

---

In Reply Please Quote Our File Number:  
PC-23-0049

March 22, 2024

Scott Jewers  
[Jewers.scott@gmail.com](mailto:Jewers.scott@gmail.com)

Dear Mr. Jewers:

**Re: PC-23-0049: The matter of Scott Jewers, Cst. Jarius Lamphier and Cst. Stephen Pope**

On August 2, 2022, you went to Halifax Regional Police (HRP) headquarters at 1975 Gottingen Street in Halifax. You said you wanted to meet with and arrest Chief Dan Kinsella in relation to the alleged theft of your wallet by HRP and an alleged conspiracy between HRP and JD Irving to cover up the theft. Two HRP officers spoke to you at length, concluded that you appeared to have a mental disorder and arrested you under the Involuntary Psychiatric Treatment Act. HRP officers took you to hospital for a medical examination. Following the examination, you were admitted to hospital as an involuntary patient.

On March 15, 2023, you filed a Form 5 *Police Act* complaint against unknown HRP officers for false arrest, assault and torture on August 2, 2022. The complaint did not include details of the alleged wrongful behaviour.

I wrote to you on March 15, 2023, asking for a detailed description of the alleged false arrest, assault and torture. In a 3-page reply sent by email to this office on March 23, 2023, you stated, in part:

1. "As I stated to your officers ... I do not want them personally punished (Aside from Officer 5 who took the cuffs off)."
2. "NSHA ... Had me arrested, falsely accused, stripped m[e] of my rights ..." "Using HRP false arrest, as justification to torture and slander me again."
3. "Aside from my wallet being stolen ... the Following is still objective true, and indicates serious crimes ...  
The Wortley Report apology on November 19<sup>th</sup> 2019 –

I got an email about a "Job" from Capital Health.  
Jim Perrin got his Transfer to JDirving  
Postmedia Gets their Journalistic Accreditation  
TorStar Shuts down their Halifax Office (Next Day)

Jamie Irving now sits on the Board of Directors of Postmedia. Postmedia seems to have Owed JDirving Money (Debt Consolidation?), while JDirving Sold New Brunswick News to POSTMEDIA for 16 Million dollars. – Motive, opportunity and Intent.”

4. “Now April 18<sup>th</sup> 2019, the SAME day I get a speeding ticket, get pointed at RIGHT IN TRAFFIC and pulled over, there is HRP document, that somehow TorStar got their hands on, showing Robin McNeil and Board of Police Commissioners stating there would be further organization changes required before apologizing for Systemic Racism. Basically the Transfer of Jim Perrin which is generally reasonable. But then, his job with JDirving just happens to get Posted 10 days after HRP Magically finding my wallet, where Jim Perrin would have had control over the Case .... if there is ANY open case that so, CSIS HAS TO DENY MY SECURITY CLEARANCE, AND CANT TELL ANYONE. Allowing JD Irving to attach, frame and degrade by Proxy. THIS IS A FACT .... JDirving retaliated against me, when I did absolutely nothing. **AND GUESS WHO JDirving then sends to investigate? JIM PERRIN...**”
5. “NSHA, upon clearly knowing there was a massive conflict of interest, lied and tried to cover up the incredible failing of the staff, including NSHA giving my Bookbag to two non-associated HRP Officers who, as it was reported, went through all my staff including my wallet...”
6. “Officer 1, 2, 3 and 4. Didn’t really mistreat me aside from Arresting me... Officer 5 who took my Cuffs Off – Should be fired and reprimanded immediately. The Supervisor should be fired – that was a criminal assault.”

In your email message on March 23, 2023, you did not describe what Officer 5 (the only officer you said you wanted punished) had done, other than removing the handcuffs. As you had requested, I sent the complaint to HRP for investigation of the officer who had removed the handcuffs.

On July 7, 2023, following an investigation by Sgt. Jonathon Jeffries of HRP, Inspector Ron Legere, HRP’s Delegated Disciplinary Authority, filed a Form 11 decision in which he concluded that none of the HRP officers who dealt with you on August 2, 2022, had committed a disciplinary default under the Nova Scotia Police Regulations and so he did not sustain any allegation made against HRP officers in your Form 5 complaint.

Apart from removal of your handcuffs, the only description of Officer 5’s actions you have provided during this process appears on the second page of the Form 11 decision filed by Inspector Legere:

“Jewers did provide additional details of his complaint against officer #5:

- He stated that while being assessed by the doctor, officer 5 walked into the room and called him by name and just stood there. He stated the officer then walked out of the room and sat down with officer 4. He stated that he felt it was not appropriate for the officers to be sitting outside the door.

- He then detailed that after the doctor advised him, he was being admitted, the doctor opened the door and he overheard the doctor talking and laughing at him, and that “*officer 5 loved it*”. He states that the officer came over to him to removed the handcuffs and asked him “*do you have any questions for me?*” He states he looked into the officers’ eyes and shook his head no and softly said that this wasn’t right. He states that the officer then yelled in his face repeating the same question he had just asked him. He stated he answered no, and the officer removed the cuffs. Jewers states that he felt the officer degraded him as a human being with his comments.”

Assault is the intentional application of force to another person without that person’s consent, or an attempt or threat to do so. Laughing at someone and asking, even yelling, whether the person has any questions is not an application of force, nor is it an attempt or threat to apply force.

On July 24, 2023, you filed a Notice of Review (Form 13), asking me to refer the Complaint to the Police Review Board for review. Form 13 includes a section with the following heading:

**(Optional)** - Reason(s) for requesting review of Form 11 Public Complaint Decision:

The “reasons” you included with your Form 13 were a two-page diatribe against the complaint investigator, Sgt. Jefferies, without a single mention of “Officer 5” or the alleged assault.

This is my decision in relation to your request that your complaint be referred to the Nova Scotia Police Review Board.

Your complaint was filed more than 7 months after your arrest on August 2, 2022. You were at the hospital for some hours before you were admitted as a patient. Several HRP officers had been with you from the time you got to the hospital, but there were just two with you when you were admitted: Cst. Jarius Lamphier and Cst. Stephen Pope. One of them removed your handcuffs at that point, but it is not clear which one.

The mere removal of handcuffs by Officer 5, whichever one of the two he is, did not constitute an assault. Even if Officer 5 laughed when the doctor admitted you to hospital and twice asked you if you had any questions to ask him, his total behaviour with you did not amount to a breach of the Code of Conduct in the Police Regulations. There is no evidence that Officer 5 arrested you. You have not described anything else he did which could have constituted a breach.

Two officers sitting outside the room where a doctor is assessing a person in custody is not an improper act of any kind. Their duty was to be there with you until the doctor determined whether you would be released or held.

The Involuntary Psychiatric Treatment Act is a public statute of the Province of Nova Scotia. A police officer who makes an arrest under the provisions of that Act does not breach the Code of Conduct in Nova Scotia’s Police Regulations. The fact that a doctor found it necessary to admit you to the hospital as an involuntary patient indicates that your arrest under the Act was reasonable. In any case, there is no evidence that Officer 5 arrested you.

It seems that your allegation of torture relates to the treatment and medication you received in hospital. Whatever can be said about your medical treatment, it was not administered by an HRP officer. An allegation of torture by medical staff cannot be dealt with under the *Police Act* complaint process.

You have alleged that a bag in your possession when you were admitted to hospital ended up with someone else after your admission. Apparently, someone at the hospital was involved in the transfer to the other person. There is no evidence or allegation that Officer 5 or any HRP officer was involved in the transfer.

Taken altogether, what you have presented is a theory that you were the victim of a conspiracy allegedly involving many disconnected events and numerous persons, corporations and agencies throughout Halifax, Nova Scotia and Canada. Your belief in a massive conspiracy aimed at you is not evidence that those events were connected. Your theory does not merit further consideration.

Having reviewed and considered all the information available to me associated with this complaint and investigation, I am satisfied there is no evidence upon which the Police Review Board could decide that Officer 5 or any Halifax Regional Police officer committed a breach of the Code of Conduct in Nova Scotia's Police Regulations during their dealings with you on August 2, 2022.

Because I find your request for review, as summarized in the last two paragraphs, to be without merit, I am exercising my authority under s.74(4) of the *Police Act* not to refer your Complaint to the Police Review Board.

Yours truly,



Patrick H. Curran  
Police Complaints Commissioner

- c. Chief Donald MacLean – HRP
- Cst. Jarius Lamphier – HRP
- Cst. Stephen Pope - HRP
- Insp. Ron Legere - HRP
- Nasha Nijhawan – Solicitor on behalf of the named officers