

Table CR:X – Policy Number CR:X – Disclosure of Personal Information by the Chief of Police

<b>CR:X DISCLOSURE OF PERSONAL INFORMATION BY THE CHIEF OF POLICE</b>	
LEGISLATIVE REFERENCE / AUTHORITY	<i>Community Safety and Policing Act, 2019, section 38(1)(c); section 80; O. Reg. 412/23</i>
DATE APPROVED	XX
DATE REVIEWED	N/A
DATES AMENDED	N/A
DATE TO BE REVIEWED	2027
REPORTING REQUIREMENT	<u>Annual compliance reporting</u> N/A

**LEGISLATIVE REFERENCE / AUTHORITY**

Section 38(1)(c) of the *Community Safety and Police Act, 2019*, states that a police service board shall establish a policy respecting the disclosure by the chief of police of personal information about individuals.

Section 80(2) of the Act outlines the purposes for which a chief of police or a designate may disclose personal information about an individual.

O. Reg. 412/23 establishes to whom and in what circumstances personal information may be disclosed by a chief of police or a designate for the purposes of section 80(1) of the Act. The Regulation applies to personal information about an individual as if the individual had been charged with an offence under any federal or provincial Act if the individual,

(a) is arrested and released in accordance with Part XVI of the Criminal Code (Canada); or

(b) is served with a summons under Part III of the Provincial Offences Act in relation to an offence for which an individual may be arrested, even if an information has not been laid at the time the summons is served.

**BOARD POLICY**

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The Ottawa Police Service Board will ensure that the Ottawa Police Service establishes a policy which states the guidelines and conditions under which the Chief of Police, or a designated representative, may disclose personal information about an individual.

The Service policy will contain the following elements:

1. **Authority:** The Chief of Police, or a person designated by the Chief, may disclose personal information about an individual, but must adhere strictly to the regulations governing such disclosures.

2. **Purpose.** Disclosures by the Chief of Police must serve one or more of the following purposes:

a) Protection of the public.

b) Protection of victims of crime.

c) Keeping victims of crime informed of the law enforcement, judicial or correctional processes relevant to the crime that affected them.

d) Law enforcement.

e) Correctional purposes.

f) Administration of justice, including the conduct of civil proceedings.

g) Enforcement of and compliance with any federal or provincial Act, regulation or government program.

h) Keeping the public informed of the law enforcement, judicial or correctional processes respecting any individual

~~2. —~~

~~(a) — Protection of the Public: Ensuring the safety and security of the community from potential threats.~~

~~(b) — Protection of Victims: Safeguarding individuals who have been victims of crime.~~

~~(c) — Information for Victims: Providing victims with necessary information about the law enforcement, judicial, or correctional processes related to the crime.~~

~~(d) — Law Enforcement: Facilitating the investigation, prevention, and solving of crimes.~~

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- ~~(e) — Correctional Purposes: Supporting the rehabilitation and management of offenders.~~
- ~~(f) — Administration of Justice: Assisting in the fair and efficient operation of civil legal proceedings and the justice system.~~
- ~~(g) — Legal Compliance: Enforcing and ensuring adherence to federal and provincial laws.~~
- ~~(h) — Public Information: Keeping the public informed about law enforcement, judicial, or correctional processes concerning individuals.~~

3. **Conditions.** Disclosures must be made with care for individuals' privacy rights, ensuring that only the necessary information is shared, and only to those on a need-to-know basis.
4. **Reporting.** The Board may request periodic reports from the Chief of Police regarding the operation of the Service policy.