

Information and Privacy Commissioner,  
Ontario, Canada



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

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## ORDER MO-4537

Appeal MA21-00777

Peel Regional Police Services Board

June 28, 2024

**Summary:** The appellant requested records relating to criminal investigations he was involved in from the police. The police decided to grant access to some of the records, but withheld information pursuant to the personal privacy exemption in section 38(b). In this order, the adjudicator upholds the police's decision and dismisses the appeal.

**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) and 38(b).

### OVERVIEW:

...any and all records, event logs, incident logs, dispatch logs, notes, reports, follow-up notes and reports, audio or video, 911, non-emergency line & body camera recordings for [a specified period] [relating to particular incidents]

### RECORDS:

Occurrence details: (relating to three occurrence numbers)

Confidential-Event Chronology: (relating to three occurrence numbers)

Officers' hand-written notes

Audio tracks: 1-4, 6, 7, and 22.

## **ISSUES:**

- A. Do the records contain "personal information" as defined in section 2(1) and, if so, whose personal information is it?
- B. Does the discretionary personal privacy exemption at section 38(b) apply to the information at issue?

## **DISCUSSION:**

### **Issue A: Do the records contain "personal information" as defined in section 2(1) and, if so, whose personal information is it?**

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

- (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.

***Finding***

**Issue B: Does the discretionary personal privacy exemption at section 38(b) apply to the personal information at issue?**

***Representations***

***Findings***

(2) A head, in determining whether a disclosure of personal information constitutes an unjustified invasion of personal privacy, shall consider all the relevant circumstances, including whether,

...

(f) the personal information is highly sensitive;

...

(h) the personal information has been supplied by the individual to whom the information relates in confidence.

**ORDER:**

The appeal is dismissed.

Original Signed by: \_\_\_\_\_  
Alec Fadel  
Adjudicator

\_\_\_\_\_ June 28, 2024