

*Community First*



FILE: 2016-012

November 2, 2016

Kelley Denham

Dear Ms. Denham:

I am responding to your request for personal information pursuant to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), our file **2016-012**.

A decision has been made to grant you partial access to the records requested. Upon searching our records for this request the following records were found:

1. Dispatcher Notes (Page 1) – (Partial access as per Sec 14(1)(a) and Sec 14(3)(b)MFIPPA as per below)
2. Missing Person General Report (page 2 – 3) - (Partial access as per Sec 14(1)(a) and Sec 14(3)(b) and Sec 8(1)(a) and 8(1)(c) MFIPPA as per below)
3. Officers' notes (page 4 – 11) - (Partial access as per Sec 14(1)(a) and Sec 14(3)(b) and Sec 8(1)(a) and 8(1)(c) MFIPPA as per below)
4. 911 Audio recording (access to this is denied under Sec 14(1)(a) and Sec 14(3)(b) MFIPPA as per below)
5. Radio Audio recordings (access to this is denied under Sec 8(1)(a) and 8(1)(c) MFIPPA as per below)
6. Two audio recordings of telephone calls to Children's Aid Society. (Access to these are denied under Sec 8(1)(a) and 8(1)(c) MFIPPA as per below)

Access is denied to part of the records because the following provisions apply:

Section 38(a) states that a head may refuse to disclose to the individual to whom the information relates personal information if sections 6 through 13 or apply to the disclosure. This section applies because disclosure could reasonably be expected to:

***Section 8(1) states: A head may refuse to disclose a record if the disclosure could reasonably be expected to;***

***8(1)(a) interfere with a law enforcement matter***

***8(1)(c) reveal investigative techniques and procedures currently in use or likely to be used in law enforcement***

Access is also denied to the records pursuant to subsection 38(b) of the Act because disclosure would constitute an unjustified invasion of another's privacy. The following was considered in

making this determination because the personal information:

*Section 14(1) states: A head shall refuse to disclose personal information to any person other than the individual to whom the information relates except,*

*14(1)(a) upon the prior written request or consent of the individual, if the record is one to which the individual is entitled to have access*

*Section 14(3) states: A disclosure of personal information is presumed to constitute an unjustified invasion of personal privacy if the personal information,*

*14(3)(b) was compiled and is identifiable as part of an investigation into a possible violation of law, except to the extent that disclosure is necessary to prosecute the violation or to continue the investigation*

Please note that in this particular case, if the other party involved in this matter makes a request under the Freedom of Information for this file, then the denied and redacted portions of the records under Section 14(1)(a) and 14(3)(b) of MFIPPA would be released to that applicant.

I am responsible for this decision. If you have any questions, please contact this office at **613-283-0357 Ext 0**.

You may ask for a review of this decision within 30 days of receiving this letter by writing to: Registrar, Information and Privacy Commissioner/Ontario, **2 Bloor Street East, Suite 1400, Toronto, Ontario, M4W 1A8**, Telephone: (416) 326-3333 or toll free 1-800-387-0073.

If you decide to request a review of this decision, please provide the Commissioner's office with the following: the file number listed at the beginning of this letter; a copy of this decision letter; a copy of the original request for information you sent to our institution; and the reasons why you believe the records exist (*if the decision was that no records exist*).

In addition, you must send an appeal fee to the Commissioner's office. If your request was for your personal information, the appeal fee is \$10.00. The appeal fee for all other requests for information is \$25.00. Please include the fee with your letter of appeal – appeal fees should be in the form of either a cheque or money order, payable to the Minister of Finance.

Sincerely;



Betty Anne Small  
Coordinator  
Freedom of Information Branch  
Smiths Falls Police Service



F.O.I.

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2016-09-27



1430 (PIC) SF16006215

78 ABEL 87

RE MISSING PERSON



2yr old child missing

Blue Hair, Grey shirt & shorts

NO SHOES

Good Poss Signs



RIGHT 1556

SMITHS FALLS POLICE COMMUNITY FIRST

**DAVID RAKOBOWCHUK**  
 Detective/Constable No. 35  
 SMITHS FALLS POLICE SERVICE

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