



Office of the
Saskatchewan Information
and Privacy Commissioner

REVIEW REPORT 019-2025

Saskatoon Police Service

July 23, 2025

Summary:

The Applicant submitted an access to information request to the Saskatoon Police Service (SPS). SPS refused access to portions of the records pursuant to sections 14(1)(c), (j), (k) and 28(1) of *The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP)*. SPS also indicated that portions of the information were withheld as non-responsive. SPS also indicated that it refused to confirm or deny the existence of any additional records pursuant to sections 7(2)(f) and 7(4) of *LA FOIP*. The Applicant requested a review by the Office of the Saskatchewan Information and Privacy Commissioner.

The Commissioner found that SPS properly applied sections 14(1)(c), (j), (k) and 28(1) of *LA FOIP* and recommended that SPS continue to withhold information accordingly. The Commissioner also found that SPS properly withheld information as non-responsive. The Commissioner also found that SPS properly invoked section 7(4) of *LA FOIP* and recommended SPS take no further action with regard to the application of section 7(4) of *LA FOIP*.

I BACKGROUND

- [1] On November 7, 2024, the Saskatoon Police Service (SPS) received the following access to information request from the Applicant:

I would like from March 2021 till this day of Nov. 7/2024 I would like to know anytime my name was punched in computer any calls that were recieved anything that pertains to me including investigation

- [2] On November 12, 2024, SPS spoke with the Applicant to clarify the access request. SPS followed up the discussion with the following email:

Thank you for the phone conversation this afternoon related to your request. For your reference, our file number for your request is **2024-0375**.

On your Access to Information request form, you requested access to the following:

Privacy of information Request

I would like from March 2021 till this day of Nov. 7/2024. I would like to know anytime my name was punched in computer any calls that were recieved anything that pertains to me including investigation

During our phone conversation, you confirmed that you are requesting access to the following:

- An audit of any time your name was searched in the police database for the timeframe of March 1, 2021 to the present (November 7, 2024); and
- Copies of all reports, calls for service, and investigations where your name is listed for the same timeframe (March 1, 2021 to November 7, 2024).

You also confirmed that you would prefer to pick-up the records in person when your request is complete.

If I have missed anything, please let me know.

- [3] On December 5, 2024, SPS responded to the Applicant's access request. It provided the Applicant access to records but indicated that some of the information was being withheld pursuant to sections 14(1)(c), (j), (k) and 28(1) of *The Local Authority Freedom of Information and Protection of Privacy Act (LA FOIP)*. SPS also informed the Applicant that it was refusing to confirm or deny the existence of any additional records responsive to the Applicant's access request, pursuant to sections 7(2)(f) and 7(4) of *LA FOIP*.
- [4] In a letter dated January 4, 2025, the Applicant requested a review by the Office of the Saskatchewan Information and Privacy Commissioner (OIPC).
- [5] On February 19, 2025, OIPC notified SPS and the Applicant that it would be undertaking a review.
- [6] On March 12, 2025, OIPC received the records and index of records from SPS.

[7] On April 16, 2025, OIPC received a submission from SPS. SPS did not consent to sharing its submission with the Applicant.

[8] The Applicant did not file a submission with this office.

II RECORDS AT ISSUE

[9] The records at issue total 112 pages, which include Calls for Service forms and General Occurrence Reports. SPS withheld portions of 59 pages pursuant to sections 14(1)(c), (j), (k) and 28(1) of *LA FOIP*.

[10] SPS also refused to confirm or deny the existence of any additional records responsive to the Applicant's access request pursuant to sections 7(2)(f) and 7(4) of *LA FOIP*. However, if the records did exist, SPS indicated that sections 14(1)(c), (j), (k), 20 and 28(1) of *LA FOIP* would apply to those records.

III DISCUSSION OF THE ISSUES

1. Do I have jurisdiction?

[11] SPS qualifies as a "local authority" pursuant to section 2(1)(f)(viii.1) of *LA FOIP*. Therefore, OIPC has jurisdiction to conduct this review.

2. Did SPS properly apply section 14(1)(c) of *LA FOIP*?

[12] SPS applied section 14(1)(c) of *LA FOIP* to the following 59 pages in part or in full:

Description	Pages
General Occurrence Reports	10 to 13, 40 to 63, 72 to 78, 87 to 88, 91 to 94, 96 to 103

Calls for Service	15, 64 to 68, 80, 83, 105, 109
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[13] Section 14(1)(c) of *LA FOIP* provides:

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;

[14] OIPC uses the following two-part test to determine if section 14(1)(c) of *LA FOIP* applies:¹

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

[15] The following is an analysis to determine if both parts of the test are met.

1. Does the local authority's activity qualify as a "lawful investigation"?

[16] A "lawful investigation" is an investigation that is authorized or required and permitted by law.² 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.³

¹ See OIPC [Review Report 010-2025](#) at paragraph [14].

² See OIPC [Review Report 93-021](#) at page 6.

³ [Leo v Global Transportation Hub Authority](#), 2019 SKQB 150 at [24].

[17] In its submission, SPS explained that its “powers of investigation are broad and stem from various pieces of legislation both provincially and federally” including section 36(2) of *The Police Act, 1990*⁴. Section 36(2) of *The Police Act, 1990* provides:

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;

[18] SPS added that records were created in response to calls for service. It noted that in any given situation where there is a call for police service, charges may not be laid but the actions of the officers still constitute an investigation where charges could have been laid under the *Criminal Code*.

[19] Based on the general occurrence reports and calls for service in this matter, the SPS activities appear to be in accordance with section 36(2) of *The Police Act, 1990*, including the preservation of peace and the prevention of crime and offences. SPS’ activity qualifies as a lawful investigation.

1. Does one of the following exist?

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

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

[20] In its submission, SPS asserted that the release of the redacted information could disclose information with respect to a lawful investigation. Therefore, the focus of this report will

⁴ *The Police Act, 1990*, SS 1990-91, c. P-15.01, as amended.

be on whether the release of the information could *disclose* information with respect to a lawful investigation and not whether the release of the information could *interfere* with a lawful investigation.

- [21] Section 14 of *LA FOIP* uses the word “could” versus “could reasonably be expected to.” In 1992 former Commissioner Derril G. McLeod, Q.C. explained that the requirement to be met when the exemption sets out that an injury “could” happen as a “mere possibility of an injurious effect”:⁵

While in other sections of the Act such as Section 14 and Section 17, the Act refers to withholding the release of records which “could reasonably be expected” to have a particular result, it should be noted that in Section 15 the requirement is simply the release of information which “could” have the specified result. In the face of this language I must accept the submission of counsel for SaskPower that the mere possibility of an injurious effect would be sufficient to enable the head to withhold disclosure under Section 15(1)(d).

[Emphasis added]

- [22] This office’s 1992 threshold of “mere possibility” was recently refined by the Saskatchewan Court of Appeal in *Saskatchewan Government Insurance v Giesbrecht*.⁶ Even though the subject statute of that case involved *The Health Information Protection Act (HIPA)*⁷, the Court was unanimous in finding that the similarity of the freedom of information and protection of privacy acts in Saskatchewan allowed for a concordant definition of “could” across all three statutes. In that case, the Court was called on to determine the threshold involved under section 38(1)(f) of *HIPA* where the release of health information *could* interfere with a lawful investigation. The chambers judge found that the

⁵ See [Review Report 92-008](#) at page 4. We also cite: [Merck Frosst Canada Ltd. v. Canada \(Health\)](#), 2012 SCC 3 (CanLII), [2012] 1 SCR 23 at paragraph [201] where the Supreme Court of Canada explained that the phrase “*could reasonably be expected to result*” suggests a middle ground between that which is probable and that which is merely possible.

⁶ *Saskatchewan Government Insurance v Giesbrecht*, 2025 SKCA 10.

⁷ *The Health Information Protection Act*, SS 1999, c.H-0.021, as amended.

appropriate threshold was a balance of probabilities. The Court of Appeal disagreed and found that the threshold in Saskatchewan is now “objective possibility”:

[73] Based on these cases, and the ordinary meaning of the words themselves in the context in which they appear in *HIPA*, I conclude that, for a trustee to withhold access to a document under s. 38(1)(f), the trustee need only show a *possibility* that disclosure of the information could interfere with a lawful investigation or be injurious to the enforcement of an Act or regulation.

...

[80] The judge erred in law when he required SGI to prove, on a balance of probabilities, that disclosure of the Report will or would interfere with a lawful investigation or be injurious to the enforcement of an Act or regulation. SGI was only obligated to show that it is *objectively possible* that disclosure might have this effect...

[23] SPS must demonstrate that the release of the redacted portions of the record has an objective possibility of disclosing information with respect to lawful investigation.

[24] The *Canadian Abridgement Words & Phrases* says the following regarding the phrase “in respect of” and “with respect to”:⁸

In *Nowegijick v. R.*, [1983] 1 S.C.R. 29 (S.C.C.), at p. 39, the Supreme Court of Canada held that the words “in respect of” are “words of the widest possible scope”; the phrase is “probably the widest of any expression intended to convey some connection between two related subject matters”. The Supreme Court later applied the same interpretation to the words “with respect to”: *CanadianOxy Chemicals Ltd. v. Canada (Attorney General)*, [1999] 1 S.C.R. 743 (S.C.C.), at paras. 15-17.

[25] The test can now be stated: if there is a connection between releasing the redacted portions of the records and an objective possibility that the redacted information will disclose information with respect to a lawful investigation, then the exemption applied by means of section 14(1)(c) of *LA FOIP* is appropriate.

⁸ “With respect to” – *Canadian Abridgement Words & Phrases* article #15895.

[26] In its submission, SPS provided various descriptions of the nature of the information redacted and explained how the redacted information informed the lawful investigation. Upon review, this office agrees that the redacted information would reveal information with respect to a lawful investigation. There will be a finding that SPS properly applied section 14(1)(c) of *LA FOIP*. There will be a recommendation that SPS continue to withhold information to which it applied section 14(1)(c) of *LA FOIP* on the pages listed at paragraph [12].

3. Did SPS properly apply section 14(1)(k) of *LA FOIP*?

[27] SPS applied section 14(1)(k) of *LA FOIP* to the following pages in part or in full:

Description	Pages
General Occurrence Reports	43 to 46, 71
Calls for Service	2, 4, 17 to 18, 105 to 106

[28] RPS applied sections 14(1)(c) and 14(1)(k) of *LA FOIP* to the same portions of pages 44 and 46. Since OIPC found that section 14(1)(c) of *LA FOIP* properly applies to these two pages, we do not need to consider the application of section 14(1)(k) of *LA FOIP*.⁹

[29] Considering the rest of the pages in the table above, we note that section 14(1)(k) of *LA FOIP* provides as follows:

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;

⁹ Note that several of these pages were also included in the table in paragraph [12] to which section 14(1)(c) was found to properly apply. We are now dealing with several new redactions separate and apart from the redactions listed before other than pages 44 and 46.

[30] OIPC uses the following two-part test to determine if section 14(1)(k) applies:¹⁰

- 1) Is a law enforcement matter involved?
- 2) Does one of the following exist?
 - a. Could the release of the information interfere with a law enforcement matter?
 - b. Could the release disclose information respecting a law enforcement matter?

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

1) Is a law enforcement matter involved?

[32] The expression “law enforcement” pertains to enforcement of laws of general or particular application by appropriate law enforcement agencies.¹¹

[33] Section 9(b) of *The Local Authority Freedom of Information and Protection of Privacy Regulations (LA FOIP Regulations)* 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*:

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*;

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

¹⁰ See OIPC [Review Report 051-2025](#) at paragraph [12].

¹¹ See OIPC [Review Report 093-021](#) at page 7.

[35] The definition of “law enforcement” is as follows:¹²

“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;

[36] The Court of Queen’s Bench considered section 15(1)(k) of *The Freedom of Information and Protection of Privacy Act* (which is the equivalent of section 14(1)(k) of *LA FOIP*) and the word “matter” in [*Evenson v Saskatchewan \(Ministry of Justice\)*, 2013 SKQB 296 \(CanLII\)](#). The Court said:

...Once again, there is nothing in s. 15(1)(k) that says that the prejudice or interference with a law enforcement matter must be in respect to an ongoing investigation. In the case of *Ontario (Ministry of Community Safety and Correctional Services) v. Ontario (Information and Privacy Commission)* (2007), 231 O.A.C. 230, [2007] O.J. No. 4233 (Ont. C.A.), the Court rejected the suggestion that a narrow view of the law enforcement exemption should be taken and stated at paragraphs 72 and 73:

[72] ... The plain and ordinary meaning of the word “matter” is very broad. We find that “matter” does not necessarily always have to apply to some specific on-going investigation or proceeding. The Adjudicator, in our view, erred in taking too narrow a view of the word “matter” in this particular case. ...

[Emphasis added]

[37] In its submission, SPS asserted that the portions of the records where section 14(1)(k) of *LA FOIP* was applied would, if unredacted, reveal information with respect to enforcement of *The Police Act, 1990*, the *Criminal Code*¹³ and the City of Saskatoon bylaws. Upon

¹² OIPC adopted the definition of “law enforcement” from Schedule I of British Columbia’s *Freedom of Information and Protection of Privacy Act*. *Supra*, footnote 10, at paragraph [22].

¹³ *Criminal Code*, RSC 1985, c. C-46, as amended.

review, this office agrees that the information within the records clearly details law enforcement matters with regard to *The Police Act, 1990* and the *Criminal Code*.

2) Does one of the following exist?

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

b. Could the release disclose information respecting a law enforcement matter?

[38] In its submission, SPS asserted that the release of the portions of the records where it applied section 14(1)(c) of *LA FOIP* could disclose information respecting a law enforcement matter. OIPC will consider whether the release of the information could disclose information respecting a law enforcement matter. OIPC will not consider whether the release of the information could interfere with a law enforcement matter.

[39] As noted above, when it comes to this phase of the analysis SPS need only demonstrate that the release of the redacted portions of the record has an objective possibility of disclosing information respecting a law enforcement matter. SPS supplied this office with its arguments as to how the redacted information is essential to effective police operations. Upon review of the records, this office accepts these arguments and finds that the information does, in fact, centre around a law enforcement matter. The second part of the two-part test is met. There will be a finding that SPS properly applied section 14(1)(k) of *LA FOIP* to the pages as described at paragraph [27] and a further recommendation that SPS continue to withhold the portions of the pages described at paragraph [27].

4. Did SPS properly apply section 14(1)(j) of *LA FOIP*?

[40] SPS applied section 14(1)(j) of *LA FOIP* to the following pages in part:

Description	Pages
Calls for Service	4, 19, 105

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

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;

[42] OIPC supplies the following two questions to determine if section 14(1)(j) of *LA FOIP* applies; however, only one question needs to be answered in the affirmative for the exemption to be found to properly apply:¹⁴

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?

[43] In its submission, SPS asserted that the use of codes by law enforcement personnel is used as a means of communication that conveys special meaning and allows for communications amongst police officers to remain private from the general population.

[44] SPS also cited [Order PO-1665](#) where the Ontario Office of the Information and Privacy Commissioner (ON IPC) states that the disclosure of the codes would compromise a police officer's ability to provide effective police services as follows:

In my view, disclosure of the “ten-codes” would leave OPP officers more vulnerable and compromise their ability to provide effective policing services as it would be easier for individuals engaged in illegal activities to carry them out and would jeopardize the safety of OPP officers who communicate with each other on publicly accessible radio transmission space.

[45] OIPC has consistently found that the release of police communication codes could impede the detection of an offence.¹⁵ OIPC adopts those findings here. The release of the redacted codes could objectively impede the detection of an offence. There will be a finding that SPS properly applied section 14(1)(j) of *LA FOIP*. There will be a recommendation that

¹⁴ See OIPC [Review Report 176-2024](#) at paragraph [51].

¹⁵ *Ibid*, at paragraphs [50] to [53]; See also OIPC [Review Report 293-2023](#) at paragraphs [35] to [42]; OIPC [Review Report 077-2023](#) at paragraphs [24] to [28].

SPS continue to withhold the portions to which it applied section 14(1)(j) of *LA FOIP* of the pages described at paragraph [40].

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

[46] SPS applied section 28(1) of *LA FOIP* to the following pages in part or in full:

Description	Pages
General Occurrence Reports	6 to 13, 27 to 28, 40 to 63, 70 to 75, 77 to 78, 89 to 94, 96 to 103.
Calls for Service	1 to 4, 15 to 20, 64 to 65, 67 to 68, 80 to 81, 83 to 88, 107 to 112.

[47] SPS correctly applied sections 14(1)(c) and (k) of *LA FOIP* to pages 42, 44 to 58, 60 to 63, 73, 77 to 78, 94, 96 to 99 and 103. Accordingly, OIPC will only consider the pages where it applied section 28(1) of *LA FOIP* to a portion of the record without any other statutory reliance.

[48] Section 28(1) of *LA FOIP* provides as follows:

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.

[49] In past reports, OIPC has explained that section 28(1) of *LA FOIP* protects the privacy of individuals whose personal information may be contained within records responsive to an access to information request made by someone else.

[50] For information to be exempt from access pursuant to section 28(1) of *LA FOIP*, the information must qualify as “personal information” as defined at section 23(1) of *LA FOIP*. We note that this list, although lengthy, is not exhaustive. To be personal information, the

information must be about an identifiable individual (or the individual must be capable, or reasonably capable, of being identified), and the information must be personal in nature.¹⁶

[51] Within the context of this analysis, sections 23(1)(a), (c), (e), (f), (k) of *LA FOIP* are relevant. These sections provide as follows:

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;

...

(c) information that relates to health care that has been received by the individual or to the health history 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.

[52] In its submission, SPS indicated it withheld the following categories of information regarding individuals other than the Applicant in this matter:

- Name;
- Date of birth;
- Sex;
- Personal Address;
- Personal Phone number;
- Ethnicity;
- Personal Email address;
- Personal health information; and
- Details of engagement with SPS.

¹⁶ *Supra*, footnote 10 at paragraph [44].

[53] Upon review of these records, this office agrees that the redacted portions qualifies as personal information of individuals other than the Applicant as defined by sections 23(1)(a), (c), (e), (f) and (k) of *LA FOIP*.¹⁷ There will be a finding that SPS properly applied section 28(1) of *LA FOIP* to the pages described at paragraph [46] and a recommendation that SPS continue to withhold the portions to which it applied section 28(1).

6. Are portions of the records at issue non-responsive?

[54] SPS redacted portions of the following pages as non-responsive:

Description	Pages
Calls for Service	68, 110 and 111

[55] When a local authority receives an access to information request, it must determine what information is responsive to the access request. “Responsive” simply means relevant. The term describes anything that is reasonably related to the request. It follows that any information or records that do not reasonably relate to an applicant’s request will be considered “not responsive”.¹⁸

[56] In its submission, SPS explained that the information it marked as non-responsive is information not related to the calls for service detailed on pages 68, 110 and 111. It said:

The information withheld as non-responsive on the above-noted pages included queries made by attending officers on the MDT (mobile data terminal) in their vehicles. The queries related to license plates of identifiable vehicles. The Access and Privacy Unit determined that the license plates of the vehicles queried were not registered to the applicant or to anyone else involved in the call for service...

¹⁷ See OIPC [Review Report 055-2021, 056-2021](#) at paragraphs [18], [22], [26], [27].

¹⁸ See OIPC [Review Report 201-2024](#) at paragraphs [26] and [27].

[57] A review of the portions marked as non-responsive on pages 68, 110 and 111, reveal that they are unrelated to the Applicant's request for access documents. There will be a finding that portions of pages 68, 110 and 111 are non-responsive. There will be a recommendation that SPS continue to withhold the portions of pages 68, 110 and 111 that it marked as non-responsive.

7. Did SPS properly invoke section 7(4) of *LA FOIP*?

[58] In its letter dated December 5, 2024, to the Applicant, SPS noted that it was refusing to confirm or deny the existence of any additional records responsive to the Applicant's access request pursuant to sections 7(2)(f) and 7(4) of *LA FOIP*.

[59] Sections 7(2)(f) and (4) of *LA FOIP* provide:

7(2) The head shall give written notice to the applicant within 30 days after the application is made:

...

(f) stating that confirmation or denial of the existence of the record is refused pursuant to subsection (4);

...

(4) If an application is made with respect to a record that is exempt from access pursuant to section 14, 20 or 21 or subsection 28(1), the head may refuse to confirm or deny that the record exists or ever did exist.

[60] When a local authority invokes section 7(4) of *LA FOIP*, it is denying the applicant the right to know whether a record (or records) exists. Section 7(4) of *LA FOIP* provides local authorities with a significant discretionary power that should be exercised only in rare cases. This office takes this provision as one that protects highly sensitive records where confirming or denying the mere existence of a record could impose a significant risk, legal or otherwise. As an example, and not necessarily in the context of this case, section 7(4) could be invoked to prevent the risk of frustrating a law enforcement investigation currently underway. Although section 14 of *LA FOIP* exists to protect records from being disclosed that fall into the category of law enforcement and investigations, this provision also enables a local authority to address risks that could occur by virtue of a simple revelation that the

record exists in the first place. We re-iterate, that this section of *LA FOIP* is not meant to protect a local authority from possible embarrassment or negative public scrutiny – but solely to protect the integrity of that stakeholder’s process.¹⁹

[61] To properly invoke section 7(2)(f) and 7(4) of *LA FOIP*, SPS must:²⁰

- 1) Demonstrate that records (if they existed) would qualify for the particular exemption provided for in section 7(4) of *LA FOIP*.
- 2) Explain how disclosing the existence of records (if they existed) could reasonably compromise what it is protecting.

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

1) Demonstrate that records (if they existed) would qualify for the particular exemption provided for in section 7(4) of LA FOIP.

[63] In its submission, SPS indicated that if additional records exist, they would be exempt pursuant to sections 14(1)(k), 20 and 28(1) of *LA FOIP*.

[64] This report will now discuss the application of section 20 of *LA FOIP*. That section provides:

20 A head may refuse to give access to a record if the disclosure could threaten the safety or the physical or mental health of an individual.

[65] This office has recommended the use of the following test to determine if section 20 of *LA FOIP* has been properly applied:²¹

¹⁹ See OIPC [Review Report 248-2024, 249-2024](#) at paragraph [13].

²⁰ The Alberta Office of the Information Privacy Commissioner uses a similar test as outlined in [Order F2006-012](#) at [para 18] and [para 21] and in [Order F2024-13](#) at [para 115]. The British Columbia Office of the Information and Privacy Commissioner also uses a similar test as outlined in [Order F15-01](#) and at paragraphs [64], [68] to [72] and [Order F22-02](#) at paragraph [29].

²¹ See [Review Report 206-2021](#) at paragraph [12].

Could disclosure of the record threaten the safety or the physical or mental health of an individual?

[66] Based on SPS' submissions, this office accepts that SPS properly applied redactions pursuant to sections 14(1)(k), 20 and 28(1) of *LA FOIP*.

2) *Explain how disclosing the existence of records (if they existed) could reasonably compromise what it is protecting.*

[67] Similar to approaches taken in past review reports,²² OIPC refrains from lengthy quotations of the SPS formal submission. Having reviewed that submission in full, OIPC is satisfied that the disclosure of the existence of records, if they even exist, could reasonably compromise the core subject matter of police protection pursuant to sections 14(1)(k), 20 and 28(1) of *LA FOIP*.

[68] There will be a finding that SPS properly invoked section 7(4) of *LA FOIP*. There will be a recommendation that SPS take no further action regarding its invocation of section 7(4) of *LA FOIP*.

IV FINDINGS

[69] OIPC has jurisdiction to conduct this review.

[70] SPS properly applied sections 14(1)(c), (k), (j) and 28(1) of *LA FOIP*.

[71] Portions of pages 68, 110 and 111 are non-responsive.

[72] SPS properly invoked section 7(4) of *LA FOIP*.

V RECOMMENDATIONS

²² See [Review Report 237-2021](#) at paragraph [25] and [Review Report 077-2023](#) at paragraph [47].

- [73] I recommend that SPS continue to withhold the portions of the pages described at paragraph [12] to which it applied section 14(1)(c) of *LA FOIP*.
- [74] I recommend that SPS continue to withhold the portions of the pages described at paragraph [27] to which it applied section 14(1)(k) of *LA FOIP*.
- [75] I recommend that SPS continue to withhold the portions of the pages describe at paragraph [40] to which it applied section 14(1)(j) of *LA FOIP*.
- [76] I recommend that SPS continue to withhold the portions of the pages described at paragraph [46] to which it applied section 28(1) of *LA FOIP*.
- [77] I recommend that SPS continue to withhold the portions of pages 68, 110 and 111 that it marked as non-responsive.
- [78] I recommend that SPS take no further action regarding its invocation of section 7(4) of *LA FOIP*.

Dated at Regina, in the Province of Saskatchewan, this 23rd day of July, 2025.

Grace Hession David
Saskatchewan Information and Privacy Commissioner