Office of the
Saskatchewan Information
and Privacy Commissioner

REVIEW REPORT 013-2026

Estevan Police Service

November 16, 2026

Summary: The Applicant submitted an access to information request to the Estevan Police Service (EPS) under *The Local Authority Freedom of Information and Protection of Privacy Act* (*LA FOIP*) for information related to an investigation. The Applicant requested that the Office of the Saskatchewan Information and Privacy Commissioner (OIPC) review the exemptions as applied by the EPS. The review considered the EPS decision to withhold documents, in full and in part, under section 28(1) of *LA FOIP* (third party personal information).

The Commissioner found that the EPS properly applied section 28(1) of *LA FOIP* to most, but not all, information. The Commissioner recommended that the EPS continue to withhold the information to which section 28(1) of *LA FOIP* was properly applied and, within 30 days of the issuance of this Report, release to the Applicant the information to which section 28(1) of *LA FOIP* was not properly applied.

I BACKGROUND

[1] On December 11, 2025, the Applicant paid the requisite $20 application fee and submitted the following access to information request under *The Local Authority Freedom of Information and Protection of Privacy Act* (*LA FOIP*)[1] to the Estevan Police Service (EPS):[2]

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

[2] The use of square brackets in this Report are amendments to preserve the identity of the Applicant and another individual.

> I am requesting records related to any files that are related to [Applicant's name] and [another individual's name], specifically copies of all officer's reports and statements, for the period of November 1, 2025 and December 10, 2025.

[2] On January 9, 2026, the EPS provided a section 7 decision letter to the Applicant, informing that the responsive record was withheld in full and in part under sections 14(1)(a), 14(1)(g), and 28(1) of *LA FOIP*.

[3] On January 12, 2026, the Applicant requested that the Office of the Saskatchewan Information and Privacy Commissioner (OIPC) review the EPS's application of exemptions.

[4] On June 23, 2026, OIPC notified the EPS and the Applicant that a review of the application of exemptions would commence. Both parties were invited to provide submissions.

[5] The EPS provided the index of record and unredacted record to OIPC on July 20, 2026.

[6] On August 23, 2026, the Applicant provided a submission.

[7] On two occasions the EPS released additional records to the Applicant. On August 25, 2026, the EPS notified the Applicant that it relinquished reliance on all previously cited exemptions save for section 28(1) of *LA FOIP*. On August 26, 2026, the Applicant advised OIPC still require a formal review.

[8] The EPS provided a submission on August 27, 2026 and did not consent to sharing its submission with the Applicant.

II RECORD AT ISSUE

[9] The EPS record is 68 pages in length. Of these 68 pages, 26 pages are at issue in this review. The EPS applied section 28(1) of *LA FOIP* to 12 pages withheld in part and 14 pages withheld in full. Descriptions and page numbers are included in our analysis of the application of section 28(1) of *LA FOIP*.

[10] The documents in the responsive record include Occurrence Reports and Supplementary Occurrence Reports, handwritten notes from EPS members, witness statements, an email message, and a document referred to herein as a "property list".

III DISCUSSION OF THE ISSUES

1. Jurisdiction

[11] The EPS qualifies as a "local authority" under section 2(1)(f)(viii.1) of *LA FOIP*. Therefore, OIPC has jurisdiction to undertake a review of this matter under PART VI of *LA FOIP*.

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

[12] The EPS withheld 26 pages in part or in full, as follows:

- In full – pages 18 to 23 and 41 to 47 and 68; and
- In part – pages 1 to 3, 12, 17, 24, and 33 to 38.

[13] Section 28(1) of *LA FOIP* states:

> **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.

[14] To conclude that section 28(1) of *LA FOIP* is engaged, the head of a local authority must determine whether the information at issue qualifies as "personal information," as defined by section 23(1) of *LA FOIP*, which provides a non-exhaustive list of what may be considered personal information.

[15] Our office has historically established that "personal information" must be about an identifiable individual and personal in nature. Information is "about an identifiable

individual" if the individual can be identified from the information itself. Information is "personal in nature" if the information reveals something personal about an identifiable individual.[3]

[16] In the present case, the EPS asserted that the withheld information qualifies as personal information. Our review revealed that sections 23(1)(a), (d), (e), (f), (h), (k)(i), and (k)(ii) of *LA FOIP* are engaged, which state:

> **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:[4]
>
> (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;
> …
> (d) any identifying number, symbol or other particular assigned to the individual;
>
> (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.

[3]OIPC Review Report 243-2025 at paragraph [20].

[4] The "individual" in this section is the subject to whom the data/information relates or originates from. It can be a moving target in every instance and can include more parties than just the applicant.

[17] Based on our review of the record, on the whole, the EPS properly applied section 28(1) of *LA FOIP*, as we outline below:

- The EPS withheld names, dates of birth, ages, sexes, gender pronouns, personal telephone numbers, personal addresses, and driver's license numbers from the record. These are data elements that OIPC has consistently concluded to be personal information under sections 23(1)(a), (d), (e) and (k) of *LA FOIP*.[5] Marital status was also withheld and is clearly captured by section 23(1)(a) of *LA FOIP*.

- The EPS withheld witness and victim statements under section 28(1) of *LA FOIP*. We agree that, where these documents present the victim's and other witness' own views or opinions about their experiences, the content constitutes personal information under section 23(1)(f) of *LA FOIP*.[6]

- The EPS withheld investigators' comments about their interactions with a victim and a witness (two distinct individuals). An investigator's comments about a victim also may constitute that victim's personal information, under section 23(1)(h) of *LA FOIP*.[7] By extension, we adopt the same interpretation for the investigators' comments about a victim and a witness in that these comments constitute the personal information of these individuals under section 23(1)(h) of *LA FOIP*.

[18] With that said, not all of the information that the EPS withheld under section 28(1) of *LA FOIP* constitutes the personal information of third parties:

- There are portions of Occurrence Summary documents that identify the division, district, detachment, and zone, which are relevant to the police service's classification of the location of incidents only. These data elements, found on pages 1, 2, and 17, are not personal in nature nor do they

[5] OIPC Review Report 064-2025 at paragraphs [27] and [28] concluded that name, gender pronoun, sex, birthdate, personal telephone number, personal addresses, and driver's license numbers all constituted personal information.

[6] OIPC Review Report 061-2024 at paragraph [46], in reference to Page 6 of the record at issue in that report.

[7] Although this office has not previously issued a report that concluded that an investigator's comments about an alleged victim constitute personal information, we are informed by other jurisdictions. In Order F26-12, the Office of the Information and Privacy Commissioner of British Columbia (BC OIPC) concluded at paragraph [115] that investigators' comments about third parties constitute personal information. We also adopt this interpretation and conclude that section 23(1)(h) of *LA FOIP* is engaged.

identify an individual involved in the matter. As such, section 28(1) of *LA FOIP* cannot apply and these data elements on pages 1, 2, and 17 should be released to the Applicant within 30 days of the issuance of this Report.

- There are portions of the record that present factual information that is not personal in nature nor about an identifiable individual other than the Applicant. This includes:

    - EPS members' business cards[8] on pages 20 to 23, and 35 to 36;

    - EPS members' initials[9] on pages 21 to 23, 41 to 43, and 45 to 47;

    - EPS members' badge numbers[10] on pages 21 to 23, 41 to 43, and 45 to 47;

    - Documentation of procedural responsibilities on page 2 (at redaction 3, after the second set of asterisks) and on 21, 22, 23, 35, and 36.[11] We further note that the last point on page 23 is information *about the Applicant*, to which the Applicant has a right of access.[12]

    Again, section 28(1) of *LA FOIP* cannot apply and these particular portions on pages 2 (redaction 3) 20 to 23, 35 to 36, 41 to 43, and 45 to 47 should be released to the Applicant within 30 days of the issuance of this Report.

- One page in its entirety, page 44, referred to by the EPS as a "property list" does not qualify as personal information. The items outlined within the document do not, on their faces, appear to be personal information. Dollar amounts associated with each item on the list also do not appear to be personal information; rather, the dollar amounts are reflective of the estimated value of each item on the list. Moreover, in its submission, the EPS did not comment on the basis for withholding this information under

[8] OIPC interprets that business cards are, by their nature, intended to be public information. OIPC Investigation Report 320-2023 at paragraph [38].

[9] OIPC acknowledges that the initials reflect the first letters of each police service members' given name and surname, and that the same information would be publicly available via their business card, see OIPC Investigation Report 320-2023 at paragraph [38].

[10] OIPC interprets that the badge numbers may be likened to business card information and are, by their nature, intended to be public information, see OIPC Investigation Report 320-2023 at paragraph [38].

[11] OIPC interprets this kind of content to be work product, which we have historically established is not personal information, see OIPC Investigation Report 320-2023 at paragraph [28].

[12] OIPC Review Report 154-2025 at paragraph [30].

> section 28(1) of *LA FOIP*. The list itself is merely a list of items about which one may infer the Applicant already had existing knowledge. We draw this conclusion based on the fact that, on page 30 of the responsive record (previously released in full to the Applicant), an interviewer read aloud to the Applicant the items on the property list. As noted previously, the dollar amounts on the property list are about items, not an identifiable individual. Section 28(1) of *LA FOIP* does not apply and the EPS should release page 44 to the Applicant within 30 days of the issuance of this Report.

[19] To summarize, the EPS properly applied section 28(1) of *LA FOIP* to the following content in the record:

Description	Page	Severance(s)	Data Element
Occurrence Summary #1	1	1	Name, date of birth, sex, personal address, personal telephone number, driver's license number
		2	Personal address
Occurrence Summary #2	2	1	Name, date of birth, sex, personal address, personal telephone number, driver's license number
		2	Name, date of birth, sex, personal address, personal telephone number, driver's license number
		3 until the second set of asterisks	Summary of a victim's statement
Occurrence Report #1	3	1	Summary of a victim's statement
Prosecutor's Information Sheet	12	1	Name, date of birth, sex, personal address, personal telephone number, marital status
		2	Date of birth

Occurrence Summary #3	17	1	Name, date of birth, sex, personal address, personal telephone number, marital status
		2	Personal address
		3	Name
		4	Gender pronoun
		5	Gender pronoun
Occurrence Report #2	18	Withheld in full	Investigator's comments about a victim and a summary of a victim's statement
	19	Withheld in full	Investigator's comments about a victim and a summary of a victim's statement
Handwritten Notes #1	20	Withheld in full	Investigator's comments about a victim and a summary of a victim's statement
	21	Withheld in full	Investigator's comments about a victim and a summary of a victim's statement
	22	Withheld in full	Investigator's comments about a victim and a summary of a victim's statement
	23	Withheld in full	Investigator's comments about a victim and a summary of a victim's statement
Supplementary Occurrence Report #1	24	1	Marital status, name
		2	Marital status, victim statement
		3	Investigator's comments about a victim
	33	1	Investigator's summary of comments from a witness

	34	1	Investigator's comments about a victim and a summary of a victim's statement
Handwritten Notes #2	35	1	Investigator's comments about a witness
	36	1	Investigator's comments about a witness
Supplementary Occurrence Report #2	37	1	Personal address
		2	Marital status
		3	Personal address
		4	Investigator's comments about a victim and a summary of a victim statement
	38	1	Name
Witness Statement #1	41	Withheld in full	Name, date of birth, sex, personal address, personal telephone number, witness statement
	42	Withheld in full	Witness statement
	43	Withheld in full	Witness statement
Witness Statement #2	45	Withheld in full	Name, date of birth, sex, personal address, personal telephone number, witness statement
	46	Withheld in full	Witness statement
	47	Withheld in full	Witness statement
Email from Victim	68	Withheld in full	Witness statement

[20] Having determined that the information in the table above is personal information, the next consideration is whether any of the personal information identified above is publicly

available. OIPC has historically established that publicly available information is information that is "available or accessible by the citizenry at large".[13]

[21] The OIPC review revealed that none of the personal information outlined in paragraph [19] is publicly available. The individuals to whom the personal information belongs have not provided consent for the EPS to disclose their personal information to the Applicant.[14] For all of these reasons, the EPS has properly applied section 28(1) of *LA FOIP* to the withheld personal information in the table in paragraph [19]. The EPS should continue to withhold this information.

[22] However, there is some redacted content listed on the face of the pages in paragraph [18] that is not personal information and which the EPS did not properly apply section 28(1) of *LA FOIP*.

IV FINDINGS

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

[24] The EPS properly applied section 28(1) of *LA FOIP* to the withheld information noted in the table at paragraph [19], but it did not properly apply this exemption to the information noted at paragraph [18] of this Report.

V RECOMMENDATIONS

[25] I recommend that the EPS continue to withhold the information to which section 28(1) of *LA FOIP* applied, noted in the table at paragraph [19] of this Report.

[13] *Lukács v. Canada (Transport, Infrastructure and Communities)* 2015 FCA 140 at paragraph [69].

[14] OIPC Review Report 055-2021 at paragraph [18].

[26] I recommend that, within 30 days of the issuance of this Report, the EPS release to the Applicant the information noted at paragraph [18] of this Report.

Dated at Regina, in the Province of Saskatchewan, this 16th day of November, 2026.

Grace Hession David
Saskatchewan Information and Privacy Commissioner