



Office of the  
Saskatchewan Information  
and Privacy Commissioner

## REVIEW REPORT 154-2025

### Prince Albert Police Service

September 26, 2025

#### Summary:

The Applicant submitted an access to information request to the Prince Albert Police Service (PAPS) for information regarding a mental health warrant. PAPS provided the Applicant with access to records but refused the Applicant portions of the records pursuant to sections 13(1)(b) (records from the Government of Saskatchewan or a government institution), 14(1)(e) (investigative techniques or procedures) and 28(1) (third party personal information) of *The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP)*. The Applicant requested a review by the Office of the Saskatchewan Information and Privacy Commissioner. In the course of the review, PAPS indicated it was no longer relying on section 14(1)(e) of *LA FOIP* to refuse access to portions of records, but it was continuing to rely on sections 13(1)(b) and 28(1) of *LA FOIP* to refuse access to other portions.

The Commissioner found that PAPS did not properly apply section 13(1)(b) of *LA FOIP*. The Commissioner also found that PAPS properly applied section 28(1) of *LA FOIP* to information such as the names, date of birth, and home telephone numbers of third party individuals. However, the Commissioner found that PAPS did not properly apply section 28(1) of *LA FOIP* to information about the Applicant and to a telephone number that is associated with a business, not an individual.

The Commissioner made a number of recommendations, including that PAPS review the information to which it applied section 13(1)(b) of *LA FOIP*, redact any third party personal information, and release the remainder to the Applicant. The Commissioner also recommended that PAPS continue to withhold personal information with respect to third party individuals pursuant to section 28(1) of *LA FOIP*. Finally, the Commissioner recommended that PAPS reconsider its discretion and release the names of individuals acting in their professional capacities and where their names are already publicly available pursuant to section

28(2)(p) of *LA FOIP*. Where it is recommended that information be released, the Commissioner recommended PAPS do so within 30 days of the issuance of this Report.

## **I BACKGROUND**

- [1] On August 26, 2024, the Prince Albert Police Service (PAPS) received the following access to information request from the Applicant:

MENTAL HEALTH WARRANT, SEIZURE OF [Year and Model of Vehicle]<sup>1</sup>

- [2] On August 28, 2024, PAPS received the Applicant's payment of the \$20 application fee.
- [3] In a letter dated September 4, 2024, PAPS responded to the Applicant's access request. PAPS indicated that it was releasing records, in part. It was refusing the Applicant access to portions of the records pursuant to sections 13(1)(b), 14(1)(e), and 28(1) of *The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP)*.<sup>2</sup>
- [4] On June 19, 2025, the Applicant requested the Office of the Saskatchewan Information and Privacy Commissioner (OIPC) review the decision of PAPS.
- [5] At the intake stage of the OIPC review process, PAPS indicated it was no longer relying on section 14(1)(e) of *LA FOIP* to refuse the Applicant access to portions of the records. However, it was still relying on sections 13(1)(b) and 28(1) of *LA FOIP* to refuse access.
- [6] On July 9, 2025, OIPC notified PAPS and the Applicant that it would be undertaking a review.
- [7] On August 5, 2025, PAPS provided a submission as well as the records at issue.

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<sup>1</sup> The words in square brackets are OIPC's amendments to preserve the identity of the Applicant.

<sup>2</sup> [\*The Local Authority Freedom of Information and Protection of Privacy Act\*](#), S.S. 1990-91, c. L-27.1, as amended.

[8] On August 6, 2025, PAPS provided consent to OIPC to share its submission with the Applicant. Therefore, on the same day, OIPC shared the submission of PAPS with the Applicant.

[9] The Applicant did not provide a submission to OIPC.

## II RECORDS AT ISSUE

[10] PAPS identified six general occurrence reports from 2014 to 2016 to be responsive to the Applicant's access request. Because two general occurrence reports (one from 2015 and another from 2016) were released in full to the Applicant, there is no need for OIPC to review those two general occurrence reports.

[11] The remaining four occurrence reports are as follows:

Record	General Occurrence Report #	Number of Pages <sup>3</sup>	<i>LA FOIP</i> Exemptions Applied by PAPS
1	2014-34[...] <sup>4</sup>	17	13(1)(b) and 28(1)
2	2016-25[...]	11	28(1)
3	2016-29[...]	2	28(1)
4	2016-30[...]	2	28(1)

## III DISCUSSION OF THE ISSUES

### 1. Does OIPC have jurisdiction?

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<sup>3</sup> OIPC determined that the number of pages by the number of pages in the PDFs provided by PAPS which is the number we relied upon.

<sup>4</sup> The square brackets are OIPC's amendment to preserve the identity of the Applicant and any other party that were mentioned in the general occurrence report.

- [12] PAPS qualifies as a “local authority” pursuant to section 2(1)(f)(viii.1) of *LA FOIP*. Therefore, OIPC has jurisdiction and is undertaking a review of this matter pursuant to PART VI of *LA FOIP*.

**2. Did PAPS properly apply section 13(1)(b) of *LA FOIP*?**

- [13] PAPS applied section 13(1)(b) of *LA FOIP* to withhold portions of pages 6 and 10 to 16 of Record 1. The withheld information appears to be information that PAPS received from another municipal police service.

- [14] Section 13(1)(b) of *LA FOIP* provides:

**13(1)** A head shall refuse to give access to information contained in a record that was obtained in confidence, implicitly or explicitly, from:

...

(b) the Government of Saskatchewan or a government institution;<sup>5</sup>

- [15] Section 2(1)(d) of *LA FOIP* sends us to section 2(1)(d) of *The Freedom of Information and Protection of Privacy Act* (FOIP) for a complete definition of what constitutes a “government institution” and it is clear that another municipal police service is not caught by the definition below:<sup>6</sup>

**2(1)** In this Act:

...

(d) “government institution” means, subject to subsection (2):

(i) the office of Executive Council or any department, secretariat or other similar agency of the executive government of Saskatchewan; or

(ii) any prescribed board, commission, Crown corporation or other body, or any prescribed portion of a board, commission, Crown corporation or other body, whose members or directors are appointed, in whole or in part:

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<sup>5</sup> The term “government institution” is defined by section 2(1)(d) of *LA FOIP*.

<sup>6</sup> [\*The Freedom of Information and Protection of Privacy Act\*](#), S.S. 1990-91, c. F-22.01, as amended.

(A) by the Lieutenant Governor in Council;

(B) by a member of the Executive Council; or

(C) in the case of:

(I) a board, commission or other body, by a Crown corporation;  
or

(II) a Crown corporation, by another Crown corporation.

[16] OIPC uses the following two-part test to determine if section 13(1)(b) of *LA FOIP* applies:<sup>7</sup>

1. Was the information obtained from the Government of Saskatchewan or its agencies, Crown corporations or other institutions?
2. Was the information obtained implicitly or explicitly in confidence?

[17] Below is an analysis to determine if the two-part test is met.

***1. Was the information obtained from the Government of Saskatchewan or its agencies, Crown corporations or other institutions?***

[18] The following definitions are relevant to the analysis of the first part of the test:<sup>8</sup>

- “Information” means facts or knowledge provided or learned as a result of research or study.
- “Obtained” means to acquire in any way; to get possession of; to procure; or to get a hold of by effort.

[19] Further, in *Tarasoff v Saskatoon (City)*, Gerecke J. said that in order for section 13(1)(b) of *LA FOIP* to apply, information must have originated *from* the Government of Saskatchewan in circumstances of confidentiality.<sup>9</sup>

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<sup>7</sup> See OIPC [Review Report 005-2024](#) at paragraph [18].

<sup>8</sup> *Ibid*, at paragraph [19].

<sup>9</sup> [Tarasoff v Saskatoon \(City\)](#), 2025 SKKB 41 at paragraph [37].

[20] Pages 6 and 10 to 16 of Record 1 appear to contain information obtained by PAPS from another municipal police service. The municipal police service is not the Government of Saskatchewan nor is it an agency, Crown corporation or other institution of the Government of Saskatchewan as we have shown above. The first part of the two-part test is not met. There is no need to consider the second part of the two-part test. There will be a finding that PAPS did not properly apply section 13(1)(b) of *LA FOIP*. There will be a recommendation that PAPS review pages 6 and 10 to 16 of Record 1, after having redacted any personal information of third party individuals pursuant to section 28(1) of *LA FOIP*, and then release the remainder to the Applicant. In the next section of this Review Report, we will provide a discussion of what should be redacted pursuant to section 28(1) of *LA FOIP*.

### **3. Did PAPS properly apply section 28(1) of *LA FOIP*?**

[21] PAPS applied section 28(1) of *LA FOIP* to the following:

- Pages 3, 5 and 7 of Record 1
- Page 7 of Record 2
- Page 1 of Record 3
- Page 1 of Record 4

[22] Section 28(1) of *LA FOIP* prohibits the disclosure of personal information of individuals other than the requesting individual unless the individual about whom the information pertains consents to its disclosure or if disclosure without consent is authorized by one of the enumerated exceptions in sections 28(2) or 29 of *LA FOIP*.

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

**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.

[24] When analyzing section 28(1) of *LA FOIP* with an eye to the proper application, it must first be determined if the withheld information qualifies as personal information with respect to another individual pursuant to section 23(1) of *LA FOIP*. Section 23(1) of *LA FOIP* states that to qualify as personal information, the information must be about an identifiable individual and be personal in nature. Information is about an “identifiable individual” if:

- the individual can be identified from the information (e.g., name, where they live); or
- the information, when combined with information otherwise available, could reasonably be expected to allow the individual to be identified.

[25] Section 23(1) of *LA FOIP* provides a non-exhaustive list of personal information. Sections 23(1)(e), (f), (k)(i) and (ii) of *LA FOIP* are particularly relevant in this case:

**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;

...

(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;

...

(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.

[26] In its submission, PAPS provided the following three bullet points as its reasons for redacting information pursuant to section 28(1) of *LA FOIP*:

- The records contain names, contact information, statements, and other identifying details of individuals who are not the applicant and who did not provide consent for release.
- The personal information was not of the applicant and was not relevant to any public duty or office that would trigger an exception under section 28(2).
- The individuals referenced in the records had a reasonable expectation of privacy.

[27] Below is analysis of each record at issue that PAPS applied section 28(1) of *LA FOIP*.

***Record 1 – Pages 3, 5 and 7***

[28] On pages 3 and 5 of Record 1, PAPS applied section 28(1) of *LA FOIP* to withhold access to the name, date of birth, and address of an individual listed as “involved” in an event. Such information qualifies as personal information pursuant to sections 23(1)(a), (e) and (k)(i) of *LA FOIP*. The individual did not provide consent to release their personal information, so there will be a finding that PAPS properly applied section 28(1) of *LA FOIP* to pages 3 and 5 of Record 1. There will also be a recommendation that PAPS continue to withhold this information pursuant to section 28(1) of *LA FOIP*.

[29] On page 7 of Record 1, the name of the individual listed as “involved” appears alongside information that they provided to PAPS. The name of the individual and their job title (which identifies them) qualifies as personal information pursuant to sections 23(1)(k)(i) of *LA FOIP*. The individual did not provide consent to the disclosure of their personal information. Therefore, there will be a finding that PAPS properly applied section 28(1) of *LA FOIP* to the name and job title of the third party individual on page 7 of Record 1. There will also be a recommendation that PAPS continue to withhold the name of the third party individual and their job title pursuant to section 28(1) of *LA FOIP*.

[30] However, the information the “involved” individual provided to PAPS is an opinion about the Applicant and covered by section 23(1)(f) of *LA FOIP* above. Information about the



Applicant is the Applicant's personal information, regardless of the accuracy or even truthfulness of the opinion. The Applicant has a right of access to their own personal information pursuant to section 30(1) of *LA FOIP*, which provides:

**30(1)** Subject to Part III and subsections (2) and (3), an individual whose personal information is contained in a record in the possession or under the control of a local authority has a right to, and:

(a) on an application made in accordance with Part II; and

(b) on giving sufficient proof of his or her identity;

shall be given access to the record.

[31] There will be finding that PAPS did not properly apply section 28(1) of *LA FOIP* to the opinion information about the Applicant on page 7 of Record 1 and there will be a recommendation that only the opinion/personal information be released to them.

[32] Also, on page 7 of Record 1, PAPS redacted the name of an individual who was a part of the Community Mobilization Unit in a professional capacity.<sup>10</sup> There will be a finding that the name of the individual who was a part of the Community Mobilization Unit qualifies as personal information pursuant to section 23(1)(k)(i) of *LA FOIP*. OIPC notes that this person's involvement with the Community Mobilization Unit is publicly available through a publication on Public Safety of the Government of Canada's website. In *Randolph Dean Schiller v Government of Saskatchewan (Ministry of Education)*, Mitchell J. explained that section 29(2)(p) of *FOIP* creates an exemption for the disclosure of personal information.<sup>11</sup> Mitchell J. said:

[33] As well, ss. 29(2)(p) of the *FIPPA* is relevant to the issue at hand. It creates an exemption for the disclosure of personal information, as follows:

**29(2)** Subject to any other Act or regulation, personal information in the possession or under the control of a government institution may be disclosed:

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<sup>10</sup> Government of Canada, Public Safety Canada, [Community Mobilization Prince Albert \(Details\)](#).

<sup>11</sup> [Randolph Dean Schiller v Government of Saskatchewan \(Ministry of Education\)](#), 2025 SKKB 146 at paragraphs [33] and [34].

...

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

[Emphasis in original]

[34] “Publicly available” information is information “available or accessible by the citizenry at large”: *Lukács v Canada (Transport, Infrastructure and Communities)*, [2015 FCA 140](#) at para [69](#), 386 DLR (4th) 163. In addition to personal information, this would include an individual’s professional information. However, only if professional information such as business emails or cellphone numbers is publicly available can it be disclosed without the approval of the individual in question. See, especially: *D’Arcy Hande v University of Saskatchewan* (21 May 2019) Saskatoon, QBG-SA-01222-2018 (Sask QB) at paras 30-31 (interpreting to [s. 28\(1\)](#) of the [LAFIPPA](#), a provision complementary to s. 29 of *FIPPA*).

[33] Section 28(2)(p) of *LA FOIP* is the equivalent of section 29(2) of *FOIP*. It provides:

**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;

[34] Since the name of the individual who was a part of the Community Mobilization Unit in a professional capacity is publicly available, and since section 28(2) is a discretionary exemption, there will be a recommendation that PAPS reconsider its discretion and consider releasing the name to the Applicant pursuant to section 28(2)(p) of *LA FOIP* on page 7 of Record 1.

***Page 7 of Record 2***

[35] On page 7 of Record 2, PAPS redacted the name of an individual acting in their professional capacity. There will be a finding that the name of the individual acting in their professional capacity qualifies as personal information pursuant to section 23(1)(k)(i) of *LA FOIP*. The individual’s name and job title also appear to be publicly available. There

will be a recommendation that PAPS reconsider its discretion and consider releasing the name on page 7 of Record 2 to the Applicant pursuant to section 28(2)(p) of *LA FOIP*.

***Page 1 of Record 3***

[36] On page 1 of Record 3, PAPS redacted the telephone number of a business that was the location of an incident. The telephone number does not appear to be linked to any individual and is not publicly available. As such, the telephone number of the business does not qualify as personal information as defined by section 23(1) of *LA FOIP*. There will be a finding that PAPS did not properly apply section 28(1) of *LA FOIP* to the telephone number of the business on page 1 of Record 3. There will be a recommendation that PAPS release the telephone number of the business on page 1 of Record 3.

[37] Also, on page 1 of Record 3, PAPS redacted the name of a complainant. Such information qualifies as personal information as defined by section 23(1)(k)(i) of *LA FOIP*.<sup>12</sup> There will be a finding that PAPS properly applied section 28(1) of *LA FOIP* to the name of the complainant on page 1 of Record 3. There will be a recommendation that PAPS continue to withhold the name of the complainant on page 1 of Record 3 pursuant to section 28(1) of *LA FOIP*.

***Page 1 of Record 4***

[38] On page 1 of Record 4, PAPS redacted the name and home telephone number of a complainant.<sup>13</sup> Such information qualifies as personal information as defined by section 23(1)(e) and (k)(i) of *LA FOIP*. There will be a finding that PAPS properly applied section 28(1) of *LA FOIP* to the name and home telephone number of the complainant on page 1 of Record 4. There will be a recommendation that PAPS continue to withhold the name and home telephone number of the complainant on page 1 of Record 4 pursuant to section 28(1) of *LA FOIP*.

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<sup>12</sup> See OIPC [Review Report 055-2021, 056-2021](#) at paragraph [22].

<sup>13</sup> *Ibid*

[39] Before concluding this report, this office will revisit pages 6 and 10 to 16 of Record 1. In paragraph [20] of this Review Report, we recommended that PAPS review these pages, redact any personal information of third party individuals pursuant to section 28(1) of *LA FOIP* and then release the remainder to the Applicant. Having now discussed personal information, we note that these pages contain information regarding a matter involving the Applicant and other individuals. The names of these other individuals and information that identifies them qualifies as personal information as defined by section 23(1)(k)(i) of *LA FOIP*. The personal information of these other individuals on pages 6 and 10 to 16 of Record 1 should be redacted pursuant to section 28(1) of *LA FOIP* before the remainder is released to the Applicant.

[40] Where it is recommended that information be released, it will be recommended that PAPS do so within 30 days of the issuance of this Report.

#### **IV FINDINGS**

[41] OIPC has jurisdiction and is undertaking a review of this matter pursuant to PART VI of *LA FOIP*.

[42] PAPS did not properly apply section 13(1)(b) of *LA FOIP* to pages 6 and 10 to 16 of Record 1.

[43] PAPS properly applied section 28(1) of *LA FOIP* to pages 3 and 5 of Record 1.

[44] PAPS properly applied section 28(1) of *LA FOIP* to the name and job title of the third party individual on page 7 of Record 1.

[45] PAPS did not properly apply section 28(1) of *LA FOIP* to information about the Applicant on page 7 of Record 1.

[46] The name of the individual who was a part of the Community Mobilization Unit on page 7 of Record 1 qualifies as personal information pursuant to section 23(1)(k)(i) of *LA FOIP*.

- [47] The name of the individual acting in their professional capacity on page 7 of Record 2 qualifies as personal information pursuant to section 23(1)(k)(i) of *LA FOIP*.
- [48] PAPS did not properly apply section 28(1) of *LA FOIP* to the telephone number of the business on page 1 of Record 3.
- [49] PAPS properly applied section 28(1) of *LA FOIP* to the name of the complainant on page 1 of Record 3.
- [50] PAPS properly applied section 28(1) of *LA FOIP* to the name and home telephone number of the complainant on page 1 of Record 4.
- [51] PAPS properly applied section 28(1) of *LA FOIP* to the names and other identifying information to the third party individuals on pages 6 and 10 to 16 of Record 1.

## **V RECOMMENDATIONS**

- [52] I recommend that PAPS review pages 6 and 10 to 16 of Record 1, redact any personal information of third party individuals pursuant to section 28(1) of *LA FOIP* (such as the names and other identifying information of the third party individuals), and then release the remainder to the Applicant.
- [53] I recommend that PAPS continue to withhold information redacted pursuant to section 28(1) of *LA FOIP* to pages 3 and 5 of Record 1.
- [54] I recommend that PAPS continue to withhold the name of the third party individual and their job title from the Applicant pursuant to section 28(1) of *LA FOIP*.
- [55] I recommend that PAPS release the opinion information/personal information about the Applicant on page 7 of Record 1.

- [56] I recommend that PAPS reconsider its discretion and consider releasing the name of an individual who was a part of the Community Mobilization Unit in a professional capacity to the Applicant pursuant to section 28(2)(p) of *LA FOIP* on page 7 of Record 1.
- [57] I recommend that PAPS reconsider its discretion and consider releasing the name on page 7 of Record 2 to the Applicant pursuant to section 28(2)(p) of *LA FOIP*.
- [58] I recommend that PAPS release the telephone number of the business on page 1 of Record 3.
- [59] I recommend that PAPS continue to withhold the name of the complainant on page 1 of Record 3 pursuant to section 28(1) of *LA FOIP*.
- [60] I recommend that PAPS continue to withhold the name and telephone number of the complainant on page 1 of Record 4 pursuant to section 28(1) of *LA FOIP*.
- [61] Where it is recommended that information be released, I recommend that PAPS do so within 30 days of the issuance of this Report.

Dated at Regina, in the Province of Saskatchewan, this 26<sup>th</sup> day of September, 2025.

Grace Hession David  
Saskatchewan Information and Privacy Commissioner