



Office of the
Saskatchewan Information
and Privacy Commissioner

REVIEW REPORT 372-2025

Saskatoon Police Service

September 2, 2026

Summary:

The Applicant submitted an access to information request to the Saskatoon Police Service (SPS) for a copy of an occurrence report.

The exemptions that were applied to the responsive records included section 14(1)(k) (interfere with or disclose information respecting a law enforcement matter) and section 28(1) (third party personal information) of *The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP)*.

The Applicant requested that the Office of the Saskatchewan Information and Privacy Commissioner review the exemptions applied by SPS.

The Commissioner found that:

- (1) SPS properly applied section 14(1)(k) of *LA FOIP* to the record with the exception of the information withheld on page 14 of the record.
- (2) SPS properly applied section 28(1) of *LA FOIP* to the middle names of two SPS members withheld on pages 9 and 10 of the record.
- (3) SPS properly applied section 28(1) of *LA FOIP* to the first name on page 7 of the record.
- (4) SPS did not properly apply section 28(1) of *LA FOIP* to the information withheld on page 14 of the record.

The Commissioner recommended that:

- (1) SPS continue to refuse access to the pages of the record that it withheld pursuant to section 14(1)(k) of *LA FOIP*, with the exception of the information withheld on page 14. The information on page 14 should be released to the Applicant within 30 days of the issuance of this Report;

(2) SPS continue to refuse access to the two SPS members' middle names withheld on pages 9 and 10 of the record pursuant to section 28(1) of *LA FOIP*; and

(3) SPS continue to refuse access to the first name on page 7 of the record pursuant to section 28(1) of *LA FOIP*.

I BACKGROUND

[1] On December 22, 2025, a legal representative of the Applicant attended at the Saskatoon Police Service (SPS) headquarters and provided a consent signed by the Applicant to release their personal information for the purpose of a valid legal investigation. The \$20 application fee was paid. An access to information request for the following information was filed with the SPS:¹

Occurrence report of an attempted break-in or mischief to property at [Address] on or about the 2nd of November, 2024, the residence of [First and Last name of Applicant (DOB)]. The suspect in the mischief/attempted B&E is [First and LastName]. The reporting officers are badge numbers [Badge Number 1] and [Badge Number 2].

[2] On December 24, 2025, SPS provided a section 7 decision, informing that the responsive records were being withheld in part pursuant to sections 14(1)(k) and 28(1) of *The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP)*.² The record, a General Occurrence Report, was originally 24 pages in length. SPS withheld 22 pages of the record, in full or in part, pursuant to sections 14(1)(k) and 28(1) of *LA FOIP*. SPS fully released two pages of the record, pages 15 and 24. Aside from the top banner on pages 15 and 24 of the record, these pages are blank, so even though they were released to the Applicant, they can hardly count as part of the responsive record. Of the 22 pages of records withheld in full or in part, the Applicant informed this office that they did not wish the

¹ The use of square brackets in this Report preserves the identities of all parties involved in this access request.

² [*The Local Authority Freedom of Information and Protection of Privacy Act*](#), SS 1990-91, c. L-27.1, as amended.

redactions on pages 1 to 4, 8, or 11 to be reviewed. This leaves the pages of the record at issue in this review to be 16 pages in total.

- [3] On December 29, 2025, the Applicant requested a review of the application of the exemptions by the Office of the Saskatchewan Information and Privacy Commissioner (OIPC) to the 16 pages listed above.
- [4] On December 30, 2025, it was discovered that the responsive record involved the Applicant's personal information. The legal representative of the Applicant provided OIPC with a signed consent to exercise the rights and powers of the Applicant in this review pursuant to section 49(e) of *LA FOIP*.
- [5] On February 2, 2026, the Applicant confirmed they were not interested in a review of the exemptions as applied to pages 1, 2, 3, 4, 8 and 11.
- [6] On March 11, 2026, OIPC notified SPS and the Applicant that a review of the application of exemptions on the part of the SPS would commence. At that time, OIPC requested that SPS provide a copy of the record at issue and an index of records by April 10, 2026. Both parties were invited to provide submissions by May 11, 2026.
- [7] On March 23, 2026, SPS provided a copy of the index of records, records and submission to OIPC. SPS did not consent to sharing the index of records or the submission with the Applicant.
- [8] The Applicant did not provide a submission.

II RECORDS AT ISSUE

- [9] The following table reveals the nature of the redactions as applied by the SPS on a page by page basis of the 16 pages of the General Occurrence Report:

Page Number	LA FOIP Exemptions	Result
5	14(1)(k) 28(1)	Substantive part of page withheld in full – top banner released
6	14(1)(k) 28(1)	Substantive part of page withheld in full – top banner released
7	14(1)(k) 28(1)	Portions of page released
9	14(1)(k) 28(1)	Substantive part of page withheld in full – portions of the top banner released
10	14(1)(k) 28(1)	Substantive part of page withheld in full – portions of the top banner released
12	14(1)(k) 28(1)	Portions of page released
13	14(1)(k) 28(1)	Substantive part of page withheld in full – top banner released
14	14(1)(k) 28(1)	Substantive part of page withheld in full – top banner released
15	Released in full	Top banner of page released – rest of page blank
16	14(1)(k) 28(1)	Full page withheld
17	14(1)(k) 28(1)	Full page withheld
18	14(1)(k) 28(1)	Substantive part of page withheld in full – top banner released
19	14(1)(k) 28(1)	Full page withheld
20	14(1)(k) 28(1)	Full page withheld
21	14(1)(k) 28(1)	Full page withheld

22	14(1)(k) 28(1)	Full page withheld
23	14(1)(k) 28(1)	Substantive part of page withheld in full – top banner released
24	Released in full	Top banner of page released – rest of page blank

III DISCUSSION OF THE ISSUES

1. Jurisdiction

[10] SPS 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 SPS properly apply section 14(1)(k) of *LA FOIP*?

[11] SPS applied section 14(1)(k) of *LA FOIP* to portions of all pages in the table in paragraph [9] save for pages 15 and 24 that the SPS released in full to the Applicant. The result of the application of these redactions was that pages 7 and 12 were withheld in part, and the remaining 14 pages of the record were withheld in their entirety, with the exception of the top banner in some cases. The top banner contains no substantive information.

[12] 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;

[13] In this Report OIPC will use the following two-part test in the section 14(1)(k) of *LA FOIP* analysis:³

1. Is a law enforcement matter involved?
2. Could release disclose information with respect to a law enforcement matter?

[14] The following is an analysis to determine if the above two-part test is met.

1. Is a law enforcement matter involved?

[15] The expression “law enforcement” pertains to enforcement of laws of general or particular application by appropriate law enforcement agencies.⁴

[16] Section 9(b) of *The Local Authority Freedom of Information and Protection of Privacy Regulations (LA FOIP Regulations)*⁵ sets out a list of prescribed law enforcement agencies, including a police service or regional police service within the meaning of *The Police Act, 1990*⁶:

Disclosure of personal information to law enforcement agencies

9 For the purposes of clause 28(2)(g) of the Act, the following law enforcement agencies and investigative bodies are prescribed as law enforcement agencies or investigative bodies to which personal information may be disclosed:

...

(b) a police service or regional police service within the meaning of *The Police Act, 1990*;

³ OIPC [Review Report 373-2025](#) at paragraph [21].

⁴ OIPC [Review Report 019-2025](#) at paragraph [32].

⁵ [The Local Authority Freedom of Information and Protection of Privacy Regulations](#), RRS c L-27.1 Reg 1 (July 1, 1993), as amended.

⁶ [The Police Act, 1990](#), SS 1990-91, c P-15.01, as amended.

[17] Therefore, SPS is a prescribed law enforcement agency pursuant to section 9(b) of the *LA FOIP Regulations*.

[18] This office has adopted the definition of “law enforcement” from Schedule 1 of the British Columbia *Freedom of Information and Protection of Privacy Act*.⁷

“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;

[19] This office has been instructed to take a broad view of the enforcement exemption in the sense that the enforcement matter may be ongoing or may have concluded in the past.⁸

[20] In the submission, SPS asserted the following:

As a police service, many of the activities of the SPS qualify as a lawful investigation or a law enforcement matter. The police’s powers of investigation and enforcement are broad and stem from various pieces of legislation both provincially and federally, and to narrow the issue down to a specific section of legislation would not be an accurate reflection of those powers. However, among the police powers of investigation, section 36(2) of the Police Act, 1990 provide the following:

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;

⁷ [*Freedom of Information and Protection of Privacy Act*](#), RSBC, 1996, Chapter 165, as amended.

⁸ [*Evenson v. Saskatchewan \(Ministry of Justice\)*](#), 2013 SKQB 296 at paragraphs [44] and [45].

(ii) the prevention of crime and offences against the laws in force in the municipality; and

(iii) the apprehension of criminals, offenders and other who may lawfully be taken into custody;

(e) execute all warrants and perform all duties and services under or in relation to them that, pursuant to the laws in force in the municipality, may lawfully be executed and performed by constables or peace officers; and

(f) perform all duties that may lawfully be performed by constables or peace officers in relation to the escorting and conveyance of persons in lawful custody to and from courts, places of confinement, correctional facilities or camps, hospitals or other places.

The record was created in response to an open-line 911 call where the call taker could hear an argument ...

...

While charges were not laid in this occurrence, it does not negate from the fact that the actions of the officers constituted a law enforcement matter as contemplated by section 36(2) of the Police Act.

...

[Emphasis added]

[21] OIPC has found in the past that even if charges were not laid, the fact that police attended at a scene and responded in the course of duty constituted a law enforcement matter.⁹

2. Could release disclose information with respect to a law enforcement matter?

[22] 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.¹⁰ “With

⁹ OIPC [Review Report 051-2025](#) at paragraphs [26] and [27].

¹⁰ [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

respect to” are words of the widest possible scope, or the widest expression intended to convey a connection between two related subject matters.¹¹

[23] The General Occurrence Report reveals details of an investigation conducted by two SPS members. Those members were summoned at the request of a member of the community to restore peace and order. The members attended at a home in Saskatoon and found an ongoing disturbance of the peace that interfered with the peaceable enjoyment of the other residents of the home. The redactions that were applied pursuant to the section 14(1)(k) *LA FOIP* exemption clearly involved details of that investigation and details of the continuing investigation which led to certain occurrences at the police station thereafter. Release of this information would disclose the entire investigation. The second part of the two-part test is met.¹²

[24] The only exception to this analysis involves the content that was withheld on page 14 pursuant to this exemption. Our review reveals that the substantive portion of this page was withheld in full in spite of the fact that the redacted information has no connection to the police investigation whatsoever. There is a finding that this information is not subject to the exemption in section 14(1)(k) of *LA FOIP*. This information will be considered under the exemption in section 28(1) of *LA FOIP* later in this Report.

[25] Since SPS properly applied section 14(1)(k) of *LA FOIP* to the record, as outlined in the table in paragraph [9] of this Report, there is no need to consider the application of section 28(1) of *LA FOIP* – with the exception of pages 7, 9 and 10 where SPS only applied section 28(1) of *LA FOIP* to some portions, and page 14, as it has been found that section 14(1)(k) of *LA FOIP* does not apply.

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.

¹¹ OIPC [Review Report 259-2025](#) at paragraph [18].

¹² OIPC [Review Report 020-2024](#) at paragraphs [26] and [27]. OIPC [Review Report 147-2024](#) at paragraph [36].

[26] We now move to consider the remaining redactions on pages 7, 9, 10 and 14 where SPS applied section 28(1) of *LA FOIP*.

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

[27] SPS applied section 28(1) of *LA FOIP* to a first name on page 7, and middle names of two different SPS members on the top banners of pages 9 and 10 as well as the remaining information that was withheld on page 14.

[28] Section 28(1) of *LA FOIP* prohibits the disclosure of personal information of individuals unless the individual about whom the information pertains consents to its disclosure. 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.

[29] Section 28(1) of *LA FOIP* is a mandatory exemption. Prior to a consideration of section 28(1) of *LA FOIP*, the first determination must be whether the information qualifies as “personal information” as defined by section 23(1) of *LA FOIP*. For information to be “personal information”, it must 1) be about an identifiable individual and 2) be personal in nature.¹³ Information is about an “identifiable individual” if:¹⁴

- 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.

¹³ OIPC [Review Report 108-2025](#) at paragraph [33].

¹⁴ OIPC [Review Report 090-2025](#) at paragraph [27].

- [30] Section 23(1) of *LA FOIP* provides a list of personal information but is not exhaustive. Sections 23(1)(k)(i) and (ii) of *LA FOIP* will be relevant:

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:

...

(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.

- [31] The information redacted from the record on pages 7, 9 and 10 contain the names of individuals other than that of the Applicant. Our office has previously found that names when they appear with other personal information that relate to the individual or the disclosure of the name itself would reveal personal information is personal information pursuant to section 23(1)(k) of *LA FOIP*.

- [32] SPS released the first and last names of two SPS members that appear in the records at issue but redacted their middle names on pages 9 and 10 of the record. We are satisfied that the middle names of the SPS members qualify as personal information. This personal information should be withheld because the SPS member’s 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.¹⁵

- [33] On page 7, the withheld portion is the first name of the individual who was at the centre of the investigation. The individual’s first name is associated with other details on the record that were properly withheld pursuant to section 14(1)(k) of *LA FOIP*. Releasing this first name could possibly reveal personal information about the individual pursuant to section

¹⁵ *Supra*, at footnote 3, at paragraph [47].

23(1)(k)(i) and (ii) of *LA FOIP*. Accordingly, SPS properly applied section 28(1) of *LA FOIP* to the name in question.

- [34] The withheld information on page 14 of the responsive record consists of the name of an SPS member, the member's badge number and dates of availability. This information does not qualify as personal information for several reasons. First, the name and badge number of this member is previously released on several occasions throughout the responsive record in the top banner of the record. As a result, we may assume that consent is a non-issue and this removes the need to consider section 28(1) of *LA FOIP*. Further, the member's availability dates disclose nothing personal with respect to this particular individual. An police officer's availability dates do not qualify for any of the identifying items as listed in section 23(1) (a) through to (k) of *LA FOIP*. This entire page should be released to the Applicant because the exemptions in sections 14(1)(k) and 28(1) of *LA FOIP* do not apply.

IV FINDINGS

- [35] OIPC has jurisdiction under PART VI of *LA FOIP* to undertake this review.
- [36] SPS properly applied section 14(1)(k) of *LA FOIP* to the record with the exception of the information withheld on page 14 of the record.
- [37] SPS properly applied section 28(1) of *LA FOIP* to the middle names of two SPS members withheld on pages 9 and 10.
- [38] SPS properly applied section 28(1) of *LA FOIP* to the first name on page 7 of the record.
- [39] SPS did not properly apply section 28(1) of *LA FOIP* to page 14 of the record.

V RECOMMENDATIONS

- [40] I recommend that SPS continue to refuse access to the pages of the record that it withheld pursuant to section 14(1)(k) of *LA FOIP* with the exception of the information withheld on page 14. The information on page 14 should be released to the Applicant within 30 days of the issuance of this Report.
- [41] I recommend SPS continue to refuse access to the two SPS members' middle names withheld on pages 9 and 10 of the record withheld under section 28(1) of *LA FOIP*.
- [42] I recommend that SPS continue to withhold the first name on page 7 of the record withheld under section 28(1) of *LA FOIP*.

Dated at Regina, in the Province of Saskatchewan, this 2nd day of September, 2026.

Grace Hession David
Saskatchewan Information and Privacy Commissioner