



2018 Report on the Collection of Identifying Information In Certain Circumstances

BACKGROUND:

On January 1, 2017 Ontario Regulation 58/16 under the Police Services Act in relation to the Collection of Identifying Information in Certain Circumstances – Prohibitions and Duties came into effect. This legislation provides police officers with direction relating to the attempted collection of identifying information about an individual in certain circumstances governed by the Regulation. This legislation was introduced in Ontario by the provincial government as a mechanism for Police Services to gather information in a manner which supports and adheres to the principles of equity and fairness contained in the Canadian Charter of Rights and Freedoms and the Ontario human Rights Code.

Ontario Regulation 58/16 provides direction to the Chief of Police to provide an annual report to the Board under section 31 of Ontario Regulation 3/99 (Adequacy and Effectiveness of Police Services) and what information must be included in the report.

NORTH BAY POLICE SERVICE COMMITMENT

The North Bay Police Service is committed to enhancing the trust and confidence in police services and to ensuring that they are delivered without bias or discrimination by ensuring that policing in our area is undertaken in a manner that protects the human rights of every individual and that policies, procedures and practices that may be discriminatory will not be tolerated.

The practices and procedures of the North Bay Police Service in respect of the collection of identifying information shall not be arbitrary or based upon any racial/biased profiling, and shall reflect a commitment to professionalism, accountability and transparency.

CURRENT SITUATION:

The reporting period, January 1 – December 31, 2018 is now complete and the following information is being provided in compliance with the annual reporting requirements of the Regulation.

During 2018, a total of (1) CIICC report was submitted.

Attempted Collections vs Collections - CIICC

This table represents a comparison of the number of Regulated Interactions where an attempt to collect identifying information was made and how many resulted in an actual collection of information. In 2018, the one attempt to collect did result in the collection of identifying information from the individual.

2018	Attempted Collections	Collections
Total	1	1

Incidents vs Submissions - CIICC

The table below represents a breakdown of the number of Regulated Interaction incidents in relation to the number of individuals that an attempt to obtain identifying information occurred. In 2018 there was one collection resulting from one single incident.

2018	Collections	Incidents of Contact
Total	1	1

Exemptions used in a Regulated Interaction

The *Regulation* affords officers in specific circumstances the ability to not provide the involved individual with all of the information and duties as required.

Examples of these exemptions are in situations where a police officer has a reason to believe that informing the individual:

1. might compromise the safety of an individual;
2. would likely compromise an ongoing police investigation;
3. might allow a confidential informant to be identified; or
4. might disclose the identity of a person contrary to the law, including disclose the identity of a young person contrary to the *Youth Criminal Justice Act* (Canada).

The Annual Report must include the number of times these exemptions were used during a Regulated Interaction.

This table represents how many times the above exemptions were used to not provide one of the following duties to an individual:

Duty to	Number of Exemptions
Inform the individual that he or she is not required to provide identifying information to the officer	0
Inform the individual why the police officer is attempting to collect identifying information about the individual	0

The *Regulation* also provides officers in specific circumstances the ability to not offer to provide a CIICC Receipt as required to the involved individual.

Examples of these exemptions are in situations where a police officer has a reason to believe that continuing to interact with the individual:

1. might compromise the safety of an individual; or
2. might delay the officer from responding to another matter that should be responded to immediately.

The Annual Report must include the number of times these exemptions were used during a Regulated Interaction.

This table represents how many times the above exemptions were used to not offer a CIICC Receipt to an individual:

Duty to	Number of Exemptions
Offer to give the individual a document that provides a record of the attempt to collect identifying information	0
Give the individual such a document if the individual indicates that he or she wants it	0

In 2018 there was a total of one (1) Regulated Interaction. The officer offered to provide a CIICC Receipt at the termination of the contact with the individual. The individual refused the receipt.

Regulated Interactions - Gender

When submitting a CIICC report, the involved officer must indicate the perceived gender of the individual at the time of the attempted collection.

The following table represents a breakdown of those individuals by gender:

Regulated Interaction	Male	Female
Total	0	1

Regulated Interactions – Age Groups

When submitting a CIICC report, the involved officer must indicate the perceived age of the individual at the time of the attempted collection. The following table represents a breakdown of the individuals by age groups:

Age Groups	Total
0 - 19	
20 - 29	
30 - 39	1
40 - 49	
50 - 59	

60 - 69	
70 - 79	
80 or over	

Regulated Interaction – Racialized Groups

When submitting a CIICC report, the involved officer must indicate the perceived race of the individual at the time of the attempted collection. The following table represents a breakdown of the individuals by perceived race:

Racialized Groups	Total
White	1
First Nations	
Metis	
Inuk	
Black	
South Asian	
West Asian	
Southeast Asian	
Chinese	
Filipino	
Latin American	
Arab	
Korean	
Japanese	
Other - Specify	
Total	1

Racialized Groups - Narrative

In this reporting period as there was only one interaction that was determined to be regulated, 100% of reports involve white peoples.

Regulated Interaction – Area of Collection

When submitting a CIICC report, the involved officer must indicate the location that the Regulated Interaction took place. For this Service, patrol zones were utilized as the defining areas of contact.

The following table represents a breakdown those patrol zones and where Regulated Interactions occurred:

Patrol Zone	Total
Zone 1	
Zone 2	1

Zone 3	
Zone 4	
Zone 5	
Zone 6	

Regulated Interaction – Submissions determined to be Non-Compliant Collections

The *Regulation* requires that every CIICC report is reviewed by a Regulated Interaction Verifier within 30 days of it being submitted. This process of verification is done to ensure that every aspect of the legislation has been properly applied. During this review, if the Regulated Interaction is found to be Non-Compliant with the legislation the information is secured from access as restricted information.

The following table represents a breakdown of the Regulated Interactions and the number that were deemed to be Non-Compliant during the verification process:

CIICC Submissions	Regulated Interaction	Incidents of Contact
Compliant	1	1
Non-Compliant		

Regulated Interactions – Annual audit review

The *Regulation* requires that at least once a year a detailed review of an appropriately sized sample of entries of identifying information included in the database to ensure that it appears that they are Compliant be undertaken.

This review was conducted and the original findings of the verifier with respect to Compliant and Non-Compliant submissions have been confirmed.

Regulated Interactions – Access to Restricted CIICC Submissions

The *Regulation* does permit in specific situations for the Chief of Police to grant permission to access restricted information. The legislation outlines the conditions that must be met in order to provide this review and are as follows:

1. for the purpose of an ongoing police investigation,
2. in connection with legal proceedings or anticipated legal proceedings,
3. for the purpose of dealing with a complaint under Part V of the Act or for the purpose of an investigation or inquiry under clause 25 (1) (a) of the Act,
4. in order to prepare the annual report described in subsection 14 (1) or the report required under section 15,
5. for the purpose of complying with a legal requirement, or
6. for the purpose of evaluating a police officer's performance.

There were no requests submitted in 2018 to access restricted information.