



Office of the  
Saskatchewan Information  
and Privacy Commissioner

## **REVIEW REPORT 210-2025**

### **Ministry of Community Safety**

**May 26, 2026**

#### **Summary:**

The Applicant submitted an access to information request to the Ministry of Community Safety (Community Safety). Community Safety responded to the access request by providing records that were partially redacted pursuant to the following exemptions: section 15(1)(a) (prejudice, interfere or adversely affect the security of a of lawful detention centre), section 15(1)(c) (interfere with, and/or disclose information with respect to a lawful investigation), section 15(1)(e) (reveal investigative techniques or procedures currently in use or likely to be used), section 15(1)(k) (interfere with a law enforcement matter, and/or disclose law enforcement information), section 15(1)(m) (reveal the security arrangements of buildings or other structures), section 21 (refuse access to a record if the disclosure could threaten the safety or mental health of an individual) and 29(1) (third party personal information) of *The Freedom of Information and Protection of Privacy Act (FOIP)* and section 27(1) (third party personal health information) of *The Health Information Protection Act (HIPA)*.

Community Safety also informed the Applicant that certain records (video footage) do not exist.

The Applicant requested a review of this response by the Office of the Saskatchewan Information and Privacy Commissioner (OIPC).

The Commissioner's findings included:

- (1) Community Safety properly applied section 29(1), 15(1)(a) and (c) of *FOIP* as well as section 27(1) of *HIPA*;
- (2) Community Safety refused access to redacted portions on several pages where the information was provided by the Applicant or was information that is clearly within the Applicant's knowledge. Hence there was a finding of an absurd result; and

(3) Community Safety conducted a reasonable search for records (video footage). It is accepted that the records (video footage) do not exist.

The Commissioner recommended Community Safety:

(1) Release the information that was provided by the Applicant or the information that is clearly within the Applicant's knowledge within 30 days of issuance of this Report; and

(2) Continue to refuse access to the redacted information on the remaining pages pursuant to sections 15(1)(a), (c) and 29(1) of *FOIP* and section 27(1) of *HIPA*.

(3) Take no further action regarding the search for records.

## **I BACKGROUND**

[1] On December 4, 2024, the Ministry of Community Safety<sup>1</sup> (Community Safety) received the following access to information request from the Applicant:<sup>2</sup>

(1) All CCTV Videos from provided dates. Doctors records, ALL institution documents, request, notes, charges ANYTHING regarding [Name of Applicant].

(2) All Eco 3 range, charges, CCTV From dates provided.

(3) ALL Documents regarding [Name of employee of Saskatoon Correctional Centre] Team leader at [Saskatoon Correctional Center].

[2] The Applicant specified the time period for the access request to be between January 2021 to October 27, 2024. The Applicant also specified the dates for the CCTV videos to be between February 14th to July 30<sup>th</sup>, 2022 and August 28th to November 1, 2024.

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<sup>1</sup> At the time of the access request, the Ministry of Community Safety as known as the Ministry of Corrections, Policing and Public Safety. The Ministry of Corrections, Policing and Public Safety was renamed to the Ministry of Community Safety on December 11, 2025: <https://www.saskatchewan.ca/Government/News-and-Media/2025/december/11/new-cabinet-balances-experience-with-new-faces>.

<sup>2</sup> The use of square brackets in this Report preserve the identity of the Applicant and others in this matter.

- [3] Community Safety treated this access request as if it were two access requests. It treated the first point of the access request as the first access request, and the other two points as the second request.<sup>3</sup> This Report will focus on how Community Safety responded to what it considered to be the first access request.
- [4] In a letter dated January 6, 2025, Community Safety informed the Applicant that it was extending the 30-day response period by an additional 30 days pursuant to section 12(1)(a)(i) of *The Freedom of Information and Protection of Privacy Act (FOIP)*.<sup>4</sup>
- [5] On May 2, 2025, Community Safety responded to the first access request pursuant to section 7 of *FOIP*. In its section 7 decision, Community Safety advised the following:
- Video recordings in correctional facilities are overwritten every 30 days unless flagged specifically due to an incident. Therefore, the video recordings that the Applicant requested do not exist (section 7(2)(e) of *FOIP*).
  - It enclosed 1341 pages. In total, 1,205 pages were released in full to the Applicant. 136 pages were partially redacted pursuant to the discretionary exemption in sections 15(1)(a), (c), (e), (k), (m) and 21 of *FOIP* and the mandatory exemption in sections 29(1) of *FOIP* and 27(1) of *The Health Information Protection Act (HIPA)*.<sup>5</sup>
- [6] On August 21, 2025, the Applicant requested that the Office of the Saskatchewan Information and Privacy Commissioner (OIPC) review the section 7 decision issued by Community Safety.
- [7] On January 7, 2026, OIPC sent emails to Community Safety and the Applicant as notice of the commencement of a review.

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<sup>3</sup> OIPC Review Report 211-2025 released in conjunction with this Report discusses how Community Safety responded to the remaining two points of the access request.

<sup>4</sup> [\*The Freedom of Information and Protection of Privacy Act\*](#), c. F-22.01, S.S. 1990-91, as amended.

<sup>5</sup> [\*The Health Information Protection Act\*](#), c. H-0.021, S.S. 1999, as amended.

[8] On February 19, 2026, Community Safety provided the records at issue and an index of records to OIPC.

[9] On March 24, 2026, Community Safety provided a submission to OIPC. Community Safety expressly stated its submission could not be shared with the Applicant.

[10] On April 23, 2026, the Applicant provided a submission to OIPC.

## **II RECORDS AT ISSUE**

[11] As described earlier in this Report, 136 pages of the 1341 pages provided to the Applicant were partially redacted. The redacted records included:

- Release of Personal Property Form
- Log Detail Reports
- Prisoner Reports
- Subject Details Report
- Initial Intake Form
- Offender Information Report
- Temporary Absence Permits

## **III DISCUSSION OF THE ISSUES**

### **1. Jurisdiction**

[12] Community Safety is a government institution as defined by section 2(1)(d)(i) of *FOIP*. OIPC has jurisdiction to undertake this review under PART VII of *FOIP*.

[13] Jurisdiction under *HIPA* is found when three elements are present: (1) there is a trustee; (2) there is personal health information; and (3) the personal health information is in the custody or control of the trustee.

[14] Community Safety is also a “trustee” as defined by section 2(1)(t)(i) of *HIPA*, which satisfies the first element.

[15] Page 679 is a *Log Detail Report* containing information written by an employee of Saskatoon Correctional Centre that describes the physical health and medical care received by an inmate. Such information qualifies as personal health information as defined by section 2(1)(m)(i) of *HIPA*, which provides:

2(1) In this Act:

...  
(m) “**personal health information**” means, with respect to an individual, whether living or deceased:

(i) information with respect to the physical or mental health of the individual;

[16] As there is personal health information, the second element is met.

[17] On the third element, the records are in the custody or control of Community Safety.<sup>6</sup> The *Log Detail Report* was created by, and is in the possession of, the Saskatoon Correctional Centre for internal use. As all three elements are present, *HIPA* is engaged. OIPC can also undertake this review under the jurisdiction as afforded by *HIPA*.

## 2. The application of the exemption in section 29(1) of *FOIP*?

[18] Community Safety applied section 29(1) of *FOIP* to portions of the following pages: 21 to 23, 92, 94 to 96, 162 to 164, 167, 179, 180, 184, 195, 236, 279, 280, 305, 310, 311, 318, 391, 424, 435, 436, 441 to 447, 451, 506, 517, 528, 536, 558, 563, 575, 597, 599, 646, 658, 678, 679, 685, 691, 700, 701, 704, 706 to 708, 711, 712, 714, 716, 722 to 725, 728, 730, 738, 752, 753, 759, 761, 772, 778, 798, 809, 810, 818, 821, 832, 835, 843, 844, 848, 849, 874, 875, 877, 878, 882, 885, 893, 895, 918, 923, 933, 956 to 957, 977, 992, 998, 999, 1009, 1021, 1028, 1030, 1037, 1045, 1052, 1053, 1060, 1061, 1073, 1079, 1080, 1085, 1087, 1089, 1092, 1093, 1100, 1102, 1116 to 1118, 1121, 1151, 1152, 1154, 1155, 1164, 1166, 1168, 1170, 1174, 1178, and 1245.

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<sup>6</sup> *Custody* means that a trustee has physical possession of records with a measure of control over them. *Control* means having the authority to manage the records including storing, restricting, and regulating their use. OIPC [Investigation Report 266-2024](#) at paragraph [14].

[19] Section 29(1) of *FOIP* provides:

**Disclosure of personal information**

**29(1)** No government institution shall disclose personal information in its possession or under its control without the consent, given in the prescribed manner, of the individual to whom the information relates except in accordance with this section or section 30.

[20] As noted, the exemption in section 29(1) of *FOIP* is mandatory. Prior to applying section 29(1) of *FOIP*, the first phase of the analysis must be whether the information qualifies as “personal information” as defined by section 24(1) of *FOIP*. In order for information to be “personal information”, it must: (1) be about an identifiable individual; and (2) be personal in nature.

[21] Sections 24(1)(a), (b), (e) and (k)(i) of *FOIP* are all relevant in this review:

**Interpretation**

**24(1)** Subject to subsections (1.1) and (2), “**personal information**” means personal information about an identifiable individual that is recorded in any form, and includes:

(a) information that relates to the race, creed, religion, colour, sex, sexual orientation, family status or marital status, disability, age, nationality, ancestry or place of origin of the individual;

(b) information that relates to the education or the criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;

...

(e) the home or business address, home or business telephone number or fingerprints of the individual;

...

(k) the name of the individual where:

(i) it appears with other personal information that relates to the individual;

*a. Names and information connected to third party individuals*

[22] Section 2(1)(j) of *FOIP* defines “third party” as follows:

2(1) In this Act:

...

(j) “**third party**” means a person, including an unincorporated entity, other than an applicant or a government institution.

[23] Portions of the following pages contain the names and information about third party individuals who were past targets of abuse on the part of the Applicant: page 23, 92, 94 to 96, 162, 184, 195, 236, 305, 310 to 311, 391, 424, 435 to 436, 442, 446 to 447, 506, 517, 528, 536, 558, 575, 597, 599, 646, 658, 678 to 679, 685, 691, 704, 706, 708, 711 to 712, 716, 724 to 725, 728, 730, 738, 752 to 753, 759, 761, 772, 778, 788, 798, 809 to 810, 818, 821, 832, 835, 843 to 844, 848 to 849, 874 to 875, 877 to 878, 882, 885, 893, 895, 918, 956, 977, 1009, 1021, 1028, 1080, 1100, 1151 to 1152 and 1168. Such information qualifies as “personal information” as defined by sections 24(1)(a), (b), (e), (k)(i) of *FOIP*.

[24] *FOIP* does not permit the dissemination of information about third party individuals without their consent. Since there was no consent provided by any of the parties, Community Safety properly refused the Applicant access to personal information pursuant to section 29(1) of *FOIP*. Accordingly, Community Safety should continue to withhold these pages pursuant to this exemption.<sup>7</sup>

*b. Names and/or initials of employees of the Royal Canadian Mounted Police (RCMP) and Saskatoon Police Service (SPS)*

[25] Portions of pages 163, 164, 167, 179, 180, 279, 280 and 563 contain the names and/or initials of employees of the RCMP and SPS. In its submission, Community Safety asserted

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<sup>7</sup> Community Safety also applied section 15(1)(e) of *FOIP* to page 597. Since OIPC finds that Community Safety properly applied section 29(1) of *FOIP* to page 597, then there is no need to consider whether section 15(1)(e) of *FOIP* applies to this page; Community Safety also applied section 21 of *FOIP* to pages 599 and 1100. Since OIPC finds that Community Safety properly applied 29(1) of *FOIP* to these pages, there is no need to consider the application of section 21 of *FOIP*.

that such information qualifies as personal information pursuant to section 24(1)(e) of *FOIP* and this office agrees with that submission. In this case, there is no indication that the names and/or initials of the employees of the RCMP and SPS are publicly available.<sup>8</sup> Since these records relate to matters involving the Applicant, it is reasonable to conclude that individuals could be identified by their name and/or their initials.<sup>9</sup> As such, Community Safety properly applied section 29(1) of *FOIP* to the name and/or initials of the employees on pages 163, 164, 167, 179, 180, 279, 280 and 563.

*c. The “absurd result” principle*

[26] Community Safety redacted the names and information about third party individuals on the following pages: 21, 22, 318, 441, 443 to 445, 451, 923, 933, 957, 992, 998, 999, 1030, 1037, 1045, 1052, 1053, 1060, 1061, 1073, 1079, 1085, 1087, 1089, 1092, 1093, 1102, 1118, 1121, 1154, 1155, 1164, 1166, 1168, 1170, 1174, 1178, and 1245. The redacted information consists of names of the Applicant’s spouse and the Applicant’s next of kin and their contact information. The redacted information qualifies as “personal information” as defined by section 24(1)(e), (k)(i) of *FOIP*. These pages include forms signed by the Applicant and, more importantly, this information was supplied by the Applicant.

[27] An “absurd result” occurs when a public body applies an exemption to withhold records that conflicts with the purpose of the legislation. While the information redacted from these pages qualifies as personal information, the Applicant was the one who provided the information or the information is clearly within the Applicant’s knowledge. It would be an “absurd result” to withhold information that originally came from the source.<sup>10</sup> The pages outlined at paragraph [26] of this Report should be released in full to the Applicant.

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<sup>8</sup> [Schiller v. Government of Saskatchewan \(Ministry of Education\)](#), 2025 SKKB 146 at paragraphs [32] to [34].

<sup>9</sup> In [Review Report 163-2025](#) at paragraph [29], OIPC found the since the record relating to an investigation of the Applicant, it was reasonable to conclude that individuals could be identified by name and/or their initials.

<sup>10</sup> Office of the Information and Privacy Commissioner of Ontario, [Reconsideration Order MO-1868-R](#). See also OIPC [Review Report 242-2024](#) at paragraph [43].

**3. The application of the exemption in section 27(1) of *HIPA***

[28] Earlier, OIPC determined that page 679 contains personal health information as defined by section 2(1)(m)(i) of *HIPA*. Section 27(1) of *HIPA* applies to personal health information of an individual, which a trustee cannot disclose unless the trustee has the consent of the subject individual. Section 27(1) of *HIPA* provides as follows:

**Disclosure**

**27(1)** A trustee shall not disclose personal health information in the custody or control of the trustee except with the consent of the subject individual or in accordance with this section, section 28 or section 29.

[29] The information on page 679 contains the personal health information of a third party individual. There is no evidence that the third party individual has provided consent to disclose the information. Community Safety has properly applied section 27(1) of *HIPA* to the redacted portions of page 679 and should continue to withhold it under this exemption.

**4. The application of the exemption in section 15(1)(a) of *FOIP***

[30] Community Safety applied section 15(1)(a) of *FOIP* to portions of pages 700, 701, 707, 722 and 723.

[31] Section 15(1)(a) of *FOIP* provides:

**Law enforcement investigations**

**15(1)** A head may refuse to give access to a record, the release of which could:

(a) prejudice, interfere with or adversely affect the detection, investigation, prevention or prosecution of an offence or the security of a centre of lawful detention;

[32] Section 15 of *FOIP* uses the word “could” instead of the phrase “could reasonably be expected to” as in other provisions in *FOIP*. The threshold for “could” involves a showing of a possibility that disclosure of the information could interfere with the security of a

lawful detention centre. There does not need to be a likelihood of a happening, but just a possibility on the facts.<sup>11</sup>

[33] Relevant definitions in the consideration of section 15(1)(a) of *FOIP* are below:<sup>12</sup>

- “Prejudice” in this context refers to detriment to the detection, investigation, prevention or prosecution of an offence or the security of a centre of lawful detention.
- “Interfere” with includes hindering or hampering an ongoing investigation and anything that would detract from an investigator’s ability to pursue the investigation.
- “Adversely affect” in this context means to have a harmful or unfavorable impact on the detection, investigation, prevention or prosecution of an offence or the security of a centre of lawful detention.
- “Detection” is the act of discovering or revealing something that is hidden or barely perceptible, especially to solve a crime.
- “Investigation” can include police, security or administrative investigations or a combination of these. Investigation has been defined, in general terms, as a systematic process of examination, inquiry and observation.
- “Prevention” means the stopping of something, especially something bad, from happening; to hinder or impede. In the context of subsection 15(1)(a) of *FOIP*, it means the stopping of an offence.
- A “prosecution”, in this context, refers to proceedings in respect of a criminal or quasi-criminal charge laid under an enactment of Saskatchewan or Canada and may include regulatory offences that carry true penal consequences such as imprisonment or a significant fine.
- “Offence” means a violation of the law; a crime.
- “Security” means a state of safety or physical integrity. Security includes securing, ensuring safety or protecting from danger, theft or damage. Security means sufficient security.

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<sup>11</sup> [Saskatchewan Government Insurance v Giesbrecht](#), 2025 SKCA 10 at paragraphs [73] to [80].

<sup>12</sup> OIPC [Review Report 230-2024](#) at paragraph [13].

- “Lawful detention” means any person held in custody pursuant to a valid warrant or other authorized order. It extends to individuals remanded in custody (charged but not yet tried or convicted). It does not include individuals released under bail supervision.
- “Centre of lawful detention” is a centre where persons are detained when suspected of a crime, awaiting trial, or sentencing, found to be an illegal immigrant or youthful offender, or for political reasons. It can also include a centre where persons are in custody under federal or provincial statute. In general, any person held in custody pursuant to a valid warrant or other authorized order is under lawful detention.

[34] Community Safety applied section 15(1)(a) of *FOIP* to portions of pages “to reduce the likelihood of an adverse impact on the security of a lawful detention centre”. Community Safety explained that all applications of the section 15(1)(a) of *FOIP* exemption “discuss operational decisions made within the [Saskatoon Correctional Centre].

[35] The OIPC review confirmed that the withheld material describes investigative and procedural measures employed by the Saskatoon Correctional Centre as preventive security measures. These measures enhance and ensure the security for the employees and inmates at Saskatoon Correctional Centre. The release of this information would adversely affect the security of that Correctional Centre. Community Safety properly applied section 15(1)(a) of *FOIP* to pages 700, 701, 707, 722 and 723.<sup>13</sup>

## **5. The application of the exemption in section 15(1)(c) of *FOIP***

[36] Community Safety applied section 15(1)(c) of *FOIP* to pages 714, 724, 1116 and 1117.<sup>14</sup>

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<sup>13</sup> Community Safety had applied sections 15(1)(m) and 29(1) of *FOIP* to pages 722 and 723. Since OIPC has found that section 15(1)(a) of *FOIP* applies to pages 722 and 723, there is no need to consider whether sections 15(1)(m) or 29(1) of *FOIP* apply to these pages. Community Safety had applied section 29(1) of *FOIP* to pages 700 and 701. Since OIPC found that section 15(1)(m) of *FOIP* applies to pages 700 and 701, there is no need to consider whether section 29(1) of *FOIP* applies to these pages.

<sup>14</sup> Page 724 is a duplicate of pages 711 and 977. This office has already found that Community Safety properly applied section 29(1) of *FOIP* to redacted portions of pages 711 and 977. Therefore, there will be no consideration of whether section 15(1)(c) of *FOIP* applies to page 724.

[37] Section 15(1)(c) of *FOIP* provides:

**Law enforcement investigations**

15(1) A head may refuse to give access to a record, the release of which could:

...  
(c) interfere with a lawful investigation or disclose information with respect to a lawful investigation;

[38] OIPC uses the following two-part test to determine if section 15(1)(c) of *FOIP* applies:

1. Does the government institution's activity qualify as a "lawful investigation"?
2. Does one of the following exist?
  - (a) Could the release of the information interfere with a lawful investigation?
  - (b) Could the release of the information disclose information with respect to a lawful investigation?

[39] OIPC discussed the threshold for "could" earlier, which is the same threshold that applies for section 15(1)(c) of *FOIP*.

[40] A "lawful investigation" is an investigation that is authorized or required and permitted by law.<sup>15</sup> The government institution should always identify the legislation that authorizes the investigation. An investigation can be concluded or ongoing for this exemption to apply.<sup>16</sup>

[41] Community Safety submitted that page 714 contains details of an investigation conducted by a correctional officer. Community Safety noted that *The Correctional Services Act, 2012* empowers staff members to conduct investigations at a correctional facility such as

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<sup>15</sup> OIPC [Review Report 199-2025](#) at paragraph [22].

<sup>16</sup> *Supra*, footnote 11 at paragraphs [55] and [58], affirming [Leo v. Global Transportation Hub Authority](#), 2019 SKQB 150 at paragraph [24] and [Evenson v Saskatchewan \(Ministry of Justice\)](#), 2013 SKQB 296 at paragraphs [40] to [44].

the Saskatoon Correctional Centre.<sup>17</sup> Directors of correctional facilities are empowered to make rules, including those about security, for the correctional facility.<sup>18</sup> Directors also have the power to discipline inmates for failing to following such rules and to impose penalties on inmates for disciplinary offences after a hearing is held and a finding of guilt registered.<sup>19</sup>

[42] The OIPC review of the withheld material on page 714 of the record confirms that an investigation was undertaken by an employee of the Saskatoon Correciotnal Centre and notes were made that were properly withheld. This office is satisfied that the release of the withheld information could reveal the notes made in accordance with this lawful investigation. Community Safety properly applied section 15(1)(c) of *FOIP* to page 714.<sup>20</sup>

[43] Pages 1116 to 1117 contain details of a correctional officer's investigation into the allegation of a disciplinary offence at the institution. This office is satisfied that the release of such information could disclose information with respect to a lawful investigation. Community Safety properly applied section 15(1)(c) of *FOIP* to pages 1116 and 1117.<sup>21</sup>

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<sup>17</sup> As authority for staff members of a correctional facility to conduct investigations, Community Safety cited sections 34 to 51 and 69 to 75 of [The Correctional Services Act, 2012](#), c. C-39.2, S.S. 2012, as amended, and sections 20, 43(2), 47(2), 48(3), 49(2) and 63(1)(a) of [The Correctional Services Regulations, 2013](#), RRS c. C39.2 Reg 1 (effective June 28, 2013), as amended.

<sup>18</sup> As authority for directors of correctional facilities to make rules, including rules with respect to the security of the institution, Community Safety cited section 23 of *The Correctional Services Act, 2012*.

<sup>19</sup> Section 54(2) of *The Correctional Services Regulations, 2013* set out offences designated as disciplinary offences. Section 77 of *The Correctional Services Act* sets out sanctions that a disciplinary panel may impose upon an inmate who has been found to have committed a major disciplinary offence.

<sup>20</sup> Community Safety also applied sections 15(1)(e), (k) and (m) and 29(1) of *FOIP* to page 714. Since OIPC has found that section 15(1)(c) of *FOIP* applies to page 714, there is no need to consider whether sections 15(1)(e), (k) and (m) and 29(1) of *FOIP* applies to these pages.

<sup>21</sup> Community Safety also applied sections 15(1)(k) and 29(1) of *FOIP* to pages 1116 and 1117. Since OIPC has found that section 15(1)(c) of *FOIP* applies, then there is no need to consider whether sections 15(1)(k) or 29(1) of *FOIP* apply to pages 1116 and 1117.

**6. The reasonableness of the search for records**

[44] The Applicant requested CCTV videos for the dates between February 14, 2022 to July 30, 2022 and August 28, 2024 to November 1, 2024. Community Safety informed the Applicant that video recordings in correctional facilities are overwritten every 30 days unless an incident occurs that flags the retention of the feed. No flag was triggered during these date ranges. As a result, Community Safety maintains that the CCTV video for these dates do not exist.

[45] There are two circumstances in *FOIP* that allows a government institution to validly claim the non-existence of records. The first is if a record exists, but it is not in the possession or control of the government institution to whom the request was made. If a government institution considers that another government institution has a greater interest in the record and actual possession or control of the record, then the access request should be transferred in accordance with section 11 of *FOIP*. This consideration is irrelevant on these facts.

[46] The second circumstance is when a reasonable search failed to produce the record. The threshold of “reasonableness” is met when the government institution expends a level of effort expected of any fair, sensible person searching areas where the record is likely to be stored. A government institution may resort to the following options in the search for records:

- For requests where personal information is at the core of the search – explain how the individual who is the subject of the personal information is connected to the government institution (i.e., client, employee, former employee, etc.) and outline the departments/divisions/branches that were included in the search.
- For general requests – tie the subject matter of the request to the departments/divisions/branches included in the search. In other words, explain why certain areas were searched and not others.
- Identify the employee(s) involved in the search and explain how the employee(s) is experienced in the subject matter.

- Explain how the records management system is organized (both paper & electronic) in the departments/divisions/branches included in the search.
- Describe how records are classified within the records management system. For example, are the records classified by alphabet, year, function, subject.
- Consider providing a copy of the organization's record schedule and screen shots of the electronic directory (folders & subfolders).
- If the record has been destroyed, provide copies of record schedules and/or destruction certificates.
- Explain whether records stored off-site were searched and if not, explain why.
- Explain whether records that are in the government institution's control, but also in the possession of a third party, were searched and how. Third parties in this instance may include: a contractor or an information management service provider.
- Explain how a search of mobile electronic devices was conducted (i.e., laptops, smart phones, cell phones, tablets) and if not, why.
- Outline the folders of the records management system that were searched and how these folders link back to the subject matter. For electronic folders – indicate what key terms were used to search if applicable.
- Indicate the calendar dates searched.
- Indicate the total duration of the search and the duration for each employee.
- Indicate what the results were for each employee's search.
- Consider provide affidavit evidence from the searcher to support the position that no record exists or to support the details provided.

[47] Community Safety cited section 76 of *The Correctional Services Regulations, 2013*,<sup>22</sup> as authority with regard to the retention period of information recorded by a remote monitoring system:

76(1) For the purposes of section 81 of the Act, the head of corrections may authorize the use of a remote monitoring system if the remote monitoring

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<sup>22</sup> *Supra*, footnote 17.

system is to be used in a manner that balances the interest of protecting an individual's privacy with the need to protect public safety.

(2) The head of corrections may authorize the use of a remote monitoring system in:

(a) vehicles used for the purpose of transporting inmates; or

(b) cells used for holding inmates if the head of corrections believes on reasonable grounds that monitoring in a cell is required for the safety of any person or the security of the correctional facility.

(3) Any information recorded by a remote monitoring system must not be kept for a period longer than 30 days unless the information is required for the purposes of a criminal investigation or disciplinary proceeding.

[Emphasis added]

[48] The Community Safety in-house policy titled *CCTV and Remote Monitoring Systems* adopts section 76(3) of *The Correctional Services Regulations, 2013*:<sup>23</sup>

7.2 All video recordings are to be kept on the hard drive for a minimum of 14 days and to a maximum of 30 days as per s. 76(3) of *The Correctional Services Regulations, 2013*.

[49] Community Safety explained that CCTV videos are only saved to a hard drive in the instance of a criminal prosecution or the investigation and prosecution of a disciplinary matter. Any videos preserved for these purposes are saved onto a portable hard drive for the purpose of disclosure.

[50] The Deputy Director of Operations at the Saskatoon Correctional Centre conducted a search of its hard drive containing the most recent CCTV videos and its portable hard drives. The search was completed on December 20, 2025. The Deputy Director conducted their search using the date ranges specified by the Applicant as well as the Applicant's name. The Deputy Director was bit able to identify any CCTV video responsive to the Applicant's access request.

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<sup>23</sup> Publications Centre. *517- CCTV and Remote Monitoring Systems*. <https://publications.saskatchewan.ca/api/v1/products/119265/formats/137429/download>.

[51] The Applicant filed the access to information request with Community Safety well outside the 30 day retention period on December 4, 2025. The last day stipulated on the request was November 1, 2024. The earliest date was February 14, 2022. Without a criminal investigation or disciplinary proceeding that required Community Safety to preserve CCTV video within the date ranges specified by the Applicant, then the records would no longer exist pursuant to section 76(3) of *The Correctional Services Regulations, 2013*.

[52] The onus of establishing the basis of the belief that a record exists lays with the party seeking the record.<sup>24</sup> The Applicant's submission on this point was bereft of argument and perfunctory. The Applicant failed to suggest a reason for the saving of CCTV video during the stipulated time frames and no evidence was submitted by either party of a major criminal infraction or a disciplinary matter occurring during those time periods that would merit the saving of CCTV video.

[53] This office remains satisfied that Community Safety conducted a reasonable search for records and that records do not exist.

#### **IV FINDINGS**

[54] OIPC has jurisdiction to undertake this review under PART VII of *FOIP* and pursuant to the jurisdiction as afforded by *HIPA*.

[55] Community Safety properly applied section 29(1) of *FOIP* to the names and information about third party individuals on pages 23, 92, 94 to 96, 162, 184, 195, 236, 305, 310 to 311, 391, 424, 435 to 436, 442, 446 to 447, 506, 517, 528, 536, 558, 575, 597, 599, 646, 658, 678 to 679, 685, 691, 704, 706, 708, 711 to 712, 716, 724 to 725, 728, 730, 738, 752 to 753, 759, 761, 772, 778, 788, 798, 809, 810, 818, 821, 832, 835, 843 to 844, 848 to 849, 874 to 875, 877 to 878, 882, 885, 893, 895, 918, 956, 977, 1009, 1021, 1028, 1080, 1100, 1151 to 1152 and 1168.

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<sup>24</sup> OIPC [Review Report 108-2025](#) at paragraph [49].

- [56] Community Safety properly applied section 29(1) of *FOIP* to the name and/or initials of the employees on pages 163, 164, 167, 179, 180, 279, 280 and 563.
- [57] It is an absurd result to refuse access to the redacted portions of pages 21, 22, 318, 441, 443 to 445, 451, 923, 933, 957, 992, 998 to 999, 1030, 1037, 1045, 1052, 1053, 1060, 1061, 1073, 1079, 1085, 1087, 1089, 1092 to 1093, 1102, 1118, 1121, 1154 to 1155, 1164, 1166, 1168, 1170, 1174, 1178, and 1245 where the information was provided the Applicant or the information is clearly within the Applicant's knowledge.
- [58] Community Safety properly applied section 27(1) of *HIPA* to the redacted portions of page 679.
- [59] Community Safety properly applied section 15(1)(a) of *FOIP* to pages 700, 701, 707, 722 and 723.
- [60] Community Safety properly applied section 15(1)(c) of *FOIP* to page 714, 1116 and 1117.
- [61] Community Safety conducted a reasonable search for records and records do not exist.

## **V RECOMMENDATIONS**

- [62] I recommend that Community Safety release the redacted portions of pages 21, 22, 318, 441, 443 to 445, 451, 923, 933, 957, 992, 998 to 999, 1030, 1037, 1045, 1052 to 1053, 1060 to 1061, 1073, 1079, 1085, 1087, 1089, 1092 to 1093, 1102, 1118, 1121, 1154 to 1155, 1164, 1166, 1168, 1170, 1174, 1178, and 1245 where the information was provided by the Applicant or where the information is clearly within the Applicant's knowledge within 30 days of issuance of this Report.
- [63] I recommend that Community Safety continue to refuse access to the redacted information on the remaining pages pursuant to sections 15(1)(a), (c) and 29(1) of *FOIP* and section 27(1) of *HIPA*.

[64] I recommend that Community Safety take no further action regarding the search for records.

Dated at Regina, in the Province of Saskatchewan, this 26<sup>th</sup> day of May, 2026.

Grace Hession David  
Saskatchewan Information and Privacy Commissioner