Information and Privacy Commissioner,
Ontario, Canada

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

ORDER MO-3822

Appeal MA18-195

York Regional Police Services Board

August 29, 2019

Summary: The York Regional Police Services Board (the police) received a request under the *Municipal Freedom of Information and Protection of Privacy Act* (the *Act*) for access to records relating to a specific occurrence involving the requester and her minor son. The police granted partial access to the requested records. The requester appealed, claiming the police's search for records was inadequate and that the police improperly refused to correct personal information of herself and her son under section 36(2) of the *Act*. In this order, the adjudicator upholds the police's search for records, and their decision to deny the correction request, and dismisses the appeal.

Statutes Considered: *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M. 56, as amended, section 2(1) (definition of "personal information"), 17 and 36(2).

Orders Considered: Orders PO-2549, MO-1438, M-777, and PO-1881-I.

OVERVIEW:

[1] The appellant, the mother of a young child, took her child for medical evaluation and treatment when she became concerned about his leg following his return from an access visit with his father. She reported the matter to the Children's Aid Society (CAS), and the York Regional Police Services Board (the police) investigated the incident.

[2] The appellant then submitted an access request to the police under the *Municipal Freedom of Information and Protection of Privacy Act* (the *Act*) for "all records, video statement (copy), audio (copy), anything to do with" the relevant occurrence number.

[3] The police located responsive records, which included the occurrence report and

hospital records obtained by the investigating officer, and granted partial access to them, relying on the exemptions at sections 15(a) (publicly available) and 38(b) (personal privacy) of the *Act* to withhold some information. Those redactions are not at issue in this appeal.

[4] The appellant appealed the police's decision to this office on the basis that she believed there were additional records that the police had not provided to her. The police agreed to do a secondary search for records, and located the notes of two officers, which they provided to the appellant. The police's Freedom of Information supervisor further advised the appellant that:

> … I wish to confirm that there are no further records that exist for this investigation, any telephone conversations that [the investigating officer] may have had with a [named] individual or CAS were not recorded and the only information that exists regarding these calls is contained with the general occurrence report that has already been provided to you or the attached officers' notebook entries. No documents were shared with any other parties during the investigation including CAS.

[5] The appellant continues to believe, however, that the police have additional records that have not been disclosed to her. The basis for her belief, at least in part, appears to be that the occurrence report refers to a "joint investigation" with the CAS. The appellant appears to believe the police should have CAS records in their possession.

[6] The appellant also believes the records require correction. After she received the police records in response to her access request, she wrote the police a letter identifying a number of concerns with the contents of the records, particularly the investigating officer's description of the nature of the injury to her son's leg. With her letter, she enclosed a letter from her son's orthopaedic surgeon to her lawyer; the orthopaedic surgeon's letter mentions a fracture. During the course of mediation, the appellant confirmed that she believes the records require correction. Although she initially raised a number of requested corrections, she then clarified that she is only pursuing one correction: the lack of mention of a fracture in the police records. As elaborated on below, the appellant's concern is that the leg injury is not described in the police's records as a fracture, whereas the orthopaedic surgeon who saw the child wrote in a letter to the appellant's lawyer that the child's leg had sustained a fracture.

[7] The mediator discussed the appellant's correction request with the police. In response, the police advised the appellant by letter that:

> ...I wish to confirm that the investigating officer … has advised you and this office that she will not be changing the general occurrence report regarding information contained in letter from [the orthopaedic surgeon] to your lawyer concerning your son. The information that a [named] sergeant included in the police report was the summary of her

> conversation with the physician regarding your son's injury. The letter in question was not directed to York Regional Police and was only provided [to] the sergeant by you after the investigation had been completed.
>
> The sergeant has advised this office that she will scan the letter as an attachment to the general occurrence report and put on a supplementary report indicating she has done so, but will not amend her report.

[8] In a subsequent letter, the police also provided the appellant with a copy of the administrative narrative indicating that the doctor's letter had been attached to the general occurrence report. The appellant did not accept this as a resolution of this matter, and continues to believe that the police's records should be corrected. As a result, the police's denial of the appellant's correction request was added as an issue in this appeal.

[9] The mediator also discussed with the appellant her right to have a statement of disagreement attached to the records, pursuant to section 36(2)(b). The appellant advised the mediator that she did not wish to have a statement of disagreement attached to the records. The appellant maintains her position that the records should be corrected and advised the mediator that she wished to proceed to adjudication on this issue.

[10] Mediation did not resolve the appeal and it was transferred to the inquiry stage of the appeal process, where an adjudicator may conduct an inquiry under the *Act*. I conducted my inquiry by inviting and receiving representations from the police, followed by the appellant. The parties' representations were shared with each other in accordance with this office's *Practice Direction 7: Sharing Representations* and section 7 of the *Code of Procedure*.

[11] In this order, I uphold the police's search for responsive records as reasonable, and I uphold their decision to deny the appellant's correction request. I dismiss the appeal.

RECORDS:

[12] The appellant requests that corrections be made to the occurrence report.

ISSUES:

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

B. Should the police correct personal information under section 36(2) of the *Act*?

DISCUSSION:

[13] The appellant submitted extensive and detailed representations and many exhibits to explain the background to this matter and the basis for her correction requests. Her representations also set out her concerns about the conduct of the police and the CAS during the investigation into her son's injuries. She has also raised concerns about the conduct of counsel for the child's father. While I have considered the entirety of the appellant's representations in making my determinations in this appeal, I remind the appellant that the only issues I can address are the police's search for records, and their response to the appellant's request that the police correct their records. Matters such as the quality of the police and CAS investigations, and the conduct of counsel for the father are not within the scope of this appeal.

[14] The appellant also submits that I should order corrections to CAS records. However, the records of the CAS are not before me and the CAS is not an institution under the *Act.* I cannot, therefore, consider the appellant's request that the CAS correct its records.

Issue A: Did the police conduct a reasonable search for records?

[15] 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.

[16] 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.[2] To be responsive, a record must be "reasonably related" to the request.[3]

[17] 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]

[18] 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

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[1] Orders P-85, P-221 and PO-1954-I.
[2] Orders P-624 and PO-2559.
[3] Order PO-2554.
[4] Orders M-909, PO-2469 and PO-2592.

of the responsive records within its custody or control.[5]

[19] Although a requester will rarely be in a position to indicate precisely which records the institution has not identified, the requester still must provide a reasonable basis for concluding that such records exist.[6]

Representations of the police

[20] The police submitted representations and an affidavit sworn by their Freedom of Information Supervisor (the FOI supervisor).

[21] The FOI supervisor explains that she conducted the search of the police records management system (RMS) in relation the police's investigation by running the general occurrence number assigned to the incident. This search brings up a computer-generated report that allows the searcher to print out any call history associated with the occurrence (i.e. how the occurrence was reported to the police), a copy of the general occurrence report, and any scanned documents that may have been attached to the general occurrence report.

[22] The FOI supervisor explains that in this case, there was no call made to the police communications bureau regarding the complaint. Rather, the occurrence report was generated by the investigating officer in response to a referral received from the CAS involving a 22-month-old boy with a bent tibia. The investigating officer, a detective assigned to the Crimes against Children Bureau, then conducted an investigation based on the referral.

[23] The FOI supervisor explains that during the investigation of the complaint, the detective obtained a video statement from the appellant and obtained the medical records of the injured child from the hospital. The monitor notes of the video statement (i.e. the notes of the second officer who was present during the appellant's statement) and the medical records were attached to the general occurrence report.

[24] She explains, further, that the investigating officer indicated in the occurrence report that during the investigation of the complaint, she spoke by telephone with both a lawyer representing the father of the injured child and the doctor from the fracture clinic at the hospital. The phone calls were not recorded. The investigating officer submitted supplementary reports summarizing the telephone conversations and they were attached to the general occurrence report.

[25] The FOI supervisor states that the general occurrence report, including the supplementary reports, monitor notes, a copy of the video statement of the appellant,

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[5] Order MO-2185.
[6] Order MO-2246.

and the medical records obtained by the investigating officer were collected and identified in the decision letter sent to the requester in response to her access request.

[26] The FOI supervisor also notes that during mediation, when the appellant stated that further records should exist, the investigating officer was contacted and she advised that the only other records that exist would be her notebook entries and the notebook entries of the officer who assisted with the monitoring of the appellant's video statement. The notebook entries were provided to the appellant.

[27] The police submit that they did not ask the appellant for clarification of her request, as the request was clear and she had provided the incident number. They explain that initially they did not identify the officers' notes as responsive records, because the occurrence report is more detailed than the officers' notes. The police did, however, provide these notes to the appellant during mediation.

Representations of the appellant

[28] The appellant submitted extensive representations, but made limited representations in response to the Notice of Inquiry to substantiate her position that the police did not conduct a reasonable search for responsive records. I have taken into account her statement to the mediator that she takes issue with the reasonableness of the police search, and her concern expressed during mediation that the police did not have CAS records despite the fact that the police's occurrence report refers to the investigation as a joint investigation.

[29] The appellant did express concern in her representations with the number of police notes she received after months of requesting full disclosure. She also submits that the occurrence report contains references to phone calls that are not documented elsewhere in the records provided to her.

Analysis and findings

[30] As noted above, while a requester will rarely be in a position to indicate precisely which records the institution has not identified, the requester must still provide a reasonable basis for concluding such records exist.

[31] Although the appellant takes issue with the reasonableness of the police's search for responsive records, in my view she has failed to provide sufficient evidence to challenge the evidence or submissions provided by the police in support of the reasonableness of their search.

[32] The police have provided an explanation of the steps they took to locate records responsive to the request. The search was conducted by a Freedom of Information supervisor, who has been in the position for many years. She, in turn, consulted with the investigating officer. I am satisfied that the searches were conducted by experienced personnel, knowledgeable in the subject matter of the request, and that

they expended a reasonable effort to locate records that are reasonably related to the request.

[33] I also find that the appellant has not provided a reasonable basis for believing that other records exist. Although the occurrence report refers to a joint investigation with the CAS, and there are references to phone conversations with the CAS, there is no reference to the CAS having provided any documents to the police. In light of this, I find that there is no reasonable basis to believe that the police would have CAS records in their possession. With respect to the appellant's concern that the occurrence report contains references to phone calls that are not documented elsewhere, this too is not a reasonable basis for believing that more records exist. I accept the police's explanation that in some instances the officer recorded her phone calls in the occurrence report and that the calls were not otherwise recorded.

[34] I uphold the police's search as reasonable in the circumstances.

Issue B: Should the police correct personal information under section 36(2) of the *Act*?

[35] Section 36(1) gives an individual a general right of access to his or her own personal information held by an institution. Section 36(2) gives the individual a right to ask the institution to correct the personal information. If the institution denies the correction request, the individual may require the institution to attach a statement of disagreement to the information. Sections 36(2)(a) and (b) state:

> Every individual who is given access under subsection (1) to personal information is entitled to,
>
> > a. request correction of the personal information where the individual believes there is an error or omission therein;
> >
> > b. require that a statement of disagreement be attached to the information reflecting any correction that was requested but not made;

[36] This office has previously established that in order for an institution to grant a request for correction, all three of the following requirements must be met:

1. the information at issue must be personal and private information;
2. the information must be inexact, incomplete or ambiguous; and

3. the correction cannot be a substitution of opinion.[7]

[37] In each case, the appropriate method for correcting personal information should be determined by taking into account the nature of the record, the method indicated by the requester, if any, and the most practical and reasonable method in the circumstances.[8]

[38] In addition, section 36(2)(a) gives the institution discretion to accept or reject a correction request.[9] Even if the information is "inexact, incomplete or ambiguous," this office may uphold the institution's exercise of discretion if it is reasonable in the circumstances.[10]

Representations of the appellant

[39] The appellant provided extensive submissions in support of her correction request. I have summarized her concerns below.

[40] It is clear that the appellant's primary concern is that in her view the police's records do not refer to the child's leg as having sustained a fracture. The police records contain phrases such as "sore leg," "bent tibia," "no obvious break," and "bowed fibula." In this regard, the appellant makes specific mention of medical information that was not included in the occurrence report, but that was provided by the orthopaedic surgeon in his letter to the appellant's counsel.

[41] Although the appellant confirmed during mediation that the nature of the injury to her son's leg is the only correction she seeks, she also made submissions during adjudication about the following additional corrections she is requesting.

- The appellant disagrees with many of the statements that counsel for the child's father made to the investigating officer, such as information indicating that the appellant and father were involved in court proceedings at the time of their son's injuries.
- The appellant disagrees with the records where they indicate that she told the investigating officer that she does not believe the father would intentionally hurt their child.
- The appellant disagrees with the statement in the occurrence report that she intended to take the father to court.

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[7] Orders P-186 and P-382.
[8] Orders P-448, MO-2250 and PO-2549.
[9] Order PO-2079.
[10] Order PO-2258.

- The appellant says that the investigating officer omitted pertinent information in her notes regarding her phone calls with the appellant.
- She states that the transcript of her video statement/interview is inaccurate, and provided her own transcript with her representations during my inquiry. She objects in particular to the use of the word "fiancé" to refer to an individual the appellant mentioned during the interview.
- The appellant notes that the occurrence report states the investigation was a joint investigation with the CAS, but that the police later told this office during mediation that there was no joint investigation.
- The appellant disagrees with the administrative statement attaching the orthopaedic surgeon's letter to the original report. She would like to remove the statement, "At the request of [appellant's name] a letter dated December 11, 2017 from [the orthopaedic surgeon to the appellant's lawyer] regarding [the appellant's son] has been attached to this General Occurrence," and replace it with a written statement that it was the police's decision to correct the medical facts by attaching the orthopaedic surgeon's letter.

Representations of the police

[42] The police explain that they investigated the complaint in September of 2017. During the investigation of the complaint, the investigating officer obtained the medical records of the injured child from the hospital, and also spoke to the orthopaedic surgeon, who summarized his conclusions of the child's injury to the officer, which the officer in turn detailed in the police report.

[43] The police submit that after the appellant received her decision letter in response to her access request, she provided the police's FOI unit a copy of the orthopaedic surgeon's letter to her lawyer. The police note that the letter was not directed to the investigating officer, nor was it provided to the police during the investigation of the complaint.

[44] The police explain that the investigating officer closed her investigation because there were no concerns for the child's well-being and the injury was not suspicious in nature. The police submit that the officer is not a medical professional. She noted during her investigation the conclusion that the orthopaedic surgeon provided to her regarding the child's injury. The police submit that the letter from the orthopaedic surgeon that the appellant later gave the police does not provide any evidence that the injury was suspicious and therefore it is not relevant to the investigation.

[45] The police submit that in any event, during the mediation of the appeal, the police agreed to have the orthopaedic surgeon's letter attached to the general

occurrence report. The police added an administrative narrative to the occurrence report stating that the letter was attached to the general occurrence report at the request of the appellant. The police submit that the appellant wants the administrative report corrected to state that it was not at her request that the letter was attached to the occurrence report. She wants it corrected, the police submit, to state that it was attached because the investigating officer omitted pertinent medical information and set out an inaccurate account of the joint investigation into her son's broken leg.

[46] The police submit that the appellant's correction requests are not in relation to her personal information, but in relation to how an officer conducted her investigation and the conclusion of that investigation. They state that the investigation is a collection of the investigating officer's observations, impressions and views of the individuals that she had contact with during her investigation and the records that she obtained. The police submit that the report is not incomplete. The purpose of the investigation was to determine if there was any criminal element involved in the injury. The officer's conclusion was based on the evidence presented to her, including the statement of the appellant, medical records and the information that the officer obtained from the doctor, which was that the injury was not suspicious in nature and there were no concerns for the child's well-being.

[47] The police are of the view that the appellant is not seeking a correction request, but instead is dissatisfied with the investigation and wants a different conclusion. The police submit that at the time of the investigation the officer obtained the medical opinion of the orthopaedic surgeon; the appellant is requesting that the police correct that information by replacing it with a more detailed medical opinion that was not given to the police during the investigation. The police note that the letter still has the same conclusion as that given to the officer during her investigation, which is that the injury does not appear to be suspicious in nature.

Analysis and findings

[48] As noted above, in order to qualify for correction, three criteria must be met:

1. the information at issue must be personal and private information;
2. the information must be inexact, incomplete or ambiguous; and
3. the correction cannot be a substitution of opinion.[11]

[49] With respect to the first requirement, the parties disagree on whether the correction request relates to personal information of the appellant. However, on my review of the record, it is clear that the record contains the appellant's personal

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[11] Orders P-186 and P-382.

information, and the personal information of her minor son, within the meaning of "personal information" as defined at section 2(1) of the *Act*.[12] The personal information in the records includes information about the appellant including the statements she gave to the police, her family status, and the views and opinions of others about her. This is her personal information under the introductory wording of the definition and paragraphs (a), (g) and (h). The records also contain information about the appellant's son, including information relating to his family status and medical history, falling within paragraphs (a) and (b) of the definition.

[50] Having found that the information at issue is personal information, I find that the first requirement for correction is met.

[51] I now turn to the second and third requirements. For section 36(2)(a) to apply, the information must be "inexact, incomplete or ambiguous," and the requested correction cannot be a substitution of opinion.[13]

[52] The following passage from The Williams Commission Report[14] is helpful in understanding the scope of the *Act*'s correction provisions:

> …although we recommend rights of appeal with respect to correction requests, agencies should not be under an absolute duty to undertake investigations with a view to correcting records in response to each and every correction request. The privacy protection schemes which we have examined adopt what we feel to be appropriate mechanisms for permitting the individual to file a statement of disagreement in situations where the governmental institution does not wish to alter its record. In particular cases, an elaborate inquiry to determine the truth of the point in dispute may incur an expense which the institution quite reasonably does not wish to bear. Moreover, the precise criteria for determining whether a particular item of information is accurate or complete or relevant to the purpose for which it is kept may be a matter on which the institution and the individual data subject have reasonable differences of opinion.

[53] Records of an investigatory nature, such as the occurrence report at issue, cannot be said to be "incorrect" or "in error" or "incomplete" if they simply reflect the views of the individual whose impressions are being set out. It is not the truth of the recorded information that is determinative of whether a correction request should be

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[12] Pursuant to section 54(c) of the *Act*, the appellant can also exercise a right of correction on behalf of her son.

[13] Orders P-186, PO-2079 and PO-2549.

[14] *Public Government for Private People: The Report of the Commission on Freedom of Information and Individual Privacy/1980*, vol. 3 (Toronto: Queen's Printer, 1980) at 709-710. ("The Williams Commission Report").

granted, but rather, whether or not what is recorded accurately reflects the author's observations and impressions at the time the record was created.[15] In Order MO-1594, the adjudicator considered a correction request with respect to a supplementary report to an occurrence report. In upholding the police's denial of the appellant's correction request, the adjudicator found that:

> … the information in these portions of the record is not inexact, incomplete or ambiguous, in the whole context of the record and given the purpose for which the information is recorded and, further, … the appellant's suggested corrections reflect a substitution of opinion. In some cases, the record sets out the officer's summary or description of certain facts, such as the nature of the allegations, or the nature of the information provided by the appellant. Such a summary or description necessarily involved some judgment and interpretation of the information before the officer, and in this sense, reflects a combination of objective fact and the subjective perspective of the author. It should be noted that the officer was attempting to condense a large volume of information from the appellant in his description of the allegations, and it is perhaps not surprising that the appellant would have chosen to describe them differently himself.
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> …. From my review of the information before me, there is no reason to doubt that the record is an accurate reflection of the officer's understanding of the state of events being described, and the request for correction is in essence a request to substitute one person's understanding for another.

[54] Similarly, in Order PO-2079, the adjudicator stated:

> It should be noted that, with respect to some of the disputed portions, the author was attempting to condense a large volume of information from the appellant, and it is perhaps not surprising that the appellant would have chosen to use different words himself, or included more detail.

[55] In Order MO-1438, the adjudicator addressed a correction request related to narrative portions of the appellant's General Welfare Assistance file. The adjudicator stated:

> Although I noted that the entries appear to be consistent with matters at issue at the time they were created, this finding is not central to the issues to be determined. In this case, the question is, do the statements

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[15] Orders M-777, MO-1438 and PO-2549.

reflect the views or observations of the case supervisor as they existed at the time they were created?

[56] The adjudicator found that in the circumstances of that appeal, the information in the records was an accurate reflection of the author's perception of the events as they existed at the time they were created.

[57] Also, as mentioned above, section 36(2)(a) gives the institution the discretion to accept or reject a correction request. Even if the information is "inexact, incomplete or ambiguous," this office may uphold the institution's exercise of discretion if it is reasonable in the circumstances.

[58] With the above principles in mind, I now turn to the various corrections the appellant requests. I have considered the records, the police's representations and all the information provided to me by the appellant, including the attachments submitted with her representations.

[59] As noted above, the appellant stated during mediation that she was limiting her correction request to the description of the injury to her son's leg. Nonetheless, for completeness, I will address the other corrections she addressed in her representations.

[60] In my view, and for the reasons that follow, I find that none of the information that the appellant requests to have corrected is inexact, incomplete or ambiguous so as to warrant correction under section 36(2)(a). As noted above, that information with which the appellant takes issue can be summarized as follows:

- The investigating officer's descriptions of the injury to the child's leg
- The investigating officer's account of the statements that counsel for the child's father made to the investigating officer
- The reference to the appellant's intention to take the father to court
- The investigating officer's account of her conversations with the appellant including the recording of the appellant telling the investigating officer that she does not believe the father would intentionally hurt their child
- The observing officer's notes of the appellant's statement/interview and the reference to "fiancé"
- The reference to the investigation as being a joint investigation with the CAS
- The contents of the administrative narrative explaining that the doctor's letter has been attached to the occurrence report at the appellant's request

[61] In my view, all of this information reflects the observations and views of either the investigating officer as recorded by her during her investigation, or, in the case of the notes of the appellant's interview, the officer who observed the interview and whose notes contain the reference to "fiancé."

[62] With respect to the appellant's key concern, the investigating officer's recording of the nature of the injury to the appellant's son's leg, it would appear from the letter the doctor wrote to the appellant's lawyer that there were a number of hospital visits and that the nature of the injury, i.e. a fracture, only became clear after the investigating officer's conversations with the doctor. Therefore, it is highly likely that the doctor did not mention a fracture to the officer. Even if he had, I agree with the police that the purpose of their investigation was to determine whether the injury was suspicious in nature. The doctor's letter to the lawyer is consistent with what he told the investigating officer in that regard. Moreover, and most importantly, the occurrence report was not written by the doctor. It was written by the investigating officer, who recorded her understanding of what the doctor told her. I agree with the adjudicator in Order MO-1438 where she states that the central issue is not whether the records are consistent with matters at issue at the time they were created, but rather, whether the statements reflect the views or observations of the officer as they existed at the time the record was created. I find, therefore, that the officer's notes of the nature of the leg injury are not "inexact, incomplete or ambiguous."

[63] With respect to the contents of the statements the father's counsel made to the officer, these too reflect the officer's accounts and perceptions as the investigation unfolded. The appellant may disagree with what the father's counsel told the officer, but that does not make the officer's impressions of these conversations inexact, incomplete or ambiguous.

[64] Similarly, with respect to the references to the officer's conversations with the appellant herself, the appellant may feel that the officer has misquoted her or left out information, but again, this is the officer's account of those conversations. Such a summary necessarily reflects a combination of objective fact and the subjective perspective of the officer.

[65] With respect to the "fiancé" reference in the notes of the observing officer who took down the appellant's statement, I note that the appellant's own transcript of her interview contains this reference. I find, therefore, that this is not an inexact description of that portion of her statement. It is irrelevant whether this individual is no longer the appellant's fiancé; the officer recorded what he heard the appellant say. As for the overall notes of the appellant's statement, I acknowledge that they are much less detailed than what appears to be a verbatim transcript the appellant submitted with her representations during my inquiry. However, this does not mean that the notes require correction, only that the police chose to take down her statement in this way.

[66] With respect to the reference to a "joint investigation" with the CAS, I note that the FOI supervisor stated during mediation that there was no joint investigation, only a

referral from the CAS. The police’s representations do not address this point. If the term “joint investigation” is not the correct term for the nature of the police’s investigation, it may have nonetheless been the officer’s impression that the correct terminology was “joint investigation.” Even if this term is an inexact term for the nature of the police’s investigation, I would not interfere with the police’s discretion not to make a correction to delete this reference. An overall review of the police’s notes makes clear the parameters of the police’s investigation and the degree to which the police involved the CAS.

[67] Finally, the appellant wants a change to the administrative narrative accompanying the doctor’s letter attached to the occurrence report. The narrative states that it has been attached at the appellant’s request. In my view, this was a reasonable interpretation on the part of the police, since the appellant provided this letter to the police after the police sent her the occurrence report and told the police that the information in the doctor’s letter should have been in the occurrence report.

[68] For the reasons set out above, I uphold the police’s decision to deny the appellant’s correction requests.

[69] I reiterate that the appellant is entitled under section 36(2)(b) of the *Act* to require the police to attach a statement of disagreement to the information reflecting the corrections that she requested but that were not made.

[70] While the appellant is not in favour of this approach, I am satisfied that a statement of disagreement is an appropriate remedy to address any of the alleged inaccuracies in the police’s records. As Order PO-1881-I states:

> The remedy of attaching a statement of disagreement implies that there is a reasonable difference of opinion between an institution and a requester regarding the accuracy of the content of a record – the institution says it is accurate, the requester disagrees. Anyone looking at such a record in future knows that there is a dispute regarding its accuracy and can take that into account in assessing the reliance placed on the content of the record.

[71] In the circumstances of this appeal, based on the evidence provided to me and the nature of the corrections requested, I find that attaching the statement of disagreement is an effective way of addressing the appellant’s concerns regarding the accuracy of the police’s records in this instance.

ORDER:

I uphold the reasonableness of the police’s search for records and their denial of the request to correct the personal information of the appellant and her son. The appeal is dismissed.

Original Signed by: August 29, 2019

Gillian Shaw
Senior Adjudicator