
HALIFAX REGIONAL COUNCIL
January 15, 2002

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY: 
David P. McKinnon, Chief of Police

DATE: January 8, 2002

SUBJECT: Halloween Curfew

INFORMATION REPORT

ORIGIN

At the November 13, 2001 session of the Halifax Regional Council, Councillor Goucher submitted correspondence from a resident requesting that a curfew be set for Halloween night.

BACKGROUND/DISCUSSION

Recently Halifax Regional Municipality Legal Services carried out a review of the ability of HRM to enact a curfew bylaw. The review concluded that a curfew bylaw would be possible but it would have to be well thought out and supported by statistics showing that the bylaw would achieve its desired results.

The law respecting both the Human Rights Act and the Charter of Rights were reviewed regarding the likelihood of enacting successful legislation. Two issues emerged: the bylaw would have to provide an extensive list of exceptions, and it would have to be supported by statistics demonstrating the need for the bylaw.

The list of exceptions that would be required in the bylaw include such things as: when a child may be out after dark accompanied by a parent, a child working, travelling in a motor vehicle, child exercising free speech, emergencies, etc.

It would also require clear statistical evidence to show that such things as: the risk of youth crime the bylaw is attempting to prohibit would be greater during the time of the curfew, more youths are

victimized at night, youth crime generally is on the increase, the general crime rate would be greater at night, that the violent crimes occur more often at night, etc.

It is doubtful that the statistical evidence would support some of the assumptions above, or that such information is available or collected. It would be even more difficult to demonstrate that a curfew would have an impact on the desired results. Further, given the number of exceptions that would have to be incorporated into the law the ability to enforce the law once enacted would be questionable.

Fire Services have indicated that Halloween has become much quieter over the past years. Calls for service for the Halifax Regional Police do not raise significantly on Halloween night and therefore the Halifax Regional Police do not feel that a bylaw setting a curfew for Halloween night can be supported. The RCMP have indicated that they do not feel that such a bylaw would be productive and would punish the masses for the vandalism of the few. They also felt that most of the people who cause the problems would ignore such a law and create more of an enforcement problem with little benefit, as those inclined to commit crimes will ignore the bylaw.

BUDGET IMPLICATIONS

There are no budget implications.

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating Reserves, as well as any relevant legislation.

Additional copies of this report, and information on its status, can be obtained by contacting the office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Superintendent McNeil, Halifax Regional Police 490-6500