Thunder Bay Police Service Board

POLICY TITLE: **Legislation & Regulations: Disclosure of Personal Information**	POLICY NUMBER: **LEG-009**
DATE APPROVED: **16/09/2025**	
DATE(s) REVIEWED:	DATE TO BE REVIEWED: **2027**
DATE(s) AMENDED:	
LEGISLATION: s. 38(1)(c), 80 *Community Safety and Policing Act* (2019) Ontario Regulation 412/23, *Community Safety and Policing Act* (2019)	
RELATED PROCEDURES/POLICY: BCPR-001: Information Sharing LEG-004: Assistance to Victims of Crime LEG-005: Body Worn Cameras	

POLICY STATEMENT

The Thunder Bay Police Service Board (Board) is committed to the highest standards of individual privacy rights, transparency, and public interest in its management of personal information. The Board recognizes the importance of the disclosure of personal information in ensuring public safety as well as the need to protect personal information obtained by the Thunder Bay Police Service (Service) in accordance with applicable legislation, policies, and ethical standards.

The Board is committed to ensuring a balanced approach on public interest and individual privacy rights for decisions regarding the disclosure of personal information.

PURPOSE

The purpose of this policy is to establish a clear criterion for decisions by the Chief of the Thunder Bay Police Service (Chief) regarding the disclosure of personal information. This policy provides key considerations and guidelines for the disclosure of personal information by the Chief, ensuring that such disclosures balance public interest and privacy rights in accordance with the *Community Safety and Policing Act* (2019) (CSPA) and applicable legislation.

This policy also provides guidance to the Chief on the disclosure of personal information and information sharing activities by the Service in alignment with related Board policies.

SCOPE

This policy applies to the Chief as well as all personal information about an individual obtained by the Service which may be considered for disclosure by the Chief or designate pursuant to section 80 of the CSPA.

POLICY

a) Purpose of Disclosure

In determining whether to disclose personal information, the Chief will ensure that any disclosure will be for one or more of the following purposes:

- Protection of the public.
- Protection of victims of crime.
- Keeping victims of crime informed of the law enforcement, judicial or correctional processes relevant to the crime that affected them.
- Law enforcement.
- Correctional purposes.
- Administration of justice, including the conduct of civil proceedings.
- Enforcement of and compliance with any federal or provincial Act, regulation or government program.
- Keeping the public informed of the law enforcement, judicial or correctional processes respecting any individual.

b) Considerations

In deciding whether to disclose personal information, the Chief will consider the following factors:

- The availability of resources and information.
- What is reasonable in the circumstances of the case.
- What is consistent with the law and public interest.
- What is necessary to ensure that the resolution of criminal proceedings is not delayed or impaired.

c) Permitted Disclosures

For the protection of the public, the Chief may disclose the following information to any person about an individual if:

- The individual has been convicted or found guilty of an offence under any federal or provincial Act.
- The Chief or designate reasonably believes that the individual poses a significant risk to other persons or to property.
- The Chief or designate reasonably believes that the disclosure of the personal information is necessary to reduce a significant risk to other persons or to property.

To keep the public informed, the Chief may disclose the following information to any person about an individual who has been charged with, convicted of, or found guilty of an offence under any federal or provincial Act:

- The individual's name, age, date of birth and address.
- The offence in question and, if the individual has been convicted or found guilty of the offence, any sentence imposed.
- The outcome of all judicial proceedings relevant to the offence.
- The procedural stage of the criminal justice process to which the prosecution of the offence has progressed and the status of the individual in that process as it relates to the individual's location or custody, including whether the individual is in custody, or the terms, if any, upon which the individual has been released from custody.
- The date of the release or impending release of the individual from custody for the offence, including any release on parole or temporary absence.

To disclose personal information to other agencies, the Chief may disclose personal information about an individual who is under investigation for having committed an offence under any federal or provincial Act, or is charged with, convicted of or found guilty of such an offence.

Personal information may only be disclosed if the circumstances are such that the disclosure is required for the protection of the public, the administration of justice or the enforcement of or compliance with any federal or provincial Act, regulation or government program. The Chief may disclose such information to:

- Any police service in Canada.
- Any correctional or parole authority in Canada.
- Any person or agency engaged in the protection of the public or the administration of justice.
- Any person or agency engaged in the enforcement of or compliance with any federal or provincial Act, regulation or government program provided that the personal information be disclosed in accordance with a memorandum of understanding entered into between the Chief and the agency.

To keep victims of crime informed, the Chief may disclose the following information to a victim of crime as defined under Ontario Regulation 412/23 about an individual who is accused of committing the offence in question:

- The progress of investigations that relate to the offence.
- The charges laid with respect to the offence or, if no charges were laid, the reasons why no charges were laid.
- The dates and places of all proceedings that relate to the prosecution of the offence.
- The outcome of all proceedings, including the outcome of any proceedings on appeal.
- Any pretrial arrangements that are made that relate to a plea that may be entered at the trial by the individual.

- The interim release and, in the event of conviction, the sentencing of the individual.
- If the individual is convicted of the offence, any application for release or any impending release of the individual, including release in accordance with a program of temporary absence, on parole or on an unescorted temporary absence.
- If the individual is charged with or convicted of the offence, any escape from custody of the individual.
- If the individual is found unfit to stand trial or is found not criminally responsible on account of mental disorder.
    - Any disposition provided for under section 672.54 or 672.58 of the *Criminal Code* that is made in respect of the individual.
    - Any hearing held with respect to the individual by the Review Board established or designated for Ontario pursuant to subsection 672.38(1) of the *Criminal Code*.

d) Board Reporting

The Chief shall report to the Board through the Board Chair or Executive Director, any disclosures pursuant to section 80 of the CSPA made for the protection of the public and for keeping the public informed.