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Item No. 15.1.4
Halifax Regional Council
January 27, 2026

TO: Mayor Fillmore and Members of Halifax Regional Council

FROM: Brad Anguish, Acting Chief Administrative Officer

DATE: January 20, 2026

SUBJECT: Police Extraordinary Investigation Reserve Access Criteria

ORIGIN

Regional Council motion from July 8, 2025, as amended on July 10, 2025:

8. Direct the CAO to provide a staff report with recommendations for appropriate “guard rails,” in accordance with the Charter, Police Act, Bylaw P-100, and any other relevant legislation, that would be required in order for the Chief of Police to access funds from the Police Extraordinary Investigation Reserve, including appropriate criteria to be met to permit access to funds and reporting on funds used from Reserve.”

EXECUTIVE SUMMARY

This report outlines a proposed framework for access to the Police Extraordinary Investigation Reserve. It defines extraordinary investigations as those that fall outside routine policing due to their complexity, scale, urgency, or sensitivity — including major criminal investigations, critical incidents, multi-jurisdictional operations, and matters involving public safety threats or oversight by external bodies.

The framework includes clear access criteria, a formal request process from the Chief of Police, and post-use reporting to Regional Council and the Board of Police Commissioners. While alternatives such as requiring preapproval were considered, they are not recommended due to potential delays in responding to urgent events. The proposed approach aims to ensure timely access to funding while maintaining transparency and accountability.

RECOMMENDATION

It is recommended that Halifax Regional Council approve the definitions, access criteria, approval processes, and reporting requirements, outlined in the Discussion section of this report, as the governing framework for the access to, and use of, the funds in the Police Extraordinary Investigation Reserve.

BACKGROUND

The purpose of this report is to establish appropriate parameters around the use of the Police Extraordinary Investigation Reserve (the Reserve) ensuring that access to the Reserve's funds is limited to exceptional circumstances and that appropriate oversight and reporting mechanisms are in place to govern the use of the Reserve.

DISCUSSION

Definition of Extraordinary Investigations

Extraordinary Investigations are defined as investigations conducted by members of the Halifax Regional Police (HRP) that

- (i) fall outside the scope of routine policing due to their complexity, scale, sensitivity, or urgency; and,
- (ii) which require significant, unanticipated resources beyond the approved operating budget of the HRP.

Extraordinary Investigations include, but are not limited to:

- Major criminal investigations involving organized crime, homicides, or other serious offences requiring extended duration or specialized expertise.
- Critical incidents such as officer-involved shootings, deaths in custody, or other events that may trigger oversight by external bodies.
- Multi-jurisdictional or inter-agency investigations requiring coordination with provincial, federal, or international partners.
- Investigations involving significant threats to public safety or national security.
- Highly sensitive or confidential matters, including those involving public officials or systemic misconduct.
- Investigations mandated by external legal or regulatory authorities that exceed the scope of normal HRP operations.
- Other incidents or investigations as determined by the Chief of Police, acting in accordance with the *Police Act*

Criteria for Accessing the Reserve

To ensure the responsible use of the Reserve, each of the following criteria must be met before funds can be accessed:

1. Nature of the investigation: The investigation must meet the definition of an "Extraordinary Investigation."
2. Unanticipated Financial Impact: The anticipated costs of conducting the Extraordinary Investigation must be unbudgeted and exceed the capacity of the existing, current fiscal year's operating budget for the HRP.
3. Operational Necessity: The costs must be directly related to the "extraordinary investigation" and essential for its advancement/prosecution.

Process for Accessing the Reserve

Once the criteria for accessing the Reserve have all been met, then the following process must be adhered to in order to proceed with obtaining the required funds from the Reserve:

1. Authorization Process: Written notice must be submitted to the CAO and the CFO by the Chief of Police (or designate) confirming that HRP is seeking access to the Reserve for an extraordinary investigation and that all of the above criteria have been met. The notice will identify the anticipated amount to be deducted from the Reserve and a general description of the extraordinary investigation using one of the components set forth in the definition of an Extraordinary Investigation.
 - a. For clarity, the purpose of this notice is to inform the CAO and CFO that the Chief of Police will be requesting funds from the Reserve, and not to provide the CAO or CFO with details of the Extraordinary Investigation. Once the notice has been received by the CFO, representatives of the CFO and the Chief of Police will determine the best means of dispersal of the requested amount.
2. Alignment with Legislation and Policy: The Chief of Police will ensure that the request complies with any applicable components of the *Police Act*, HRM Charter, By-law P-100, and other applicable policies.

Reporting

To maintain transparency and accountability, a written information report must be submitted by the Chief of Police (or designate) to Audit and Finance Standing Committee following the use of the funds from the Reserve, in accordance with the following conditions:

- Timing: The report must be submitted within a reasonable timeframe after either (1) the conclusion of the investigative efforts, in the event that no criminal charges ensue; or (2) following the conclusion of the criminal justice process and all relevant appeal periods, in the event that criminal charges arose from the investigation.
- Content: The report will include a general description of the investigation (to the extent that it can be disclosed without compromising operational integrity), the type of offences investigated or charges laid, the total amount of funds accessed, and a summary of expenditures, broken down into capital and operating expenses.
- In camera: The report and any reviews and discussion by Regional Council surrounding the report will be reviewed and conducted in camera.
- Confidentiality: The report will exclude any operational details that could compromise ongoing investigations, individual privacy, or public safety.

The above-noted reporting obligation is not intended to restrict the Chief of Police's ability to rely on s. 37 of the Canada Evidence Act and/or Public Interest Privilege to protect the integrity of ongoing investigations and/or future prosecutions.

Oversight and Auditing

To ensure transparency, accountability, and appropriate use of public funds, the following oversight and auditing measures will be used to govern the use of the Reserve:

1. Annual Review: Use of the Reserve will be reviewed annually by the CAO and CFO as part of the HRP budget oversight process.
2. Documentation Requirements: The Chief of Police must maintain detailed records of all expenditures, including purpose, amounts, and supporting documentation, including receipts and invoices (where applicable or practical).
3. Compliance Monitoring: The CAO and CFO will monitor compliance and may recommend policy adjustments as needed.

FINANCIAL IMPLICATIONS

There are no financial implications related to this report. This report sets forth parameters for accessing the funds that will be available within the Reserve.

RISK CONSIDERATION

No risk considerations were identified.

COMMUNITY ENGAGEMENT

No community engagement was required.

ENVIRONMENTAL IMPLICATIONS

No environmental implications were identified.

ALTERNATIVES

Council may consider other approaches to oversight and access for the Reserve, including:

1. Council may restrict access to the fund for a particular kind of investigation or impose minimum financial thresholds. Council pre-approval for police access to the Reserve may contravene s. 38 of the Police Act as it would amount to Council approving or disapproving a particular police operation.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter:

- Section 120(6): The Municipality may maintain other reserve funds for such purposes as the Council may determine.

Police Act:

- Section 38(5): (5) The actual day-to-day direction of the police department with respect to the enforcement of law and the maintenance of discipline within the department are the responsibility of the chief officer.

ATTACHMENTS

None.

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