

Information and Privacy Commissioner,
Ontario, Canada



Commissaire à l'information et à la protection de la vie privée,
Ontario, Canada

ORDER MO-3202

Appeal MA13-441

Toronto Police Services Board

May 26, 2015

Summary: The appellants sought access to information relating to a fatal incident involving their son. The police granted partial access to the responsive records. Access was denied pursuant to the personal privacy exemptions at sections 14(1) and 38(b), taking into consideration the presumption against the disclosure of information compiled as part of an investigation into a possible violation of law, in section 14(3)(b), and the exception to that presumption at section 14(4)(c), which allows for disclosure in compassionate circumstances. Some information was also withheld on the basis that it was not responsive to the request. The appellants appealed the police's decision to deny access to portions of the information and took the position that additional records must exist. This order finds that the police conducted a reasonable search for responsive records and upholds their decision to deny access to portions of the records as either non-responsive or under section 14(1) of the *Act*. The appeal is dismissed.

Statutes Considered: *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56, as amended, sections 2(1) (definition of "personal information"), 14(1), 14(3)(b), 14(4)(c), and 17.

Orders and Investigation Reports Considered: Order PO-3169.

BACKGROUND:

[1] The appellants' son was involved in a fatal incident that was responded to by officers of the Toronto Police Service. As the appellants' son had a brief interaction

with Toronto Police officers just prior to the incident, the Special Investigations Unit (SIU) was alerted and asserted jurisdiction over the investigation. The SIU is a civilian law enforcement agency, independent of the police, that conducts criminal investigations into circumstances involving police and civilians that have resulted in serious injury or death, among other things.

[2] Pursuant to section 113 the *Police Services Act*, an SIU investigation culminates in a report issued by the Director of the SIU to the Attorney General which indicates whether informations should be laid against police officers in connection with the matters investigated. In the matter relating to the fatal incident involving the appellants' son, informations were not laid and the matter was closed.

[3] Following the conclusion of the SIU investigation, the appellants submitted a request under the *Freedom of Information and Protection of Privacy Act* to the Ministry of the Attorney General for access to all information relating to the incident involving their son. Specifically, they sought access to all of the records in the SIU investigative file, as well as the Director's Report to the Attorney General. I conducted an inquiry and reviewed the appellants' right of access to the responsive information which culminated in Order PO-3169. I ordered disclosure of much of the information sought by the appellants.

OVERVIEW:

[4] Following receipt of the information ordered disclosed in Order PO-3169, the appellants submitted another access request. This time, the appellants' filed a request with the Toronto Police Services Board (the police) under the *Municipal Freedom of Information and Protection of Privacy Act* (the *Act*) for all records held by the police containing information relating to the fatal incident involving their son.

[5] The police located an occurrence report relating to the incident and granted the appellants partial access to it, severing portions pursuant to section 38(b) (personal privacy), read in conjunction with the presumption at section 14(3)(b) (investigation into a possible violation of law) of the *Act*. The police indicated that they considered the possible application of section 14(4)(c), the compassionate grounds exception, which permits the disclosure of personal information about a deceased individual to a close family member.

[6] The appellants appealed the police's decision.

[7] During mediation, the appellants indicated they believe that, in addition to the occurrence report, other records containing information regarding the circumstances of their son's death should exist. More specifically, the appellants indicated that they are seeking access to the following information that they believe must exist:

- the audio recordings of phone calls made to 911 on January 20, 2011, phone calls which generated the events of the incident (events A1122442, A112445 and A112494);
- the images recorded by the two video cameras of the taxicab during the trip, and which capture their son's face;
- the images recorded by the video cameras of the police cars involved in the incident – images of his verbal contact with police and when he was subject to a search pat down by police; and,
- the witness statements of the taxi driver.

[8] The appellants noted that they are not interested in the contact information of any police officers or civilian witnesses and that, with respect to any video recordings, they are not interested in the faces of witnesses, police officers, the taxi driver or any other individuals.

[9] The police agreed to conduct a further search for the records sought by the appellants and located the following additional records:

- I/CAD Event Details Report (13 pages)
- Police officers' notes (34 pages)

[10] The police issued a revised decision letter granting partial access to the newly located records. The police denied access to some portions of the I/CAD Event Details Report and the police officers' notes pursuant to the mandatory personal privacy exemption at section 14(1) and to other portions pursuant to the discretionary personal privacy exemptions at section 38(a) (discretion to refuse a requester's own personal information), read in conjunction with section 8(1)(l) (law enforcement) and section 38(b), read in conjunction with the presumption at section 14(3)(b) of the *Act*. The police also advised that they had considered the possible application of section 14(4)(c). Additionally, the police stated that some information contained in the police officers' notes was severed as "not responsive" to the request as it relates to other matters that occurred during the police officers' time on duty.

[11] Despite the additional search, the appellants continue to take the view that additional records relating to the incident must exist, including videotapes and audio recordings, a taxi driver's witness statement and other records. Accordingly, the issue of the reasonableness of the police's search for responsive records is at issue in this appeal. The appellants also wish to pursue access to all of the information that has been severed from the responsive records.

[12] As a mediated resolution could not be reached, the appeal was transferred to the adjudication stage of the appeal process where an adjudicator conducts an inquiry. I sought and received representations from the parties, which were shared in accordance with this office's *Code of Procedure* and *Practice Direction 7*.

[13] In their representations, the police submit that although section 38(a), read in conjunction with the section 8(1)(l), was cited in the decision letter, it was not actually applied to the records. They submit that this is evident from the fact that it was not mentioned in the index of records. The police advise that this exemption should have been removed from the final decision letter. As the police are not claiming that section 38(a), read in conjunction with section 8(1)(l), applies to any portions of the records, it is not at issue and will not be included in the scope of this appeal.

[14] For the reasons that follow, I uphold the police's decision and dismiss the appeal. Specifically, I find that:

- the police conducted a reasonable search for responsive records;
- portions of the records are not responsive to the appellants' request;
- the records contain the personal information of the appellants' son and other identifiable individuals but do not contain the personal information of the appellants;
- the disclosure of portions of the records are presumed to result in an unjustified invasion of personal privacy of individuals other than the appellants or the appellants' son pursuant to section 14(3)(b) and are, therefore, exempt from disclosure under section 14(1); and,
- the exception at 14(4)(c) that permits disclosure of information for compassionate reasons does not apply to the information that was found to qualify for exemption under section 14(1).

RECORDS:

[15] The records remaining at issue are the following:

- Occurrence Summary
- Police Officers' Memorandum Book Notes
- I/CAD Event Details Report

ISSUES:

- A. Did the police conduct a reasonable search for responsive records?
- B. Is some of the information in the records not responsive to the appellants' request?
- C. Do the records contain "personal information" as defined in section 2(1) and, if so, to whom does it relate?
- D. Does the mandatory exemption at section 14(1) apply to the information at issue?

DISCUSSION:

A. Did the police conduct a reasonable search for responsive records?

[16] Where a requester claims that additional records exist beyond those identified by the institution, the issue to be decided is whether the institution has conducted a reasonable search for records as required by section 17.¹ If I am satisfied that the search carried out was reasonable in the circumstances, I will uphold the institution's decision. If I am not satisfied, I may order further searches.

[17] Although a requester will rarely be in a position to indicate precisely which records that the institution has not identified, the requester still must provide a reasonable basis for concluding that such records exist.²

[18] The *Act* does not require the institution to prove with absolute certainty that further records *do not* exist. However, the institution must provide sufficient evidence to show that it has made a reasonable effort to identify and locate responsive records.³

[19] A reasonable search is one in which an experienced employee knowledgeable in the subject matter of the request expends a reasonable effort to locate records which are reasonably related to the request.⁴

[20] A further search will be ordered if the institution does not provide sufficient evidence to demonstrate that it has made a reasonable effort to identify and locate all of the responsive records within its custody or control.⁵

¹ Orders P-85, P-221 and PO-1954-I.

² Order MO-2246.

³ Orders P-624 and PO-2559.

⁴ Orders M-909, PO-2469 and PO-2592.

⁵ Order MO-2185.

Representations

[21] The appellants take the position that additional records responsive to the request should exist. As noted above, during mediation the appellants advised that they believe that records such as audio recordings and video recordings of the incident should exist, as well as the witness statement of the affected party, the taxi driver who transported their son just prior to the incident.

[22] In their representations, the police describe that the search for records responsive to the request was conducted by an Access & Privacy Analyst who searched for an Address History Report to confirm police attendance at the date and location identified in the request. It submits that checks were done through the I/CAD program and that the collated results assisted in determining what additional records, including police officers' notes, existed. Additionally, the police submit that the analyst consulted with the officer in charge who gave direction on the location of additional records responsive to the request. They submit that he confirmed that items, including videos, that were originally seized by the SIU have never been returned to the police and have not been sought as it was ultimately determined that the incident was not a criminal incident.

[23] In their representations, the police submit that there was "very little investigation by the police once the SIU established their mandate and took possession of the responsive records." They submit that they sought to release all of the responsive records in their custody in an attempt to answer as many of the questions posed by the appellants in their request as possible.

[24] Although the appellants submit that additional records should exist and specifically seek audio and video records and a witness statement from the taxi driver, their representations do not specifically address the reasonableness of the police's search for responsive records or explain why they believe that the police should have copies of these records.

Analysis and finding

[25] On my review of the information before me, I accept that the police have provided sufficient evidence to demonstrate that they have made a reasonable effort to identify and locate records responsive to the appellants' request. I accept that the searches were conducted by an experienced employee who is knowledgeable about records held by the police and that this individual expended a reasonable effort to locate any responsive records sought by the appellants.

[26] As noted above, although a requester will rarely be in a position to indicate precisely which records that the institution has not identified, the requester still must

provide a reasonable basis for concluding that such records exist.⁶ In the circumstances of this appeal, I find that I have not been provided with a reasonable basis for concluding that the police have in their custody and control additional records responsive to the request including any audio or video recordings and a witness statement of the taxi driver.

[27] With respect to the witness statement of the taxi driver, I note that a large portion of the information that was disclosed to the appellants in the police officer memorandum book notes include statements made by the taxi driver to officers attending at the scene. I have, therefore, concluded that the appellants seek a somewhat more formal witness statement from the taxi driver.

[28] The police make clear that once the SIU established its jurisdiction with respect to the incident, the police ceased to investigate it and passed on any relevant documentation to the SIU. They submit that there was very little investigation done by the police. Although the appellants believe that the police should have audio and video recordings relating to the incident, as well as more formal witness statement taken from the taxi driver, I am aware that much, if not all of the specific information that the appellants believe should exist in the hands of the police formed part of the records at issue in the prior appeal that gave rise to Order PO-3169. As mentioned above, this appeal arose from the appellants' request to the Ministry of the Attorney General for the complete SIU investigative file relating to the incident involving their son.

[29] In the absence of reasonable and convincing evidence to establish that the police should have additional records, including audio or video recordings or a formal witness statement from the taxi driver, I accept their position that no additional records exist. I reach this conclusion taking into account that it is clear that the police did not ultimately have jurisdiction over the investigation of the incident and that the great majority of the information relating to the incident was in the custody or control of the SIU. The appellants' right of access to this information was previously addressed in Order PO-3169.

[30] Moreover, as stated, the *Act* does not require the institution to prove with absolute certainty that further records *do not* exist. However, the institution must provide sufficient evidence to show that it has made a reasonable effort to identify and locate responsive records. In the circumstances of the current appeal, I accept that I have been provided with sufficient evidence to show that the police have made a reasonable effort to identify and locate records responsive to the appellant's request.

[31] Accordingly, I find that the police have performed a reasonable search for responsive records and I dismiss this aspect of the appeal.

⁶ Order MO-2246.

B. Is some of the information in the records not responsive to the appellants' request?

[32] The police identified and severed portions of several pages of the records as not responsive to the appellants' request. These portions are found in the police officers' memorandum book notes and the I/CAD Event Details Report.

[33] To be considered responsive to the request, records must "reasonably relate" to the request.⁷ It has previously been established that institutions should adopt a liberal interpretation of a request, in order to best serve the purpose and spirit of the *Act*. Generally, ambiguity in the request should be resolved in the requester's favour.⁸

[34] The police explain that the information that was severed from the police officer memorandum book notes relate to other matters that occurred during the police officers' time on duty on the day of the incident. The police do not make specific mention of the portions of information that they have severed from the I/CAD Event Details Report, as non-responsive.

[35] The appellants did not make any specific representations on whether the portions of the records severed by the police are responsive to their request.

[36] I have reviewed the records and have considered the severed portions that the police claim are not responsive to the appellants' request. I am satisfied that these portions of the records are not responsive to the request. In the police officers' memorandum book notes, this information relates to other calls that the police officers responded to during their time on duty that day that were unrelated to the incident involving the appellants' son. In the I/CAD Event Details Report this information consists of administrative information that I accept is not responsive to the appellants' request. Consequently, I find that the information severed by the police is, in fact, not responsive to the request and I uphold the police's decision to withhold it.

C. Do the records contain "personal information" as defined in section 2(1) and, if so, to whom does it relate?

[37] The personal privacy exemption in section 14(1) applies to records that contain "personal information." Consequently, it is necessary to decide whether the record contains "personal information" and, if so, to whom it relates. That term is defined in section 2(1) as follows:

"personal information" means recorded information about an identifiable individual, including,

⁷ Orders P-880 and PO-2661.

⁸ Orders P-134 and P-880.

- (a) information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual,
- (b) information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,
- (c) any identifying number, symbol or other particular assigned to the individual,
- (d) the address, telephone number, fingerprints or blood type of the individual,
- (e) the personal opinions or views of the individual except if they relate to another individual,
- (f) correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence,
- (g) the views or opinions of another individual about the individual, and
- (h) the individual's name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

[38] The list of examples of personal information under section 2(1) is not exhaustive. Therefore, information that does not fall under paragraphs (a) to (h) may still qualify as personal information.⁹

[39] Section 2(2.1) also relates to the definition of personal information. That section states:

⁹ Order 11.

(2.1) Personal information does not include the name, title, contact information or designation of an individual that identifies the individual in a business, professional or official capacity.

[40] To qualify as personal information, the information must be about the individual in a personal capacity. As a general rule, information associated with an individual in a professional, official or business capacity will not be considered to be "about" the individual.¹⁰

[41] Even if information relates to an individual in a professional, official or business capacity, it may still qualify as personal information if the information reveals something of a personal nature about the individual.¹¹

[42] To qualify as personal information, it must be reasonable to expect that an individual may be identified if the information is disclosed.¹²

Representations

[43] The police submit that the records contain the name, address and other identifying information of an affected party, the taxi driver. They submit that in the absence of consent they have denied access to that individual's personal information. The police submit that in the circumstances of this appeal, this information does not appear in a professional, official or business capacity but rather, in the affected party's personal capacity as he relayed his personal opinion on what had transpired to the police and that opinion was recorded in the investigating officer's memorandum book.

[44] The appellants do not specifically identify what types of personal information might appear in the records. They submit that they do not wish to invade the personal privacy of any individuals, and therefore, they do not seek the personal information of any of the witnesses that were directly involved. However, they submit that such personal information can be severed and the actual statements can be disclosed.

Analysis and finding

[45] Based on my review of the records at issue, I find that they contain the personal information of the appellants' son, as well as that of other identifiable individuals, including the taxi driver who witnessed the incident.

[46] As all of the records at issue were compiled as and formed part of an investigation into the incident that cause the death of the appellants' son, the records

¹⁰ Orders P-257, P-427, P-1412, P-1621, R-980015, MO-1550-F and PO-2225.

¹¹ Orders P-1409, R-980015, PO-2225 and MO-2344.

¹² Order PO-1880, upheld on judicial review in *Ontario (Attorney General) v. Pascoe*, [2002] O.J. No. 4300 (C.A.).

contain information that clearly amounts to the son's "personal information" as that term is defined in section 2(1) of the *Act*. Specifically, the records include information relating to his race, national or ethnic origin, colour, age, sex [paragraph (a)], identifying numbers assigned to him [paragraph (c)], his address and telephone number [paragraph (d)], the views or opinions of another individual about him [paragraph (g)], and the deceased's name where it appears with other personal information relating to him [paragraph (h)]. Therefore, I find that all the records at issue contain information about the appellant's son that meets the definition of "personal information."

[47] Although the taxi driver was on duty when the incident occurred, in my view the information does not qualify as his employment or business information. I find that all of the information that has been severed from the records amounts to his personal information. Specifically, it includes his race, ethnic origin, colour, age, sex [paragraph (a)], information relating to his employment history [paragraph (b)], identifying numbers assigned to him [paragraph (c)], his address and telephone number [paragraph (d)], and his name where it appears with other personal information relating to him [paragraph (h)].

[48] The occurrence report also briefly contains the name of another identifiable individual, together with other personal information relating to him [paragraph (h)].

[49] Accordingly, having reviewed the records, I find that they contain the personal information of the appellants' son, as well as that of other identifiable individuals.

[50] Although the police relied on both the mandatory personal privacy exemption at section 14(1) and the discretionary personal privacy exemption at section 38(b) in their decision letter, as the records do not contain the personal information of the appellants, the appropriate personal privacy exemption is the mandatory exemption at section 14(1) and it is not necessary for me to consider the possible application of section 38(b). Accordingly, I will go on to determine whether section 14(1) applies to the remaining information that has been withheld from the records at issue in this appeal.

D. Does the mandatory exemption at section 14(1) apply to the information at issue?

[51] As it has been established that a record contains the personal information of individuals other than the appellants, but does not contain the personal information of the appellants themselves, section 14(1) prohibits the disclosure of that information unless one of the exceptions in sections 14(1)(a) to (e) applies, or unless disclosure would not be an unjustified invasion of personal privacy as contemplated by section 14(1)(f).

[52] The facts and presumptions in sections 14(1)(2), (3) and (4) help in determining whether disclosure would or would not be an unjustified invasion of personal privacy under section 14(1)(f). If any of paragraphs (a) to (d) of section 14 (4) apply, disclosure is not an unjustified invasion of personal privacy and the information is not exempt under section 14(1).

Section 14(1) - exceptions

[53] In the circumstances of this appeal, it appears that the only paragraph in section 14(1) that might be relevant is section 14(1)(f). That section reads:

A head shall refuse to disclose personal information to any person other than the individual to whom the information relates except,

if the disclosure does not constitute an unjustified invasion of personal privacy.

[54] Accordingly, to determine whether disclosure of the information may not amount to an unjustified invasion of personal privacy and exempt from disclosure I will consider the provisions in sections 14(2), (3), and (4).

Sections 14(2) and (3) – factors and presumptions

[55] If any of paragraphs (a) to (h) of section 14(3) apply, disclosure of the information is presumed to be an unjustified invasion of personal privacy.

[56] For records claimed to be exempt under section 14(1) (i.e. records that do not contain the requester's personal information), a presumed unjustified invasion of personal privacy under section 14(3) can only be overcome if a section 14(4) exception or the "public interest override" at section 16 applies.¹³ In the circumstances of this appeal, section 16 has not been raised, nor does it appear to apply.

[57] If the records are not covered by a presumption in section 14(3), section 14(2) lists various factors that may be relevant in determining whether disclosure of the personal information would be an unjustified invasion of personal privacy and the information will be exempt unless the circumstances favour disclosure.¹⁴

14(3)(b): investigation into violation of law

[58] The police submit that because the responsive records were compiled as part of an investigation into a possible violation of law, in this case the *Criminal Code of*

¹³ *John Doe v. Ontario (Information and Privacy Commissioner)* (1993), 13 O.R. (3d) 767.

¹⁴ Order P-239.

Canada, disclosure of the information at issue would amount to an unjustified invasion of privacy as the presumption at section 14(3)(b) applies. Section 14(3)(b) reads:

A disclosure of personal information is presumed to constitute an unjustified invasion of personal privacy if the personal information,

was compiled and is identifiable as part of an investigation into a possible violation of the law, except to the extent that disclosure is necessary to prosecute the violation or to continue the investigation.

[59] Specifically, the police submit that the records were created and compiled for the purpose of an investigation into circumstances that took place before and after the incident involving the appellants' son, it is clear that section 14(3)(b) applies.

[60] It has been well established that even if no criminal proceedings were commenced against any individuals, section 14(3)(b) may still apply. The presumption only requires that there be an investigation into a possible violation of law.¹⁵ The presumption can also apply to records created as part of a law enforcement investigation where charges are subsequently withdrawn.¹⁶

[61] Based on my review of the responsive records, I accept the police's position that the personal information contained in those records was compiled as part of an investigation into a possible violation of law. The records are police records that were created and compiled once they were alerted to the incident involving the appellants' son and prior to the SIU establishing jurisdiction respecting the investigation into that incident. Accordingly, subject to the possible application of section 14(4) discussed below, I find that the disclosure of the information in the records is presumed to amount to an unjustified invasion of personal privacy within the meaning of section 14(3)(b).

Section 14(4) – disclosure not an unjustified invasion of personal privacy

[62] As mentioned above, a presumed unjustified invasion of personal privacy in section 14(3) can be overcome if the personal information is found to fall under one of the paragraphs of section 14(4) of the *Act*.

[63] The only paragraph in section 14(4) that might be relevant in this appeal is section 14(4)(c). Therefore, I must now determine whether, despite the application of the presumption at section 14(3)(b), section 14(4)(c) permits the further disclosure of personal information contained in the records. Section 14(4)(c) permits the disclosure of personal information about a deceased individual to the spouse or close relative of

¹⁵ Orders P-242 and MO-2235.

¹⁶ Orders MO-2213, PO-1849 and PO-2608.

the individual where it is desirable to do so for compassionate reasons. Based on the wording of this provision, a finding that section 14(4)(c) applies to some or all of the personal information means that disclosure would *not* be an unjustified invasion of personal privacy. Section 14(4)(c) reads:

Despite section (3), a disclosure does not constitute an unjustified invasion of personal privacy if it,

discloses the personal information about a deceased individual to the spouse or a close relative of the deceased individual, and the head is satisfied that, in the circumstances, the disclosure is desirable for compassionate reasons.

[64] The term "close relative" is defined in section 2(1) of the *Act* as:

"close relative" means a parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew or niece, whether related by blood or adoption.

[65] The police submit that in making their decision on the disclosure of the information contained in the records they were mindful of the compassionate circumstances surrounding the request and they applied the exception at section 14(4)(c). The police submit that, as a result, they granted access to the majority of the personal information contained in the responsive records, particularly that relating to the appellants' son. However, they submit that the information that they have severed from the records amounts to the personal information of identifiable individuals other than the appellants' son, from whom they do not have consent to disclose. As a result, it was determined that such disclosure would amount to an unjustified invasion of those individuals' personal privacy under section 14(1).

[66] The appellants submit that despite the disclosure that they received from the police in this case and the disclosure they received as a result of Order PO-3169, they continue to have many questions surrounding the fatal incident involving their son. They submit that they do not wish to obtain access to the personal information of the witnesses who were directly involved, but insist that this information can be severed leaving the statement itself without any names or identifiers. They submit that the disclosure of a witness statement that has been severed in this manner would not disclose any personal information of other identifiable individuals.

[67] The circumstances surrounding the incident involving their son that gave rise to the appellants' request is indeed very sympathetic. This is precisely the type of request for which the exception allowing for the disclosure of information for compassionate

reasons was included in the *Act*. However, having reviewed the specific information that remains at issue in the records, I find that section 14(4)(c) does not apply to it.

[68] The police have disclosed the great majority of the information that they have in their custody or control that relates to the fatal incident involving the appellants' son. The only information that they have severed from the responsive records, other than non-responsive information, is the personal information of the taxi driver, and in one instance, that of another individual. The personal information of these individuals amounts exclusively to the type of information that the appellants are not interested in obtaining: name, age, sex, date of birth, address, and telephone number. None of this information can be described as information that is mixed with that of the appellants' son; it is strictly information about other identifiable individuals.

[69] In my view, the police have applied section 14(4)(c) in an appropriate manner to disclose all of the descriptive information that relates to the incident. I do not accept that the disclosure of any of the undisclosed personal information would not be of any assistance to the appellants or provide them with further information about the incident that gave rise to their son's death.

[70] Accordingly, I find that the exception at section 14(4)(c) does not apply to the information that remains at issue and its disclosure would result in a presumed unjustified invasion of the personal privacy of the individuals to whom that information relates pursuant to the application of section 14(3)(b). Therefore, I find that section 14(1) applies to the information for which it was claimed and I uphold the police's decision not to disclose it.

ADDITIONAL NOTES:

[71] I note that in their representations the appellants ask for assistance in understanding the meaning of some of the phrases in the I/CAD Event Details Report, as well as explanation and clarification with respect to some of the information that was disclosed to them. As these are police records, I would encourage the appellants to communicate directly with the police to obtain clarification on the meaning of any portions of the records that were disclosed to them.

ORDER:

I uphold the police's decision and dismiss the appeal.

Original Signed By:
Catherine Corban
Adjudicator

May 26, 2015