

PUBLIC

THE REGIONAL MUNICIPALITY OF YORK
POLICE SERVICES BOARD

REPORT OF THE CHIEF OF POLICE

APRIL 22, 2020

Missing Persons Act, 2018 – Urgent Demands for Records

RECOMMENDATION

1. That the Board receive this report for their information and forward the attached Annual Report Template Form 7 to the Ministry in accordance with the direction under the regulations.

SYNOPSIS

This report will provide an overview of reporting requirements under the *Missing Persons Act, 2018*.

FINANCIAL IMPLICATIONS

None.

BACKGROUND

The Missing Persons Act was proclaimed by the government on July 1, 2019 and provides Officers with additional resources to use when a person goes missing and there is no evidence of criminal activity. Previously when a person went missing without evidence of criminal activity, police were limited in the ways they could investigate. This Act allows police to respond to missing persons investigations quickly while balancing concerns for an individual's privacy. Officers are now able to obtain copies of records that may assist in a search, obtain a court

order to allow entry into a premises to search for a missing person and make an urgent demand for records without a court order in certain urgent circumstances.

The Act sets out tests to obtain court authorization for access to records or search warrants and to execute urgent demands for records. An Officer may make an urgent demand for records to a person or entity if they are satisfied that there are reasonable grounds to believe that the records are in the custody or under the control of the person or entity, the records will assist in locating the missing person and in the time required to obtain a court order the missing person may be seriously harmed, or the records may be destroyed. The police and the courts are required to consider privacy issues and whether there is evidence that the person does not wish to be located. The Act also includes guidelines on what information the police may disclose about a missing person before and after they have been located.

To ensure transparency and accountability, the Act requires that Chiefs of Police and the Commissioner of the Ontario Provincial Police report annually on the use of urgent demands for records by members of the police service using the Ministry's Annual Report Template Form 7. This report shall be provided to the Police Services Board by April 1st and must include the total number of urgent demands made that year, the number of missing persons investigations to which they related and a description of the types of records specified in the urgent demands for records. After receiving the report, the Police Services Board shall provide a copy of the report to the Minister and make the report available to the public by June 1st.

Officers who make an urgent demand for records are required to make reasonable efforts to provide notice to the individual whose information has been produced as a result of an urgent demand for records. In addition, Officers are also required to report the details of urgent demands for records to an individual designated by the organization, who in turn is required to report to the Police Services Board annually. The individual designated by York Regional Police to receive these reports is the Assistant Manager, Strategic Services Bureau.

In 2019 there was one submission made to the Assistant Manager, Strategic Services Bureau, outlining a demand for records relating to one missing person investigation. York Regional Police requested and obtained photos, videos or other records containing a visual representation of the missing person from TD Bank (see attached Annual Report Template Form 7).

York Regional Police investigated 1,654 missing person reports in 2019 and is committed to using all resources at our disposal, including this new legislation, to thoroughly investigate these reports so that we can locate these missing persons and ensure their safety.

EJ:rh
Attachment

Eric Jolliffe, O.O.M., BA, MA, CMM III
Chief of Police

Accessible formats or communication supports are available upon request.

In accordance with O.Reg.182/19 under the *Missing Persons Act, 2018* the contents included in this report must be prepared by April 1 of each year, and made publicly available by June 1 of each year.

Data Collection

Period of data collection

Start Date (yyyy/mm/dd)
2019/07/01

End Date (yyyy/mm/dd)
2019/12/31

Name of Police Force
York Regional Police

Detachment Location (if applicable)

Unit Number	Street Number	Street Name	PO Box
City/Town	Province		Postal Code

Total Number of Urgent Demands made 1	Number of Missing Persons Investigations in which a demand was made 1
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Types of records specified in the urgent demands and total number of times that each type of record was included in the urgent demands

Records	Description	Total number of times demanded
Records containing contact information or other identifying information		
Photos, videos, or other records containing visual representation	Video surveillance and images of the missing person obtained from TD Bank	1
Records of telecommunications or records that contain other electronic communications information, including information about signals related to a person's location		
Records of employment information		
Records of personal health information within the meaning of the <i>Personal Health Information Protection Act, 2004</i>		
Records related to services received from a service provider as defined in subsection 2(1) of the <i>Child, Youth and Family Services Act, 2017</i>		
Records that related to a student of an educational institution		
Records containing travel and accommodation information		

Records	Description	Total number of times demanded
Records of financial information		
Other records		