



# COMMUNITY SAFETY RELEASE OF INFORMATION TO VICTIMS PRP-CP-001

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Amended: 2010/02/26  
Reviewed: 2013/11/20  
Amended: 2018/11/23

## Policy Statement

*It is the policy of the Regional Municipality of Peel Police Services Board that Peel Regional Police shall ensure mandatory criteria as set out in the Police Services Act and O.Reg. 265/98 is met prior to disclosure of personal information concerning an individual. The requirements set out in this document shall form part of the Board Policies and the Chief of Police is hereby directed to implement and comply with these requirements in his/her administration and operation of the Peel Regional Police.*

## 1. Policy Requirements

It is the policy of the Board that the Chief of Police:

- a) may disclose personal information concerning individuals for the purpose of:
  - i. Protection of the public;
  - ii. Protection of victims of crime;
  - iii. Keeping victims of crime informed of the law enforcement, judicial or correctional processes relevant to the crime that affected them;
  - iv. Law enforcement;
  - v. Correctional purposes;
  - vi. Administration of justice;
  - vii. Enforcement of and compliance with any federal or provincial Act, regulation or government program; and
  - viii. Keeping the public informed of the law enforcement, judicial or correctional processes respecting any individual.
- b) ensures complete compliance with legislative and constitutional requirements, and recognized legal principles;
- c) ensures that members act with full respect for human dignity and according to professional standards of skill, integrity, and accountability;
- d) maintains both officer and public safety as a priority;
- e) may disclose information to a victim regarding the progress of the investigation(s) that relate to the offence against the victim;
- f) that he/she or her/his designate may disclose the following information to the victim about the individual(s) who has been charged with committing the offence to a victim, if the victim requests the information:
  - i. The progress of investigations that relate to the offence;
  - ii. The charges laid with respect to the offence and, if no charges are laid, the reasons why;
  - iii. The dates and places of all significant proceedings that relate to the prosecution;

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- iv. The outcome of all significant proceedings, including any proceedings on appeal;
  - v. Any pretrial arrangements that are made that relate to a plea that may be entered by the accused at trial;
  - vi. The interim release, and, in the event of conviction, the sentencing of the accused;
  - vii. Any disposition made under section 672.54 or 672.58 of the *Criminal Code* (Canada) in respect of an accused who is found unfit to stand trial or who is found not criminally responsible on account of mental disorder;
  - viii. Any application for release or any impending release of the individual convicted of the offence, including release in accordance with a program of temporary absence, on parole or on an unescorted temporary absence pass;
  - ix. Any escape from custody of the individual convicted of the offence;
  - x. Any escape from the accused from custody;
  - xi. If the individual accused of committing the offence is found unfit to stand trial or is
    - 1) found not criminally responsible on account of mental disorder;
    - 2) Any hearing held with respect to the accused by the Review Board established or designated for Ontario pursuant to subsection 672.38(1) of the *Criminal Code* (Canada);
    - 3) Any order of the Review Board directing an absolute or conditional discharge of the accused
  - g) ensures that in the case of a high risk offender, disclosure of information does not require a prior request from the victim; nor is the information that may be disclosed limited to the above. In the case of a high risk offender, the provisions of the High Risk Offenders Policy apply in addition to this policy;
  - h) ensures that the release of personal information be authorized only by the Chief of Police or, if designated, the Deputy Chief or the Officer-in-Charge of the investigation;
    - i. That in deciding whether or not to disclose personal information, the Chief of Police, the Deputy Chief or the Officer-in-Charge of the investigation shall consider:
    - ii. The availability of resources and information;
    - iii. What is reasonable in the circumstances of the case;
    - iv. What is consistent with the law and the public interest; and
    - v. What is necessary to ensure the resolution of criminal proceedings is not delayed.

## 2. Measurement Methods

The Chief of Police will conduct an ongoing statistical analysis, and qualitative and quantitative review of all disclosure of personal information made to victims to ensure the integrity of the police service directives and/or procedures and to ensure compliance with Ontario Regulation 265/98.

**3. Reporting**

The Chief of Police will report on those circumstances where the disclosure or non-disclosure of personal information to a victim has resulted in an “exceptional” circumstance, or a circumstance which may be detrimental to the victim’s safety, and/or may result in significant issues of potential liability to the Board and the police service.

**4. Authority/Legislative Reference**

Section 41, Police Services Act

The *Community Safety Act*, 1997, S.O. 1997, c.17

Ontario Regulation 265/98

The Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56.

Board Minute #195/98

Board Minute #29/10

Board Minute #75/13

Board Minute #IC35-11-18

**5. Linkage to Appropriate Police Service Procedure/Directive**

I-A-604(F) Disclosure of Personal Information

I-A-602(O) Release of Information from Police Service Files

I-B-501(O) Access to Information Pursuant to the Municipal Freedom of Information and Protection Act

I-B-735(F) Police Response to High Risk Individuals

I-B-710(F) Victims and Witness Assistance