

Case No.

Vol No.

SPECIAL CONSTABLE IAN PETER WOOLRIDGE

APPLICANT

- and -

CHIEF OF POLICE DAVID P. MacKINNON
(of the Halifax Regional Police Service)
and

DEPUTY CHIEF ROBERT A. BARSS
(of the Halifax Regional Police Service)

RESPONDENTS

Justice Walter R. E. Goodfellow
S.H. 157048

Halifax, Nova Scotia

File No.

LIBRARY HEADING

Cite as: Woolridge v. Halifax (Regional Police Service), 1999 NSSC 80

DATE HEARD: August 5, 1999

DECISION: August 5, 1999 (Orally)

WRITTEN
RELEASE: August 9, 1999

SUBJECT: PROHIBITION - POLICE ACT

SUMMARY: Constable Woolridge on duty when prisoner found dead in cell. Medical Examiner determined cause of death was overdose of various drugs. Internal Police Investigation was suspended while a Criminal Investigation took place - suspended 47 days after Internal Investigation had commenced. Criminal Investigation conducted by Sergeant who reported an end to the Criminal Investigation. However, Chairperson of Police Commission not aware of specific date and assumed later date upon which she directed the resumption of the Internal Investigation with its completion date - allowing 13 days being balance of 60 day limit in Regulations. By this time the 60 day period had expired and Police Act and Regulations interpreted as mandatory regulation required Internal Investigation shall be completed expeditiously as possible and in any event within 60 days, unless extension sought and extension warranted. No application for extension upheld mandatory requirement and Chief of Police without jurisdiction to take disciplinary action.

RESULT: Court not certain prohibition appropriate remedy. However, no contrary argument

advanced that it ought to be a stay and therefore, Prohibition granted.

**THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.
QUOTES MUST BE FROM THE DECISION, NOT THIS COVER SHEET.**