

**ALBERTA**

**OFFICE OF THE INFORMATION AND PRIVACY  
COMMISSIONER**

**ORDER FOIP2026-16**

April 24, 2026

**CALGARY POLICE SERVICE**

Case File Number 028568

**Office URL:** [www.oipc.ab.ca](http://www.oipc.ab.ca)

**Summary:** Under the *Freedom of Information and Protection of Privacy Act* (the FOIP Act), the Applicant made an access to information request to the Calgary Police Service (the Public Body). The Public Body responded to the access request withholding information under section 17(1) of the FOIP Act and on the basis that it was non-responsive. The Applicant sought a review of the Public Body's response to the access request, including whether it conducted a proper search for records.

The Adjudicator found that the Public Body complied with the FOIP Act.

**Statutes Cited:** AB: *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000, c. F-25, ss. 1(n), 1(h), 1(h)(i), 1(h)(ii), 1(n), 1(n)(i), 1(n)(iii), 1(n)(iv), 1(n)(vii), 1(n)(viii), 1(r), 10(1), 17(1), 17(4), 17(4)(b), 17(5), 71(2), 72.

**Authorities Cited:** AB: Order FOIP2025-D-01

**I. BACKGROUND**

[para 1] Under the *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000, c. F-25 (the FOIP Act), the Applicant made an access to information request to the Calgary Police Service (the Public Body). The Applicant sought the following information:

All my personal information from 1997 to present day.  
Including, but not limited to, all: police reports, investigations, warrants.  
For example, warrants would include, but not limited to, tracking warrants for my vehicle, which would have been active in 2009 June/July:  
model: 1993 [model]  
vin: [vin number]  
Licence: [licence plate number]

[para 2] The Public Body responded to the access request providing 36 pages of documents and one 23:00 minute video. The Public Body withheld some information under section 17(1) of the FOIP Act and some on the basis that it was non-responsive.

[para 3] The Applicant followed up with the Public Body and asked if the Public Body could confirm that it searched for any potential investigations where the Applicant was the subject of the investigation and any warrants, including ones that would allow the police to place a GPS tracking or wiretap device on the Applicant's vehicle. The Public Body confirmed that it searched its databases using information provided by the Applicant; no records pertaining to GPS tracking or wiretap devices were found.

[para 4] The Applicant was not satisfied with the response to the access request and sought a review from the Office of the Information and Privacy Commissioner. Mediation and investigation failed to resolve the Applicant's concerns and the matter proceeded to the inquiry stage of the review process. The Applicant alleged that the Public Body concealed records from its search and/or conducted an inadequate search for records.

[para 5] The Applicant further alleged that the Public Body did not provide answers to basic questions regarding how access requests pertaining to covert investigations and joint investigations between the Police and RCMP are handled.

## **II. RECORDS AT ISSUE**

[para 6] The records at issue are the pages and video from which the Public Body withheld information under section 17(1) and as non-responsive.

## **III. ISSUES**

[para 7] The Notice of Inquiry set out the following issues:

**1. Did the Public Body meet its obligations required by section 10(1) of the FOIP Act by conducting an adequate search for responsive records?**

**2. Does section 17(1) of the FOIP Act (unreasonable invasion of personal privacy) apply to the information in the records?**

**3. Did the Public Body properly identify information as non-responsive?**

#### **IV. DISCUSSION OF ISSUES**

##### *Preliminary matter - No Submission from the Applicant*

[para 8] As indicated on the Request for Review, the Applicant's spouse served as the Applicant's representative for the purposes of the review of the Public Body's response to the access request.

[para 9] The Notice of Inquiry was issued on December 5, 2025. After adjusting the submission deadlines to avoid Boxing Day, the Public Body's submission deadline was set to December 29, 2025, and the Applicant's January 19, 2026.

[para 10] On January 7, 2026, the Applicant asked for an extension to February 9, 2026; I requested that the Applicant provide reasons for the request, which were provided. The Applicant stated that there was a substantial volume of documents to review and that the Applicant's time outside of work to review and prepare a submission was limited. I did not find that the circumstances warranted a full three-week extension but granted a two-week extension to February 2, 2026. Full reasons are in my communication to the parties of January 14, 2026. In that communication I noted that absent extraordinary circumstances, further extensions would not be granted.

[para 11] In response to my decision, on January 26, 2026, the Applicant provided further particulars related to the reasons for the extension. I note now that the further reasons do not relate to the Applicant's circumstances but rather relate to the Applicant's representative. Regardless, I found that the further reasons did not amount to extraordinary circumstances and did not grant any further extension. My full reasons appear in my communication to the parties of January 29, 2026.

[para 12] On February 2, 2026, the Applicant did not provide a submission but made another request to extend the deadline for submission, this time to February 13, 2026. The Applicant cited illness as the reason and offered to provide a medical note if required. Upon request, the Applicant provided a note. The illness and the note were again in respect of the Applicant's agent rather than the Applicant. After carefully reviewing the note and observing, among other

things, that it was prospective, indicating a future date until which the Applicant's agent would be ill, I found that it did not support a conclusion that the Applicant/Applicant's agent was unable to prepare the submission, and that there were no extraordinary circumstances warranting a further extension. My full reasons appear in my communication to the parties of February 5, 2026.

[para 13] Despite that the Applicant's deadline of February 2, 2026 had passed, in my communication of February 5, 2026, I informed the parties that I would accept whatever submission the Applicant could prepare by the end of the day on Monday, February 9, 2026 in the interest of obtaining the Applicant's thoughts on the matters in the inquiry. The Applicant never made a submission despite having several opportunities to do so.

[para 14] I consider the absence of a submission from the Applicant as needed throughout this order.

**1. Did the Public Body meet its obligations required by section 10(1) of the FOIP Act by conducting an adequate search for responsive records?**

[para 15] Section 10(1) of the FOIP Act states,

*10(1) The head of a public body must make every reasonable effort to assist applicants and to respond to each applicant openly, accurately and completely.*

[para 16] Determining whether the Public Body has met its duty under section 10(1) generally includes the following:

- *The specific steps taken by the Public Body to identify and locate records responsive to the Applicant's access request.*
- *The scope of the search conducted, such as physical sites, program areas, specific databases, off-site storage areas, etc.*
- *The steps taken to identify and locate all possible repositories where there may be records relevant to the access request: keyword searches, records retention and disposition schedules, etc.*
- *Who did the search? (Note: that person or persons is the best person to provide the direct evidence).*
- *Why the Public Body believes no more responsive records exist other than what has been found or produced.*
- *Any other relevant information.*

[para 17] The Public Body explains its search for records as follows:

*The search was conducted by our Senior Disclosure Analyst who is responsible for training new staff on processing access requests and has been with CPS for over 15 years.*

*The following systems were searched for records:*

*UNIQ – Universal Query covers some SENTRY, some e-collision, vehicle registration and all tickets or summons*

*SENTRY – Niche records all calls for service where a report is generated*

*E-Collision – Government of Alberta website where Law enforcement upload collision reports*

*INET – Computer Aided Dispatch records (CAD) calls for service to 911 or non-emergency*

*Palantir – works like google checking all CPS databases and if any records are found then Analyst can go to those databases and look for records*

*Evidence.com – where all body worn camera (BWC) is kept*

*Notebook Storage – where old or completed notebooks are kept*

*Warrant Tracking – where all open and executed warrants are kept*

*JOIN – Justice Online Information Network – Government of Alberta site where court case information is kept*

*Content Server (formerly livelink)- folders for case files, officer notes in pdf or e-notes*

*Records were searched by the following search terms, please note that many results of the search were duplicate to results found in other searches:*

**UNIQ**

*[Applicant' last name]\*, [Applicant's partial first name]\* (star means it will search for anything that starts with that)*

*[Applicant's last name]\*, [Alternate spelling Applicant's partial first name]\* (no records located with this search)*

*[Applicant's license plate number]*

*[Applicant's address]*

**SENTRY**

*All case file numbers found in UNIQ search*

*All case file numbers found in Palantir search*

*[Applicant's last name], [Applicant's first name]*  
*[Applicant's last name], [Alternate Spelling Applicant's first name] (no records located with this search)*

**E-Collision**

*All case file numbers found in UNIQ search*

**INET**

*All case file numbers found in UNIQ search*

*All case file numbers found in Palantir search*

**Palantir**

*"[Applicant's first and last name]"*

*"[Applicant's last name], [Applicant's first name]"*

*[Applicant's first and last name] warrant (no records located with this search)*

*"[Alternate spelling Applicant's first name and last name]" warrant (no records located with this search)*

*[Alternate spelling Applicant's first name and last name] (no records located with this search)*

*"[Applicant's last name], [Alternate spelling Applicant's first name]" (no records located with this search)*

*[Applicant's license plate number]*

*[Applicant's address]*

**Evidence.com**

*All case files found in UNIQ search*

*All case files found in Palantir search*

**Notebook Storage**

*All officers located in INET search*

**Warrant Tracking**

*[Applicant's last name], [Applicant's partial first name]\*(no records located with this search)*

**JOIN**

*[Applicant's last name], [Applicant's partial first name]\**

**Content Server**

*All case files found in UNIQ search*

*All case files found in SENTRY search*

*All case files found in Palantir search*

[para 18] From the above I can see that the Senior Disclosure Analyst conducted the search and searched a considerable number of databases and locations using the Applicant's name, address, and license plate number. From a review of the records located, I can also conclude

that the search was effective in locating records of the type requested. The parameters of the search appear reasonable.

[para 19] The Public Body did not explicitly state why it believes no further responsive records exist, but the Applicant has not offered any particulars addressing how the Public Body conducted an inadequate search or concealed records. Given the breadth of the Public Body's search and the apparent efficacy of it, absent any specific arguments from the Applicant, it appears to me that there is no reason to believe further records exist.

*Applicant's concern regarding answers to questions*

[para 20] The Applicant complained that the Public Body failed to answer questions about how access requests concerning covert or joint investigations with the RCMP are handled. I consider that the nature of that allegation might engage section 10(1) as a matter of whether the Public Body responded openly, accurately, and completely to the access request. However, since the Applicant has not provided further particulars regarding this allegation, including reasons why there would or may be covert or concealed investigations and related to them, I do not consider the allegation further.

[para 21] I find that the Public Body met its duty under section 10(1) of the FOIP Act.

**2. Does section 17(1) of the FOIP Act (unreasonable invasion of personal privacy) apply to the information in the records?**

*Burden of Proof for 17(1)*

[para 22] Under section 71(2) of the FOIP Act, the Applicant carries the burden to demonstrate that disclosing third party personal information withheld by the Public Body would not be an unreasonable invasion of third party personal privacy:

*(2) Despite subsection (1), if the record or part of the record that the applicant is refused access to contains personal information about a third party, it is up to the applicant to prove that disclosure of the information would not be an unreasonable invasion of the third party's personal privacy.*

[para 23] I set out the approach to reviewing a Public Body's application of section 17(1) where an applicant does not make a submission in Decision FOIP2025-D-01 at para. 37:

Absent submissions from the Applicant, my role where the Applicant rather than the Public Body has the burden is to review whether the Public Body took the steps it must as required by the FOIP Act. For example, where third party personal information is withheld

under section 17(1), my role would include reviewing that information to see if it is actually third party personal information as defined by the FOIP Act, to which section 17(1) applies. It would also include reviewing whether the Public Body applied presumptions against disclosure under section 17(4), and weighed factors under section 17(5), as FOIP requires it to do when withholding such information. At no point, however, do I invent or advance alternate scenarios or legal theories with the aim of undermining the Public Body's explanations.

[para 24] The same approach applies in this case.

[para 25] Section 17(1) of the FOIP Act requires public bodies to withhold personal information where the presumptions in sections 17(4) and considerations in section 17(5) weigh in favour of finding that disclosure would be an unreasonable invasion of third party personal privacy. Sections 17(2) and (3) are not engaged in this case. Sections 17(1), (4), and (5) state,

*17(1) The head of a public body must refuse to disclose personal information to an applicant if the disclosure would be an unreasonable invasion of a third party's personal privacy.*

...

*(4) A disclosure of personal information is presumed to be an unreasonable invasion of a third party's personal privacy if*

*(a) the personal information relates to a medical, psychiatric or psychological history, diagnosis, condition, treatment or evaluation,*

*(b) the personal information is an identifiable part of a law enforcement record, except to the extent that the disclosure is necessary to dispose of the law enforcement matter or to continue an investigation,*

*(c) the personal information relates to eligibility for income assistance or social service benefits or to the determination of benefit levels,*

*(d) the personal information relates to employment or educational history,*

*(e) the personal information was collected on a tax return or gathered for the purpose of collecting a tax,*

*(e.1) the personal information consists of an individual's bank account information or credit card information,*

*(f) the personal information consists of personal recommendations or evaluations, character references or personnel evaluations,*

- (g) the personal information consists of the third party's name when
  - (i) it appears with other personal information about the third party, or*
  - (ii) the disclosure of the name itself would reveal personal information about the third party,**

*or*

- (h) the personal information indicates the third party's racial or ethnic origin or religious or political beliefs or associations.*

*(5) In determining under subsections (1) and (4) whether a disclosure of personal information constitutes an unreasonable invasion of a third party's personal privacy, the head of a public body must consider all the relevant circumstances, including whether*

- (a) the disclosure is desirable for the purpose of subjecting the activities of the Government of Alberta or a public body to public scrutiny,*
- (b) the disclosure is likely to promote public health and safety or the protection of the environment,*
- (c) the personal information is relevant to a fair determination of the applicant's rights,*
- (d) the disclosure will assist in researching or validating the claims, disputes or grievances of aboriginal people,*
- (e) the third party will be exposed unfairly to financial or other harm,*
- (f) the personal information has been supplied in confidence,*
- (g) the personal information is likely to be inaccurate or unreliable,*
- (h) the disclosure may unfairly damage the reputation of any person referred to in the record requested by the applicant, and*
- (i) the personal information was originally provided by the applicant.*

[para 26] The Public Body withheld information under section 17(1) from pages 2, 3, 4, 7, 8, 10, 11, 17, 19, 20, 25, 29, and 30.

[para 27] The Public Body also blurred out the face of an individual appearing in the video under section 17(1).

[para 28] “Personal information” is defined in section 1(n) of the FOIP Act:

*(n) “personal information” means recorded information about an identifiable individual, including*

*(i) the individual’s name, home or business address or home or business telephone number,*

*(ii) the individual’s race, national or ethnic origin, colour or religious or political beliefs or associations,*

*(iii) the individual’s age, sex, marital status or family status,*

*(iv) an identifying number, symbol or other particular assigned to the individual,*

*(v) the individual’s fingerprints, other biometric information, blood type, genetic information or inheritable characteristics,*

*(vi) information about the individual’s health and health care history, including information about a physical or mental disability,*

*(vii) information about the individual’s educational, financial, employment or criminal history, including criminal records where a pardon has been given,*

*(viii) anyone else’s opinions about the individual, and*

*(ix) the individual’s personal views or opinions, except if they are about someone else;*

[para 29] Information withheld from the records consists mainly of personal information as defined in sections 1(n)(i), (iii), (iv), (vii) and (viii). With respect to (viii), that includes information redacted from the charts on pages 20 and 30. The withheld information is checkbox format answers indicating an opinion of the condition of an individual as, to put it generally, whether they appear impaired or unimpaired. The remainder of withheld information is personal information by reason that it is about an identifiable individual. For example, it includes details of individuals’ involvement in police matters, legal matters, and allegations made in respect of them. The same applies to the individual whose face is blurred out in the video.

[para 30] All information withheld under section 17(1) appears to be third party personal information considering the identity of the Applicant and the definition of “third party” in section 1(r) of the FOIP Act:

*(r) "third party" means a person, a group of persons or an organization other than an applicant or a public body;*

[para 31] The Public Body explained that it applied the presumption against disclosure of information that is an identifiable part of a law enforcement record in section 17(4)(b) when deciding to withhold information.

[para 32] "Law enforcement" is defined in section 1(h) of the FOIP Act and includes policing and police investigations in sections 1(h)(i) and (ii) respectively.

[para 33] The majority of information on the pages from which information was withheld under section 17(1) has already been disclosed to the Applicant in response to the access request. The information already disclosed identifies the records as law enforcement records, namely those prepared by police in response to reported events and in the course of an investigation. As such, the personal information on the pages is identifiable as part of a law enforcement record.

[para 34] The video is footage from a body-worn camera, worn by a police officer who converses with the Applicant. It is self-evidently identifiable as part of a law enforcement record, as would be the face of the third party appearing in the video.

[para 35] The Public Body states that it considered sections 17(5)(a) through (i) and concluded that they did not apply in this instance. I do not see that any of them would.

[para 36] Since the presumption against disclosure in section 17(4)(b) applies to the withheld information and there are no factors under section 17(5) weighing in favour of disclosure, the information must be withheld under section 17(1) as the Public Body has done.

[para 37] Based upon the above, the Public Body appears to have properly withheld information under section 17(1) of the FOIP Act. Since the Applicant did not provide a submission, the Applicant has not met the burden to show that disclosure would not be an unreasonable invasion of personal privacy.

[para 38] I find that the Public Body properly withheld information under section 17(1).

### **3. Did the CPS properly identify information as non-responsive?**

[para 39] The Public Body withheld information as non-responsive on pages 7, 8, 11, and 16.

[para 40] The Public Body explains that the withheld information is from notes about other cases not involving the Applicant and only appears in the records since officers use their notebooks for multiple cases. Upon review, I confirm that is the case.

[para 41] I find that the Public Body properly withheld information as non-responsive.

**V. ORDER**

[para 42] I make this Order under section 72 of the FOIP Act.

[para 43] I find that the Public Body complied with the FOIP Act when responding to the access request.

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John Gabriele  
Adjudicator  
/rm