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Introduction

When RCMP Members are involved in critical incidents—especially those that result in death or serious injury—the aftermath can be overwhelming. Legal obligations, investigative processes, and psychological trauma all collide in a moment where clarity and support are essential.

This document has been created to inform and educate Members in advance of those challenging times. Drawing from the revised **Operational Manual (OM) 54.3 suite (2025)**, the **former OM 54.3**, the **NPF's Serious Incident Guide**, the **NPF's August 2025 Notes Guide**, and the RCMP's **Body-Worn Video (BWV) Policy**, we provide a trauma-informed, legally sound explanation of what Members must do, what they are entitled to refuse, and where the new rules differ from the old.

This is more than a checklist—this is about protecting your Charter rights, navigating duty-bound procedures, and asserting your dignity and safety after a traumatic event.

After the Incident: What Happens First

The first priority after any critical incident remains unchanged:

- Ensure **safety** of yourself and others;
- Administer **first aid** if it is safe and appropriate;
- Preserve the **scene** and any evidence.

These duties existed under the **old OM 54.3** and continue in the **2025 policy suite**. What is different now is the explicit requirement for a **trauma-informed approach**. Supervisors are instructed to ensure involved Members are provided hydration, privacy, medical support, and emotional safety before further steps are taken (OM 54-3-4).

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Making Notes: Duty Meets Protection

The duty to make notes is long-standing. But *how*, *when*, and *with what protections* has evolved.

Under the **former OM 54.3**, Members were expected to make notes promptly, with little acknowledgment of trauma, stress, or mental wellness. Now, under **OM 54-3-1**, the RCMP formally recognizes the **psychological impact** of critical incidents. A Member is expected to write notes **as soon as practicable**, but only once they are physically and mentally able. Supervisors must not coerce or rush this process.

What to Include

Your notes should answer:

- **Who** was involved;
- **What** occurred;
- **Where** it took place;
- **When** it happened;
- **How** events unfolded.

Do **not** include “**why**” something occurred. This is interpretation, not observation, and opens you to risk.

This language reflects guidance from the **2025 Notes Guide** and the Supreme Court ruling in *Wood v. Schaeffer*. It was not clearly emphasized in the earlier OM.

New Requirement: Label Your Notes

The OM now explicitly recognizes the protected nature of compelled Officer notes. Therefore, Subject Members **should now identify** their notes as being compelled:

On the face of the envelope in which you submit your notes, add your rank, name, regimental number, and: “*Compelled under the RCMP Act and potentially in adversarial position with the state – Use Immunity applies.*” Seal the envelope prior to submitting them. We suggest you note in your notebook who you submitted them to, and that they were sealed.

This critical addition, found in **OM 54-3-3**, was not present in the prior policy. By marking your notes, you protect yourself from voluntary use in legal proceedings—unless you later choose to submit them to the oversight agency voluntarily. If you are a Subject Member and you are considering voluntarily providing your notes to the investigating oversight agency, the NPF **STRONGLY** recommends that you speak with your legal counsel prior to doing so)

Legal Counsel: When Can You Speak to a Lawyer?

Another important shift: **Subject Officers are not allowed to speak to a lawyer before writing notes**, unless medically or psychologically unfit to do so. The *Wood V Schaeffer* caselaw had clarified this requirement of police since 2013, but this is now captured specifically in policy.

However, you **may** still consult:

- A doctor or mental health professional;
- An uninvolved senior regular Member; which could include a Board Director of the NPF, but do note that the primary purpose of contact with these parties is to seek assistance in fulfilling the duties and responsibilities of an RM. If the subject officer communicates details about the serious incident to these parties, the investigative team may request these details from these parties.

Once your notes are completed, you should contact the NPF and/or consult legal counsel to ensure you understand and exercise your rights. (RE: Paragraph 86. Wood v Schaeffer decision)

The Preliminary Report: What You Can Be Compelled to Answer

A significant change in the 2025 OM suite is the **creation of a specific, limited set of questions** that Members can be compelled to answer immediately after a serious incident. This has been referred to as “Duty to Account” or “Responsibility to Report” and is now referred to as the **Preliminary Report Questions** (OM 54-3-1).

These questions are grouped into seven topics:

1. Injuries

- Do you, or does anyone else, have any injuries?
- Does anyone require medical attention?

2. Subjects & Witnesses

- What is the status, description, and location of all subjects and witnesses?
- Did any involved officer speak to anyone since the incident? Who?

3. Ongoing Threats

- Are any subjects unaccounted for? Who are they, where are they, are they armed?
- Are there unlocated weapons or other dangers?

4. Evidence

- What evidence needs to be protected or collected? Where is it?

5. Intervention Tools & Firearms

- What intervention tools were used and where are they?
- Was a firearm discharged? In what direction?

6. Scene Perimeter

- What is the perimeter of the scene?

7. Nature of the Incident

- What was the nature of the serious incident?

Do **not** answer beyond these questions. Do **not** volunteer additional information.

Unlike the old OM 54.3, this strict limitation is designed to protect Members. Any response **outside** these questions may be considered **voluntary**—and may be used in criminal, civil, or administrative actions.

If you're asked anything else, reply:

"I've been directed to answer only the Preliminary Report Questions. At this time, I am declining to provide additional information."

Supervisors are also now explicitly directed to seek this information from **Witness Officers first**, and only **compel Subject Officers when those avenues are exhausted** (OM 54-3-4). Further, per 54-3-1 s.1.1.3: An involved officer is not required to provide self-incriminating information.

Witness Officers: Your Role

As a Witness Member:

- You **must** submit notes and provide full cooperation;
- You **can** consult with your NPF rep after you have completed your initial notes;
- You **cannot** refuse interviews with the oversight body, though mental health & physical health are relevant as to why it may be delayed.

Your duties haven't changed much, but the new policy now better clarifies what must be submitted and when.

Subject Officers: Your Protections

If you are, or may be, a Subject Member:

- **Do not consent to allowing your notes to be given to the oversight body** unless you choose to (after consultation with your counsel), or are legally compelled;
- **Clearly mark** your notes as compelled, as noted above;
- **Do not participate in voluntary interviews, aside from your formal designation** unless/until advised by your legal counsel;
- **Do not answer questions beyond the Preliminary Report Questions.**

The 2025 OM (especially 54-3-3) formalizes these protections. The prior version lacked these clear safeguards.

Body-Worn Video (BWV): What You Must Know, applying both to Subject Officers and Witness Officers

A recurring question: *Can I review my Body Worn Video (BWV) before writing my notes?*

Under current RCMP policy:

- You **must complete your notes first**;
- You may only review BWV **after** submission;

- Any recollections altered after BWV must be included as **clearly marked addenda** (OM 54-3-3, section 11 and OM 25.5).

This mirrors best practices from across Canada, and reinforces your right to write notes **without influence or self-incrimination**.

Supervisors: Your Legal and Ethical Duty

The updated OM (54-3-4) transforms the role of the on-scene supervisor. You **must**:

- Avoid isolating involved Members;
- Prioritize their physical and mental well-being;
- Seek support for the Member—legal, union, and medical;
- Avoid asking any unscripted questions – refer to the preliminary report questions with respect to what to ask;
- Designate Witness and Subject Officers clearly and early;
- Document all decisions.

This structured, trauma-informed approach did **not exist** under the former OM. It is now policy.

Summary Table: Old vs. New

Policy Area	Old OM 54.3	New OM 54.3 (2025)
Trauma-Informed	Not included	Central to new policy
Legal Consultation	Allowed pre-notes	Prohibited pre-notes
Notes	Did not recognize as compelled	Reflect duties compelled initial notes
BWV Viewing	Not defined	Only after notes, with addenda if needed, and can be shared with union and/or counsel by Member
Scripted Questions	Absent	Strictly limited Preliminary Questions
Supervisor Duties	General	Explicit sequencing and legal safeguards

Final Reflections

You are not alone. The National Police Federation has your back.



This guide is about ensuring your safety, your rights, and your dignity are preserved after some of the hardest moments of your policing career. We believe Members deserve better—this guide is one step in delivering that.

Use it. Share it. Stand by it.

Frequently Asked Questions(FAQ)

1. When do I have to write my notes after a critical incident?

You must write them as soon as practicable after ensuring safety and medical or mental support. This reflects the trauma-informed approach added in OM 54-3-1 and OM 54-3-4. Under the old OM 54.3, there was no explicit reference to trauma or mental health readiness.

2. Can I talk to a lawyer before writing my notes?

Subject Officers cannot speak to legal counsel before completing notes. This restriction is new under OM 54-3-3. The previous OM 54.3 did not include this limitation, which is set out by caselaw.

If you are unable to prepare your notes and require medical or emotional support, seek immediate assistance and, if possible, advise the on-scene supervisor.

3. What if I don't know if I'm a Subject Officer or a Witness Officer?

The 2025 policy (OM 54-3-4) requires early designation by supervisors. Members should not speculate or volunteer information until designation is confirmed. This distinction was vague under the old OM.

4. What should I include in my notes?

Stick to 'Who, What, Where, When, and How.' Do not include 'Why.' This guidance comes from the 2025 Notes Guide in an effort to comply with *Wood v. Schaeffer*. It reinforces protections that were only implied in earlier versions.

5. Do I label my notes as 'compelled'?

Yes. Subject Officers should include on the face of the envelope, their rank, name, regimental number, and: "*Compelled under the RCMP Act and potentially in adversarial position with the state – Use Immunity applies.*" This labelling and submission requirement was introduced in OM 54-3-1. It was absent in the older OM 54.3.

6. Am I required to submit my notes?

Witness Officers must file their notes with their supervisor, again, in a fashion as noted in the NFP notes guide, and provide them to the oversight body once a formal "Witness Officer" designation is given by that agency. Subject Officer must file their notes with their supervisors, but SHOULD NOT consent to disclosure of them to the investigative team and/or oversight body, and should be advised by counsel or legally compelled. This distinction is emphasized in OM 54-3-3 and was not clearly stated in the previous OM.

7. What are the Preliminary Report Questions? (Often referred to as “Responsibility to Report” and “Duty to Account”.)

These are scripted questions from OM 54-3-1 that Subject Officer may be compelled to answer. They were not defined in the old OM 54.3 and are a key addition to protect against self-incrimination. *If a Subject Member or Witness Member does not know the answer, they should not guess or speculate.*

8. Should I answer Preliminary Report Questions if no one asks me?

No. Do not volunteer information unless it relates to safety issues, or could cause safety issues. This reflects guidance from OM 54-3-1, which limits responses to compulsory questions only.

9. Can I view my body-worn video (BWV) before writing my notes?

OM 54-3-5 prohibits BWV review before notes are written and submitted. This was not addressed in the old OM 54.3.

10. How does my BWC and the BWV get handled?

OM 25.5. The NPF’s position was that Subject Officer BWV should be withheld, in the same fashion Subject Officer notes are. That position was not adopted by the RCMP, and as such the BWV of the incident and what led up to it will be disclosed to the investigative team/oversight body.

The policy also states that a Member is required to complete note-taking and Subject Behaviour / Officer Response reports (original version), before reviewing the BWV, however, we would like to remind Members that in Serious Incidents, it is the Subject Officer supervisor, NOT the Subject Officer, who is responsible for completing the SB/OR.

A BWV is available for review by any Member who was involved in an investigation, as supplemental to notes. A member who is the subject of a code of conduct investigation, a public complaint, or any other legal proceeding where the events relating to that proceeding were recorded with a BWC, is provided timely and fair access to their recording during that process. A member is allowed to share their recordings with a representative who is assisting them, or with their legal counsel.

11. What if I feel too overwhelmed or unwell to complete my notes?

Under OM 54-3-1 and 54-3-4, trauma-informed provisions allow Members to delay note-taking if unfit. Supervisors must respect this. The old policy lacked this safeguard.

12. Can Witness Officers refuse interviews with oversight agencies?

OM 54-3-3 confirms Witness Members must cooperate fully. This expectation remains consistent with the previous OM.

13. What happens if I voluntarily consent to disclosure of my notes to the investigative team and/or oversight body as a Subject Officer?

Voluntarily submitted notes can be used in criminal, civil, or Code of Conduct proceedings. This consequence is clearly outlined in OM 54-3-3 and was previously unstated.

14. What is the role of the on-scene supervisor now?

OM 54-3-4 introduces clear supervisory responsibilities, including trauma care, designation, and avoiding leading questions. This was not present in the former OM 54.3.

15. What are the biggest changes in the 2025 OM 54.3 policy?

Key changes include:

- Compelled note labelling and submissions (OM 54-3-1)
- Preliminary Report Questions (OM 54-3-1)
- Prohibiting legal access to pre-notes (OM 54-3-2 & OM 54-3-3)
- Trauma-informed procedures (OM 54-3-4)
- BWV review (OM 54-3-5)

None of these were present in the prior OM 54.3.