

## **Woodstock Police Service**

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TO: Chief D. Longworth

CC: Insp. Marci Shelton & A/Insp. Talsma

FROM: Deputy Chief Rod Wilkinson

DATE: March 3, 2021

**RE: 2020 CIICC Mandated Yearly Report – Collection of Identifying Information in Certain Circumstances Report (O. Reg. 58/16)**

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The Woodstock Police Service is responsible for preparing the annual report regarding the collection of identifying information in certain circumstances, in accordance with Ontario Regulation 58/16.

During the period of January 1, 2020 to December 31, 2020, the Woodstock Police Service (WPS) recorded a total of zero (0) regulated interactions as defined by the Regulation.

In June 2015, the Ministry of Community Safety and Correctional Services (MCSCS) announced the Government of Ontario would move forward on regulating street checks to ensure a fair and consistent approach throughout the province.

In October 2015, MCSCS published draft Regulations and, in March 2016, announced Ontario would prohibit carding and street checks and set out new rules for Police Interactions (O. Reg. 58/16). The implementation date of the new legislation was January 1, 2017.

In addition to the rules, initial and ongoing training for officers was also prescribed. Initial training took place in 2016, with refresher training required every three years. During the course of 2019, sworn members of the Organization were required to complete the 3-year refresher training for “Collection of Identifying Information in Certain Circumstances” (CIICC), as mandated by the Ministry.

As noted, there were no regulated interactions as defined by O. Reg. 58/16. The contents of the annual report to the Board, made under section 14 of the Regulation requires the following to be reported annually:

### 2020 CIICC

Number of attempted collections	0
Number of attempts in which Identifying Information was collected	0
Number of individuals from whom identifying information was collected	0
Number of times the following provisions were relied upon to advise the individual of his/her rights that they were not required to provide identifying information to police:	0
i) might compromise the safety of the individual	0
ii) would likely compromise an ongoing police investigation	0
iii) might allow confidential informant to be identified	0
iv) might disclose the identity of a person contrary to law	0
Number of times an individual not provided a receipt because they didn't indicate they wanted one	0
Number of times a receipt was not provided as doing so might:	0
i) compromise the safety of the individual	0
ii) might delay the officer from responding to another matter	0
Number of times officers permitted access to identifying information that has been restricted	0

Because there was no regulated interaction with members of the public reported, there is no evidence of disproportionate collection of information.

#### Annual report

14. (1) This section applies to,
  - (a) an annual report provided by a municipal chief of police to a board under section 31 of Ontario Regulation 3/99 (Adequacy and Effectiveness of Police Services) made under the Act; and
  - (b) the annual report provided by the Commissioner under subsection 17 (4) of the Act.
- (2) A chief of police shall ensure that his or her annual report includes the following information in relation to attempted collections of identifying information:
  1. The number of attempted collections and the number of attempted collections in which identifying information was collected.
  2. The number of individuals from whom identifying information was collected.
  3. The number of times each of the following provisions was relied upon to not do something that would otherwise be required under subsection 6 (1):

- i. subsection 6 (2),
  - ii. clause 6 (3) (a),
  - iii. clause 6 (3) (b), and
  - iv. clause 6 (3) (c).
4. The number of times an individual was not given a document under clause 7 (1) (b) because the individual did not indicate that they wanted it.
  5. The number of times each of the following clauses was relied upon to not do something that would otherwise be required under subsection 7 (1):
    - i. clause 7 (2) (a), and
    - ii. clause 7 (2) (b).
  6. The number of attempted collections from individuals who are perceived, by a police officer, to be within the following groups based on the sex of the individual:
    - i. male individuals, and
    - ii. female individuals.
  7. For each age group established by the chief of police for the purpose of this paragraph, the number of attempted collections from individuals who are perceived, by a police officer, to be within that age group.
  8. For each racialized group established by the chief of police for the purpose of this paragraph, the number of attempted collections from individuals who are perceived, by a police officer, to be within that racialized group.
  9. A statement, based on an analysis of the information provided under this subsection, as to whether the collections were attempted disproportionately from individuals within a group based on the sex of the individual, a particular age or racialized group, or a combination of groups and if so, any additional information that the chief of police considers relevant to explain the disproportionate attempted collections.
  10. The neighbourhoods or areas where collections were attempted and the number of attempted collections in each neighbourhood or area.
  11. The number of determinations, referred to in subsection 9 (5), that section 5 or clause 9 (4) (a) was not complied with.
  12. The number of determinations, referred to in subsections 9 (6) and (7), that section 5, 6 or 7 was not complied with.
  13. The number of times members of the police force were permitted under subsection 9 (10) to access identifying information to which access must be restricted.
- (3) A chief of police shall establish age groups for the purpose of paragraph 7 of subsection (2).
- (4) A chief of police shall establish racialized groups for the purpose of paragraph 8 of subsection (2) and shall do so in a way that allows the information required by subsection (2) relating to the racialized groups to be comparable to the data referred to in the following paragraphs, as released by the Government of Canada on the basis of its most recent National Household Survey preceding the period covered by the chief of police's annual report:
1. For each derived visible minority group set out in the National Household Survey, the number of individuals who identified themselves as being within that group.
  2. The number of individuals who claimed Aboriginal identity.
- (5) This section does not require the inclusion of information about anything that occurred before January 1, 2017.

**Chiefs of police must review practices and report**

15. (1) If an annual report referred to in section 14 reveals that identifying information was attempted to be collected disproportionately from individuals perceived to be within a group or combination of groups, the chief of police shall review the practices of his or her police force and shall prepare a report setting out the results of the review and his or her proposals, if any, to address the disproportionate attempted collection of information.

(2) A municipal chief of police shall provide his or her report to the relevant board, and the Commissioner shall provide his or her report to the Minister of Community Safety and Correctional Services.

(3) When a board receives a report from a municipal chief of police under subsection (2), and when the Minister of Community Safety and Correctional Services receives a report from the Commissioner under subsection (2), the board or the Minister, as the case may be,

- (a) shall publish the report on the Internet in a manner that makes it available to the public free of charge and may make the report available to the public free of charge in any other manner that the board or the Minister, as the case may be, considers appropriate; and
- (b) shall consider the report and the proposals, if any, set out in the report and consider, in the case of a board, whether to give directions under clause 31 (1) (e) of the Act or, in the case of the Minister, whether to give directions to which the Commissioner would be subject under subsection 17 (2) of the Act.

**Recommendation(s):**

**It is recommended that the Board receive this Report for their information.**