

Report to / Rapport au:

**OTTAWA POLICE SERVICES BOARD
LA COMMISSION DE SERVICES POLICIERS D'OTTAWA**

25 March 2024 / 25 mars 2024

Submitted by / Soumis par:

Chief of Police, Ottawa Police Service / Chef de police, Service de police d'Ottawa

Contact Person / Personne Resource:

**Deputy Chief Patricia Ferguson: Investigations, Information, and Organized &
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**SUBJECT: MISSING PERSONS ACT, 2018 – URGENT DEMANDS FOR RECORDS
- ANNUAL REPORT**

**OBJET: LOI DE 2018 SUR LES PERSONNES DISPARUES – DEMANDES
URGENTES DE DOSSIERS – RAPPORT ANNUEL**

REPORT RECOMMENDATIONS

That the Ottawa Police Services Board receive this report for information.

RECOMMANDATIONS DU RAPPORT

**Que la Commission de services policiers d'Ottawa prenne connaissance du
présent rapport à titre d'information.**

BACKGROUND

Missing Persons Act, 2018 came into effect on July 1, 2019. In accordance with O.Reg. 182/19 under the Missing Persons Act, 2018, each police service is required to annually prepare and report on Urgent Demands. This report shall be presented by April 1st of each year, after which, the Police Service Board shall make this information publicly available by June 1st of each year.

As per section 8(1) of the Missing Persons Act, 2018, the report shall contain:

(a) the total number of urgent demands made in that year and the number of missing persons investigations to which they related;

(b) a description of the types of records specified in the urgent demands made in that year; and

(c) any other prescribed information

DISCUSSION

The Missing Persons Act, 2018 was proclaimed by the government on July 1, 2019 and provides Officers with additional resources to use when a person goes missing and there is no evidence of criminal activity. Previously when a person went missing without evidence of criminal activity, police were limited in the ways they could investigate. This Act allows police to respond to missing persons investigations quickly while balancing concerns for an individual's privacy. Officers are now able to obtain copies of records that may assist in a search, obtain a court order to allow entry into a premises to search for a missing person and make an urgent demand for records without a court order in certain urgent circumstances.

The Act sets out tests to obtain court authorization for access to records or search warrants and to execute urgent demands for records. An Officer may make an urgent demand for records to a person or entity if they are satisfied that there are reasonable grounds to believe that the records are in the custody or under the control of the person or entity, the records will assist in locating the missing person and in the time required to obtain a court order the missing person may be seriously harmed, or the records may be destroyed. The police and the courts are required to consider privacy issues and whether there is evidence that the person does not wish to be located. The Act also includes guidelines on what information the police may disclose about a missing person before and after they have been located.

To ensure transparency and accountability, the Act requires that Chiefs of Police and the Commissioner of the Ontario Provincial Police report annually on the use of urgent demands for records by members of the police service using the Ministry's Annual Report Template Form 7. This report shall be provided to the Police Services Board by April 1st and must include the total number of urgent demands made that year, the number of missing persons investigations to which they related and a description of the types of records specified in the urgent demands for records. After receiving the report, the Police Services Board shall provide a copy of the report to the Minister and make the report available to the public by June 1st.

Officers who make an urgent demand for records are required to make reasonable efforts to provide notice to the individual whose information has been produced as a result of an urgent demand for records. In addition, Officers are also required to report

the details of urgent demands for records to an individual designated by the organization, who in turn is required to report to the Police Services Board annually.

2023 Reporting of Urgent Demands

In 2023, seven (7) 'Urgent Demand Approval' forms were submitted.

Six submissions pertained to records of financial information, while one aimed at verifying the existence of personal health information records under the Personal Health Information Privacy Act (PHIPA). This request was not for accessing health records, but to ascertain their existence. All submissions were made to support investigators in locating missing persons.

SUPPORTING DOCUMENTATION

Document 1 – Missing Persons Act, 2018 – Annual Report Template – Form 7

CONCLUSION

That the Ottawa Police Services Board receive this report detailing the status of Missing Persons Urgent Demands for information. The Ministry of the Solicitor General Annual Report Template (Form 7) has been attached for reference.

DOCUMENT 1

Missing Persons Act, 2018 – Annual Report Template – Form 7



Ministry of the Solicitor General

Annual Report Template

Form 7

Missing Person Act, 2018

In accordance with O.Reg.182/19 under the *Missing Persons Act, 2018* the contents included in this report must be prepared by April 1 of each year, and made publicly available by June 1 of each year.

Data Collection

Period of data collection

Start Date (yyyy/mm/dd)

2023/01/01

End Date (yyyy/mm/dd)

2023/12/31

Name of Police Force

Ottawa Police Service

Detachment Location (if applicable)

Unit Number

Street Number

Street Name

PO Box

474

Elgin Street

City/Town

Ottawa

Province

Ontario

Postal Code

K2P 2J6

Total Number of Urgent Demands made

7

Number of Missing Persons Investigations in which a demand was made

7

Types of records specified in the urgent demands and total number of times that each type of record was included in the urgent demands

| Records | Description | Total number of times demanded |
|---|----------------------------|--------------------------------|
| Records containing contact information or other identifying information | | |
| Photos, videos, or other records containing visual representation | | |
| Records of telecommunications or records that contain other electronic communications information, including information about signals related to a person's location | | |
| Records of employment information | | |
| Records of personal health information within the meaning of the <i>Personal Health Information Protection Act, 2004</i> | to verify if records exist | 1 |
| Records related to services received from a service provider as defined in subsection 2(1) of the <i>Child, Youth and Family Services Act, 2017</i> | | |
| Records that related to a student of an educational institution | | |
| Records containing travel and accommodation information | | |

| Records | Description | Total number of times demanded |
|----------------------------------|--------------|--------------------------------|
| Records of financial information | Bank records | 6 |
| Other records | | |

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Print Form

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