



Office of the
Saskatchewan Information
and Privacy Commissioner

REVIEW REPORT 373-2025

Saskatoon Police Service

August 4, 2026

Summary:

The Applicant submitted an access to information request to the Saskatoon Police Service (SPS) for records related to an incident that occurred in 2012. SPS responded by providing the Applicant access to portions of records and withholding the remaining portions pursuant to sections 13(1)(b), (information obtained in confidence from the Government of Saskatchewan or a government institution), 14(1)(c), (j), (k) (law enforcement and investigations), 16(1)(a) (advice, proposals, recommendations, analyses or policy options developed by, or for, a local authority) and 28(1) (disclosure of personal information) of *The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP)*. SPS also identified portions of the records as non-responsive to the Applicant's access request. The Applicant requested a review by the Office of the Saskatchewan Information and Privacy Commissioner (OIPC).

The Commissioner found that:

- (1) SPS properly applied sections 14(1)(c), (j), (k) and 28(1) of *LA FOIP*;
- (2) SPS properly withheld portions of pages 220 and 221 as non-responsive to the Applicant's access request;
- (3) Pages 227, 228, and 239 to 242 are responsive to the Applicant's access request; and
- (4) There is no need to reconsider whether SPS conducted a reasonable search for Use of Force Reports, Watch Commander notes, as well as records of CPIC record queries.

The Commissioner recommended that:

- (1) SPS release pages 227, 228, and 239 to 242 to the Applicant, subject to any viable exemptions, within 30 days of issuance of this Report;

- (2) SPS continue to refuse access to the remaining redacted information pursuant to sections 14(1)(c), (j), (k) and 28(1) of *LA FOIP*; and
- (3) SPS take no further action regarding search.

I BACKGROUND

- [1] In August 2012, the Applicant and a sibling were involved in an incident where they were both detained by a police officer. The Applicant was charged and convicted of obstructing police contrary to section 129(a) of the *Criminal Code*¹, the Applicant was given an absolute discharge on sentencing because of a *Charter* breach unconnected to the arrest. The Applicant then launched a civil action against the police officer which was dismissed at trial level. The Applicant appealed to the Saskatchewan Court of Appeal, but the appeal was dismissed in March of 2016. The Applicant filed for leave to appeal but this was also dismissed by the Supreme Court of Canada on September 22, 2016.
- [2] In 2018, the Applicant submitted an access to information request to the Saskatoon Police Service (SPS) for records related to the 2012 incident. The Applicant was not satisfied with the SPS response. Review Report 037-2018 was published as a result of a review of that response.²
- [3] On November 25, 2025, the SPS received the following 11-part access to information request pursuant to *The Local Authority Freedom of Information and Protection of Privacy Act*³ (*LA FOIP*) from the Applicant:

It is disappointing that your organization has withheld and continues to withhold evidence that will exonerate my [sibling]⁴ and myself completely and

¹ [*Criminal Code*](#), RSC 1985, c. C-46, as amended.

² OIPC [Review Report 037-2018](#).

³ [*The Local Authority Freedom of Information and Protection of Privacy Act*](#), c. L-27.1, S.S. 1990-91, as amended.

⁴ The use of square brackets in this Report are amendments by OIPC to preserve the identity of the Applicant and other third party individuals.

will overturn our wrongful convictions. All items being requested relate to SPS occurrence #2012-81887 (August 24th and 25th, 2012) and our subsequent prosecution (Saskatoon Provincial Court decision). These records are legally owed to us pursuant to Stinchcombe obligations.

I am demanding the following items which I KNOW exist:

- 1) ALL use of force reports filed by the Saskatoon Police in this incident
- 2) ALL witness statements collected by SPS members during this incident
- 3) Names, badge numbers and notes from ALL Saskatoon Police Service members that responded in emergency fashion in this incident
- 4) ALL dashcam evidence that was collected during this incident from SPS vehicles #477, 474, 476, 131, 241, 137, 242, 222, 231 and 701
- 5) Troubleshooting reports, warranty and repair work and any in-house correspondence relating to the failure of the aforementioned dashcams
- 6) Watch Commander [name redacted] & #039;s notes from August 24th, 2012
- 7) ALL detention cell audio and video evidence collected during this incident
- 8) ALL C.P.I.C. searches performed by SPS members during this incident
- 9) ALL correspondence between Crown prosecutors and SPS members relayed during this incident and subsequent prosecution
- 10) A certified copy of Saskatoon Provincial Court decision
- 11) A certified copy of the Court of Appeal for Saskatchewan judgment Number CACR2789 dated September 6th, 2016

I would also like any and all evidence relating to this incident and prosecution that I have not been made aware of.

I'm looking forward to pursuing justice in this matter. The results of this FOIP request will be forwarded to the Ministry of Justice in Saskatchewan and Attorney General.

Happy Starlight Tour anniversary.

Cheers,

- [4] On November 25, 2025, the Applicant paid, and received a receipt, for the \$20 application fee.
- [5] In a letter dated December 17, 2025, SPS responded to each part of the Applicant's 11-part access request. What follows is a breakdown of SPS' letter to the Applicant.
- [6] Regarding the fourth, fifth and seventh part of the Applicant's access request, SPS said the following:

We contacted you via email on November 28, 2025 to inform you that three portions of your request would require a large amount of search and preparation time and, as a result, we would need to charge additional fees to complete those portions. You responded via email on November 28 with the following:

OK, please proceed without those three portions.

The three portions removed from this request are:

- 4) ALL dashcam evidence that was collected during this incident from SPS vehicles #477, 474, 476, 131, 241, 137, 242, 222, 231 and 701
- 5) Troubleshooting reports, warranty and repair work and any in-house correspondence relating to the failure of the aforementioned dashcams
- 7) ALL detention cell audio and video evidence collected during this incident

- [7] Regarding the second, third and ninth part of the Applicant's access request, SPS stated:

For the following portions of your request:

- 2) ALL witness statements collected by SPS members during this incident
- 3) Names, badge numbers and notes from ALL Saskatoon Police Service members that responded in emergency fashion in this incident
- 9) ALL correspondence between Crown prosecutors and SPS members relayed during this incident and subsequent prosecution

Please find attached records responsive to your request. Please note that, pursuant to section 8 of *The Local Authority Freedom of Information and Protection of Privacy Act* (the Act), some of the information has been withheld

because release would disclose information obtained in confidence from the Government of Saskatchewan, may disclose information respecting a lawful investigation, may facilitate the commission of an offence or impede the detection of an offence, may disclose information respecting a law enforcement matter, may disclose advice, proposals, recommendations, analyses or policy options developed by or for the local authority, and would disclose personal information of individuals other than yourself. Access to this information is denied pursuant to sections 13(1)(b), 14(1)(c), 14(1)(j), 14(1)(k), 16(1)(a), and 28(1), which provide:

...

We also note that some information was withheld as non-responsive, as it was not responsive to your request and was concerning an unrelated matter.

[8] Regarding the first part of the Applicant's access request, SPS said:

For the following portion of your request:

1) ALL use of force reports filed by the Saskatoon Police in this incident

This is to advise you that the records you wish to access do not exist. All Use of Force reports for 2012 met their retention as per policy and were destroyed. In addition, a search was conducted for these records in 2018 for your previous Access to Information request and it was determined at that time that there were no use of force reports related to this incident. For your information, this notification has been provided pursuant to clause 7(2)(e) of the Act, which provides:

...

[9] Regarding the sixth and eighth part of the Applicant's access request, SPS said:

For the following portions of your request:

6) Watch Commander [name redacted] notes from August 24th, 2012

8) ALL C.P.I.C. searches performed by SPS members during this incident

This is to advise you that the records you wish to access do not exist. A search was conducted for these records in 2018 for your previous Access to Information request and it was determined at that time that the Watch Commander did not have any notes related to this incident and there were no CPIC queries related to this incident. For your information, this notification has been provided pursuant to clause 7(2)(e) of the Act, which is noted above.

[10] Regarding the tenth and eleventh part of the Applicant's access request, SPS said:

For the following portions of your request:

10) A certified copy of Saskatoon Provincial Court decision; R v Stewart 2013 S.J. No.799

11) A certified copy of the Court of Appeal for Saskatchewan judgment Number CACR2789 dated September 6th, 2016

This is to advise you that the records you wish to access do not exist. The Saskatoon Police Service does not have copies of court decisions. You may wish to contact the court(s) where the case was heard to request a copy. For your information, this notification has been provided pursuant to clause 7(2)(e) of the Act, which is noted above.

- [11] On December 29, 2025, the Applicant requested a review by the Office of the Saskatchewan Information and Privacy Commissioner (OIPC).
- [12] In an email dated April 22, 2026, OIPC informed the Applicant that the Saskatchewan Court of King's Bench and the Saskatchewan Provincial Court are not subject to the province's access to information laws and outside the jurisdiction of this office.
- [13] On April 22, 2026, OIPC informed both parties that a review of the SPS response to the Applicant's access request would commence.
- [14] On May 14, 2026, the Applicant provided a submission to OIPC. The Applicant agreed that the submission could be shared with SPS.
- [15] On May 25, 2026, SPS provided OIPC with a copy of the records at issue and the index of records.
- [16] On June 18, 2026, SPS provided its submission to OIPC. SPS did not consent to OIPC sharing its submission with the Applicant.

II RECORDS AT ISSUE

[17] SPS identified 246 pages of responsive records. Of the 246 pages, 40 pages were provided to the Applicant in full. The remaining 206 pages were withheld in full, or in part, from the Applicant pursuant to sections 13(1)(b), 14(1)(c), (j), (k), 16(1)(a) and 28(1) of *LA FOIP*.

III DISCUSSION OF THE ISSUES

1. Jurisdiction

[18] SPS is a “local authority” pursuant to section 2(1)(f)(viii.1) of *LA FOIP*. *LA FOIP* is engaged and OIPC has jurisdiction under PART VI of *LA FOIP* to undertake this review.

2. The application of section 14(1)(k) of *LA FOIP*

[19] SPS applied section 14(1)(k) of *LA FOIP* to portions of pages 2, 5 to 12, 14, 15, 17 to 19, 21, 41, 42, 44 to 47, 49, 51, 57, 59 to 64, 66, 68, 72 to 79, 82 to 103, 112, 114, 134 to 139, 141 to 143, 145, 146, 149 to 152, 154 to 155, 157 to 158, 163, 164, 166, 182 to 185, 187, 190, 191, 194 to 199, 203 to 205, 209 to 213, 223 to 227, 229 to 239 and 243 to 246.

[20] Section 14(1)(k) of *LA FOIP* provides:

Law enforcement and investigations

14(1) A head may refuse to give access to a record, the release of which could:

...

(k) interfere with a law enforcement matter or disclose information respecting a law enforcement matter;

[21] OIPC uses the following two-part test in the section 14(1)(k) of *LA FOIP* analysis:⁵

1. Is a law enforcement matter involved?
2. Does one of the following exist?

⁵ OIPC [Review Report 063-2025](#) at paragraph [10].

- (a) Could the release of information interfere with a law enforcement matter?
- (b) Could the release disclose information with respect to a law enforcement matter?

Is a law enforcement matter involved?

[22] OIPC considers the following to constitute “law enforcement”:⁶

“law enforcement” means:

- (a) policing, including criminal intelligence operations,
- (b) investigations that lead or could lead to a penalty or sanction being imposed, or
- (c) proceedings that lead or could lead to a penalty or sanction being imposed.

[23] SPS explained that “... many of the activities of the SPS encompass lawful investigations.” It should be noted that the police’s powers of investigation are broad and stem from various pieces of legislation both provincially and federally. Section 36(2) of *The Police Act, 1990*, states:⁷

Members

36(2) Unless otherwise indicated in his or her appointment, a member has the power and the responsibility to:

- (a) perform all duties that are assigned to constables or peace officers in relation to:
 - (i) the preservation of peace;
 - (ii) the prevention of crime and offences against the laws in force in the municipality; and
 - (iii) the apprehension of criminals, offenders and others who may lawfully be taken into custody;

⁶ *Ibid* at paragraph [20].

⁷ [*The Police Act, 1990*](#), SS 1990-91, c. P-15.01, as amended.

- [24] SPS explained that the records in question were related to an incident involving the Applicant and a sibling in 2012 when they were both stopped by a police officer. SPS submitted that a lawful traffic stop investigation qualifies as a “lawful investigation” pursuant to section 278 of *The Traffic Safety Act*⁸. SPS explained that both the Applicant and the sibling were arrested at the scene for obstruction pursuant to section 279 of the *Criminal Code*. We conclude that a law enforcement matter is central to this analysis.

Does one of the following exist?

(a) Could the release of information interfere with a law enforcement matter?

(b) Could the release disclose information with respect to a law enforcement matter?

- [25] SPS asserted that the redacted information directly relates to a law enforcement matter, the disclosure of which would reveal investigative and enforcement activities.
- [26] Section 14 of *LA FOIP* features the word “could” as opposed to “could reasonably be expected to” used in other provisions of *LA FOIP*. The threshold for “could” is somewhat lower than a reasonable expectation – the requirement being only that release of the information “could” have a specified result. There does not need to be a likelihood of a happening but only an objective possibility, or a probability based on the facts.⁹ “With respect to” are words of the widest possible scope, or the widest expression intended to convey a connection between two related subject matters.¹⁰
- [27] The redacted information is related to the lawful investigation undertaken pursuant to *The Traffic Safety Act*. The General Occurrence Report that was filed in this matter included a description of what occurred at the traffic stop which led to the arrest of the Applicant and

⁸ [*The Traffic Safety Act*](#), SS 2004, c. T-18.1, as amended.

⁹ [*Saskatchewan Government Insurance v Giesbrecht*](#), 2025 SKCA 10 at paragraphs [73] and [80]. In this ruling the Court of Appeal considered the word “could” within the context of section 38(1)(f) of *The Health Information Protection Act*, S.S. 1999, c. H-0.021, as amended, but the substance of the meaning is relevant to this analysis.

¹⁰ OIPC [Review Report 259-2025](#) at paragraph [18].

the sibling.¹¹ It also includes communication between SPS and the Crown regarding the prosecution of the Applicant and their sibling with an offence. The release of such information could disclose information with respect to a law enforcement matter. The second part of the two-part test is met. SPS properly applied section 14(1)(k) of *LA FOIP*.

[28] Since SPS properly applied section 14(1)(k) of *LA FOIP*, there is no need to consider the application of section 16(1)(a) of *LA FOIP* to page 41 or section 13(1)(b) of *LA FOIP* to pages 45, 46, 72 to 79, 82 to 102, 194, 196, 198, 199, 223 to 226, 229 to 239, 243, 245 and 246.

3. The application of section 14(1)(c) of *LA FOIP*

[29] SPS applied section 14(1)(c) of *LA FOIP* to portions of pages 13, 15, 18, 36, 116 to 119, 126 to 130, and 174 to 179. These redacted portions only concern the Applicant's sibling.

[30] Section 14(1)(c) of *LA FOIP* provides:

Law enforcement and investigations

14(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;

[31] OIPC uses the following two-part test to determine if section 14(1)(c) of *LA FOIP* has been properly applied:¹²

1. Does the local authority's activity qualify as a "lawful investigation"?
2. Does one of the following exist?

¹¹ In [Review Report 039-2023](#) at paragraphs [37] to [46], OIPC found that section 14(1)(k) of *LA FOIP* applied to pages of a General Occurrence Report. See also footnote 2 at paragraph [73], where this office found that section 14(1)(k) of *LA FOIP* applied to communications between Crown Prosecutors and SPS members.

¹² OIPC [Review Report 064-2025](#) at paragraph [11].

(a) Could release of the following information interfere with a lawful investigation?

(b) Could release disclose information with respect to a lawful investigation?

Does the local authority’s activity qualify as a “lawful investigation”?

[32] A “lawful investigation” is an investigation that is authorized or required and permitted by law.¹³ As such, the local authority should always identify the legislation from which the investigation draws its legal jurisdiction. The investigation can be concluded, active and ongoing or occurring in the future.¹⁴

[33] SPS submitted that the records at issue concern a lawful investigation undertaken pursuant to *The Traffic Safety Act* and to the arrest of the Applicant and their sibling for the obstruction of a police officer under the *Criminal Code*. Upon review, OIPC noted that the portions of pages to which SPS applied section 14(1)(c) of *LA FOIP* concern the lawful investigation that occurred at a traffic stop pursuant to *The Traffic Safety Act* and the arrest and detention of the Applicant’s sibling under the *Criminal Code*. Therefore, SPS’ activity qualifies as a lawful investigation.¹⁵ As such, the first part of the two-part test is met.

¹³ *Ibid* at paragraph [13].

¹⁴ See [Leo v. Global Transportation Hub Authority](#), 2019 SKQB 150 (*Leo*) at paragraph [24]. Kalmakoff J. A. concluded that nothing in section 15(1)(c) of [The Freedom of Information and Protection of Privacy Act](#), SS 1990-91, c. F-22.01, as amended (*FOIP*) required an investigation to be active or ongoing, and so could also apply to “closed matters” as well. Section 15(1)(c) of *FOIP* is the equivalent of section 14(1)(c) of *LA FOIP*. See also [Evenson v Saskatchewan \(Ministry of Justice\)](#), 2013 SKQB 296 at paragraph [40].

¹⁵ We note at this point that the exemption in section 14(1)(k) would likely have applied to this material. However, we always respect the application of the exemptions as applied by the local authority and we address the analysis as applied by that authority.

Does one of the following exist?

(a) Could release of the following information interfere with a lawful investigation?

(b) Could release disclose information with respect to a lawful investigation?

[34] SPS submitted that the release of the redacted portions could disclose information with respect to a lawful investigation. However, it did not offer any further arguments to support its assertion. As such, OIPC must determine if the second part of the two-part test is met based on a review of the records themselves.

[35] As noted earlier, the courts in this province have explained that the term “could” means that only an objective possibility that something could happen is required.

[36] SPS properly applied section 14(1)(c) of *LA FOIP* to information that involves the lawful investigation that occurred at a traffic stop pursuant to *The Traffic Safety Act* as explained in detail above. The release of the withheld information “could” reveal information with respect to a lawful investigation. The second part of the two-part test is met. SPS properly applied section 14(1)(c) of *LA FOIP* to pages 13, 15, 18, 36, 116 to 119, 126 to 130, 174 to 179.

[37] SPS properly applied section 14(1)(c) of *LA FOIP*, so there is no need to consider the application of the exemption in section 13(1)(b) of *LA FOIP* to pages 126 and 127.

4. The application of section 28(1) of *LA FOIP*

[38] SPS applied section 28(1) of *LA FOIP* to portions of pages 1 to 19, 21, 29, 31, 32, 35 to 45, 47 to 71, 73, 74, 78, 80 to 88, 90, 92, 94, 96, 98, 99, 101, 103, 105 to 112, 114, 116 to 119, 126 to 130, 132 to 139, 141 to 143, 145 to 155, 157, 158, 163 to 164, 166 to 167, 171 to 180, 182 to 185, 187 to 196, 198, 202 to 205, 209 to 213, 217 to 225, 227, 229 to 231, 233 to 235, 237 and 243 to 246.

[39] Section 28(1) of *LA FOIP* provides:

Disclosure of personal information

28(1) No local authority 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 29.

[40] Section 28(1) of *LA FOIP* is a mandatory exemption. The first determination must be whether the information qualifies as “personal information” as defined by section 23(1) of *LA FOIP*. In order for information to be “personal information”, it must: (1) be about an identifiable individual; and (2) be personal in nature.¹⁶

[41] SPS applied section 28(1) of *LA FOIP* to portions of the records that contain the personal information of the:

- Applicant’s sibling, including name, sex, date of birth, address, description of their opinions and views;
- The middle names of SPS members that appear throughout the records;
- The name and address of a third party individual that appears as part of the details of a record of impound of a vehicle on pages 167 and 173; and
- The leave information of SPS members on pages 38, 39, and 43.

[42] SPS asserted such information qualifies as “personal information” as defined by sections 23(1)(a), (b), (c), (e), (f), (h), (k)(i) and (ii) of *LA FOIP*:

Interpretation

23(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;
- (c) information that relates to health care that has been received by the individual or to the health history of the individual;

¹⁶ OIPC [Review Report 321-2025](#) at paragraph [77].

...

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

(f) the personal opinions or views of the individual except where they are about another individual;

...

(h) the views or opinions of another individual with respect to the individual;

...

(k) the name of the individual where:

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

(ii) the disclosure of the name itself would reveal personal information about the individual.

[43] The information regarding the Applicant's sibling as well as the name and address of the third party individual that appears as part of the details of a record of impound qualifies as "personal information" as defined by sections 23(1)(a), (b), (c), (e) and (f) of *LA FOIP*.¹⁷ As such, SPS properly applied section 28(1) of *LA FOIP*.

[44] The records contain the sibling's opinion that was directed in the form of an obscene comment to an SPS officer. The comment qualifies as personal opinion information and fits within the ambit of by section 23(1)(h) of *LA FOIP*.¹⁸ SPS properly applied 28(1) of *LA FOIP* to this opinion comment.

¹⁷ OIPC [Review Report 239-2023](#) at paragraphs [33] to [34]; OIPC [Review Report 061-2024](#) at paragraph [45] to [47].

¹⁸ OIPC [Review Report 132-2021](#) at paragraph [30] describes how opinions about a third party individual contained in a record that are made by someone else are the personal information of the third party individual, supported by section 23(1)(h) of *LA FOIP*.

[45] Information regarding leaves taken by SPS members qualify as personal information as defined by section 23(1)(b) of *LA FOIP*.¹⁹ SPS properly applied section 28(1) of *LA FOIP* to this withheld information.

[46] Business contact information of public servants qualifies as personal information unless that information is publicly available.²⁰ Section 28(2)(p) of *LA FOIP* allows for the head of a public body to release information that is already publicly available.

Disclosure of personal information

28(2) Subject to any other Act or regulation, personal information in the possession or under the control of a local authority may be disclosed:

...

(p) if the information is publicly available, including information that is prescribed as publicly available;

[47] SPS released the first and last names of SPS members that appear in the records at issue but redacted the middle names. We are satisfied that the middle names of SPS members qualify as personal information. This personal information should continue to be withheld because the officers' middle names are not publicly available. As such, SPS properly applied section 28(1) of *LA FOIP* to the middle names of SPS members throughout the records at issue.

5. The application of section 14(1)(j) of *LA FOIP*

[48] SPS applied section 14(1)(j) of *LA FOIP* to portions of pages 105, 138, 141, 144, 148, 152, 170, 171 and 172.

[49] Section 14(1)(j) of *LA FOIP* provides:

¹⁹ In OIPC [Review Report 211-2025](#) at paragraph [33], OIPC found that leave information qualified as personal information as defined by section 24(1)(b) of *FOIP*, which is the equivalent of section 23(1)(b) of *LA FOIP*.

²⁰ [Schiller v Saskatchewan \(Education\), 2025 SKKB 146](#) at paragraphs [32] to [34]. This case dealt with sections 24(1)(e) and (k) of *FOIP*, which are the mirror provisions to sections 23(1)(e) and (k) of *LA FOIP*.

Law enforcement and investigations

14(1) A head may refuse to give access to a record, the release of which could:

...

(j) facilitate the commission of an offence or tend to impede the detection of an offence;

[50] The section 14(1)(j) *LA FOIP* analysis only requires that one of the following questions be answered in the affirmative in order for the exemption to apply:²¹

1. Could release of the record facilitate the commission of an offence?
2. Could release of the record tend to impede the detection of an offence?

[51] As noted earlier, “could” means that only an objective possibility that something could happen is required. “Facilitate” means to make the occurrence of something easier or to render it less difficult. “Commission” in this context means the action of committing an offence. “Offence” means a violation of the law or a crime. Examples include information about techniques, tools or instruments used in the commission of criminal acts; the locations of police officers during a legal stake-out; or the location of valuable assets belonging to a local authority.²²

[52] The portion of page 105 to which SPS applied section 14(1)(j) of *LA FOIP* describes the location of seized and stolen license plates. SPS said that the theft of license plates is a common occurrence and are often used to disguise stolen vehicles, evade police detection and avoid traffic fines. SPS submitted that should an individual have knowledge of the storage place of the seized license plates, access may be facilitated. SPS submitted that the release of the redacted information could facilitate the commission of an offense because the location of stored items would be revealed.

[53] Our review of the redaction reveals that the site of storage is clearly identified and therefore, the redacted information could be used to facilitate the commission of an offense.

²¹ OIPC [Review Report 078-2025](#) at paragraph [32].

²² OIPC [Review Report 239-2023](#) at paragraph [29].

Therefore, the second question of the test is met. SPS has properly applied section 14(1)(j) of *LA FOIP* to page 105.

[54] The portions of pages 138, 141, 144, 148, 152, 170, 171 and 172 to which SPS applied section 14(1)(j) of *LA FOIP* are ten-codes. SPS explained that the use of ten-codes by law enforcement personnel is used as a means of communication that conveys specific message without publicly identifying its true meaning. It explained that each police service in Saskatchewan maintains its own list of ten-codes only used by the specific police service, except for standardized ten-codes that are publicly known such as “10-4”. SPS asserted that ten-codes help “maintain a level of security over the communications of members.”

[55] In past reports, OIPC has found that ten codes can be withheld pursuant to section 14(1)(j) of *LA FOIP* because disclosing them could facilitate the commission of an offense.²³ This case is no different. SPS has properly applied section 14(1)(j) of *LA FOIP* to the ten-codes that appear on pages 138, 141, 144, 148, 152, 170, 171 and 172.

6. Non-responsive records

[56] SPS claimed that portions of pages 220, 221, 227, 228 and 239 to 242 are non-responsive. Non-responsive information is not relevant to an access request. Factors to consider regarding relevancy include the scope of the access request, the stated timeframe and/or the subject matter of the request. Separate items of information must be viewed in the context of the record as a whole.²⁴

[57] Pages 220 and 221 are a *Detailed Call Summary*. SPS redacted queries of license plates made by attending officers on the mobile data terminal in their vehicles over periods of time unconnected to the matter in issue. SPS confirmed that the license plates of the queried

²³ OIPC [Review Report 077-2023](#) at paragraph [28]; OIPC [Review Report 210-2023](#) at paragraph [15]; *Supra*, footnote 21 at paragraph [36].

²⁴ See Alberta Office of the Information and Privacy Commissioner (AB OIPC) [Order-F2024-43](#) (December 10, 2024) at paragraph [26].

vehicles did not involve the Applicant or anyone else involved in this matter. Our review confirmed that the redacted license plates on pages 220 and 221 involve non-responsive information.

[58] Pages 227, 228, 239 to 242 are email communications between SPS staff and Crown prosecutors. SPS submitted:

The applicant was clear in [their] request that [they] wanted records of correspondence between the SPS and the Crown. As this was between SPS staff and not the Crown, it was deemed non-responsive.

[59] The Applicant's original 11-part access request indicated an interest in records related to the occurrence that took place in August 2012 involving the Applicant and a sibling. The contents of these emails relate to this occurrence and some of the emails involve communications with the prosecutor assigned to this file. As such, OIPC's position is that the emails between SPS staff and prosecutors on pages 227, 228, 239 to 242 are responsive to the Applicant's access request. SPS should release these pages to the Applicant, subject to the application of any viable exemptions, within 30 days of issuance of this Report.

7. The reasonableness of SPS' search for records

[60] SPS responded to the first (use of force reports), sixth (Watch Commander notes) and eighth (Canadian Police Information Centre (CPIC) record queries) part of the Applicant's access request and indicated that no records exist. When a local authority responds to an access request by indicating that no records exist, the burden is on the local authority to substantiate that a reasonable search was conducted. A "reasonable search" is one in which an experienced employee expends a reasonable effort to locate records that are reasonably related to the access request. The threshold that must be met is one of "reasonableness". In other words, it is not a standard of perfection, but rather what a fair and rational person would expect to be done or consider acceptable.²⁵

²⁵ OIPC [Review Report 198-2025](#) at paragraph [15].

- [61] An applicant must also provide a reasonable basis for the allegation that records would result after a proper search on the part of a local authority.²⁶

Use of Force Reports

- [62] The Applicant requested *use of force reports* in the 2018 access request documented in Review Report 037-2018²⁷. OIPC found that SPS conducted a reasonable search at that time. The Applicant has not provided any reasonable basis or any evidence that would rationalize further searches. As such, OIPC will not reconsider SPS' efforts to search for use of force reports.²⁸

Watch Commander notes

- [63] In the course of this review, the Applicant provided OIPC with a copy of a SPS *Standing Order No 2010-56*. This order is an SPS policy that outlines a process with respect to the laying of a charge of assault on a peace officer. The standing order provides that prior to the laying of an assault police charge, the SPS member must inform the Watch Commander on duty of all the facts and circumstances.²⁹
- [64] SPS indicated that the Applicant had requested the same records in the 2018 access request. In the 2018 search, SPS identified the Watch Commander on duty at the time of the Applicant's arrest. SPS conducted a search for records by the Watch Commander, including:

- 1) Searching through its information management system;

²⁶ OIPC [Review Report 108-2025](#) at paragraph [49].

²⁷ *Supra*, footnote 2.

²⁸ Ontario Office of the Information and Privacy Commissioner (ON OIPC) [Order MO-2246](#), (November 20, 2007). See also, ON OIPC [Final Order PO-4586-F](#) (January 13, 2025) at paragraph [45] where a government ministry's search for records was found to be reasonable because the appellant had failed to provide a reasonable basis upon which a conclusion could be made that additional records might exist.

²⁹ Assault police contrary to section 270 of the *Criminal Code*.

- 2) Requesting that all SPS members involved in the occurrence conduct a search for records; and
- 3) Requesting that the Watch Commander conduct a search for records.

[65] The search for records at the time of the 2018 access request did not result in any responsive records. The threshold that must be met is one of reasonableness and not a standard of perfection. In Review Report 037-2018, OIPC found that SPS conducted a reasonable search for notes. Regardless of the Applicant's reference to a policy that was in place at the time of the first search, the issue is moot because there is no reasonable basis that any further records exist.

CPIC record queries

[66] SPS explained that the Applicant originally requested records of possible CPIC queries in the 2018 access request. In the course of processing that access request, SPS conducted a search for all queries made by SPS members, including CPIC queries. No responsive records were located at that time. OIPC found that SPS had conducted a reasonable effort to search for records.

[67] SPS explained that query logs are retained for a maximum of 4 years. Any query logs for records from 2012 no longer exist. As a result, SPS confirmed that it did not conduct another search for records in the processing of this current access request.

[68] Once again, the Applicant has not provided any evidence that would support a reason for the commission of additional searches on the part of SPS with respect to the issue of CPIC record queries. As such, OIPC will not reconsider SPS' efforts to search for records of CPIC queries.

IV FINDINGS

[69] OIPC has jurisdiction under PART VI of *LA FOIP* to undertake this review.

- [70] SPS properly applied section 14(1)(k) of *LA FOIP* to the pages outlined in paragraph [19] of this Report.
- [71] SPS properly applied section 14(1)(c) of *LA FOIP* to the pages outlined in paragraph [29] of this Report.
- [72] SPS properly applied section 28(1) of *LA FOIP* to the pages outlined in paragraph [38] of this Report.
- [73] SPS properly applied section 14(1)(j) of *LA FOIP* to the pages outlined in paragraph [48] of this Report.
- [74] SPS properly withheld portions of pages 220 and 221 as non-responsive to the Applicant's access request.
- [75] Pages 227, 228, 239 to 242 are responsive to the Applicant's access request.
- [76] There is no need to reconsider whether SPS conducted a reasonable search for Use of Force Reports, Watch Commander notes, as well as records of CPIC record queries.

V RECOMMENDATIONS

- [77] I recommend that SPS release pages 227, 228, 230 to 242, subject to any viable exemptions, within 30 days of issuance of this Report.
- [78] I recommend that SPS continue to refuse access to the records that it withheld pursuant to sections 14(1)(c), (j), (k) and 28(1) of *LA FOIP*.
- [79] I recommend that SPS take no further action regarding search.

Dated at Regina, in the Province of Saskatchewan, this 4th day of August, 2026.

Grace Hession David
Saskatchewan Information and Privacy Commissioner