

**NOVA SCOTIA COURT OF APPEAL**

**Citation:** *Securicor Canada Ltd. v. Dowling*, 2003 NSCA 69

**Date:** 20030618

**Docket:** CA 193470

**Registry:** Halifax

**Between:**

Securicor Canada Limited  
Securicor Canada Limitee, a body corporate

Appellant

v.

Stephen J. Dowling, Lynn Hall and Darrell Joyce

Respondents

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**JUDGE:** BATEMAN, J.A.

**APPEAL HEARD:** June 4, 2003

**JUDGMENT DELIVERED:** June 18, 2003

**SUBJECT:** Document disclosure, Civil Procedure Rule 20.06

**SUMMARY:** The respondents are plaintiffs in an action for wrongful dismissal from their employer Securicor. All three had been long term employees of Loomis Armoured Car Service Limited which amalgamated with Securicor on July 13, 2001. Each was dismissed in the spring of 2002. They sued for wrongful dismissal. In its defence Securicor denied that the dismissals were wrongful, saying that such resulted from a corporate reorganization and that the pay in lieu of notice offered on dismissal was consistent with the company's legal obligation to

the former employees. Pursuant to **Civil Procedure Rule 20.06**, each employee sought disclosure of his or her personnel file as well as any company documents related to the reorganization that was to require a general staff reduction.

**ISSUES:** Did the Chambers judge err in ordering disclosure of the material sought?

**RESULT:** Appeal dismissed with costs. The case law in this province consistently endorses a liberal interpretation of the **Civil Procedure Rules** and, in particular, those **Rules** encouraging pre-trial disclosure. The judge did not err in concluding that the documents were relevant within the liberal interpretation required of **Rule 20.06**. Relevance, when determined, as here, at the very early stages of an action has a much broader meaning than that which is applied at trial.

**This information sheet does not form part of the court's judgment. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 8 pages.**