufficient grounds to lay charges of assault and uttering threats against Cst. Gregory Whalen. However, since this matter is currently before the courts and in accordance with SiRT policy, this report will not discuss the facts of that matter in any further detail. To do otherwise might compromise the fair trial interests of the accused.

The Serious Incident Response Team Regulations under the *Police Act* state that the Director may choose to provide a supplemental summary of the investigation at the conclusion of the prosecution.