

## **OPC File# 2019-008**

On August 11, 2019 an online complaint was received alleging that the Chief of the Charlottetown Police Service breached the Code of Conduct by not laying a charge of defamatory libel. The alleged libel occurred during the spring of 2019. The story in question was removed from the website shortly after the publisher received notice of the allegation.

The Commissioner found that the complaint did not allege any facts that could support a finding of a breach of the Code of Conduct. The choice by a police officer to lay a charge is a discretionary choice. Reviewing authorities should only interfere with that choice if there is evidence that improper factors were considered ([R v Beaudry \(2007\) SCC](#)). The complaint did not allege any improper factors and therefore the Commissioner declined to proceed with an investigation.