



ARCS: 292-30
File: JAG-2013-01823

December 6, 2013

Sent via email:

Dear

Re: Request for Access to Records
Freedom of Information and Protection of Privacy Act (FOIPPA)

I am writing further to your request received by the Ministry of Justice and Attorney General.
Your request is for:

Broken down by agency for the date range January 1, 2010 to October 14, 2013, the number of appointments made for the following: Sheriff (Sheriff Act); Designated Constables (Police Act, s.4.1); Railway Constables (Railway Act, s.255); Special Provincial Constables (Police Act, s.9); Enforcement Officers (Police Act, s.18.1); Special Municipal Constables (Police Act, s.35); Auxiliary constables (Police Act, s.8) and Reserve Constables.

Broken down by agency and year of appointment for the date range January 1, 2009 to March 31, 2010, the number of: Out-of-province police, corrections, sheriff and other law enforcement or peace officers who were appointed as BC peace officers, for the purposes of the V2010ISU Vancouver 2010 Integrated Security Unit.

Please find enclosed a copy of the records created in response to your request. These records are provided to you in their entirety.

In addition to the records provided, the Court Services Branch (CSB) advises that as of November 6, 2013, there were a cumulative total of 196 Sheriff Act appointments. CSB staff was not able to provide a number for the specific date range requested as they do not record them in that way.

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The Police Services Division advises that:

- Special Municipal Constables are designated through each municipality, not Police Services Division.
- Sheriff appointments under the Special Provincial Constables under Police Act, s.9, are for Sheriffs to perform additional duties.

In reference to your request for the number of Railway Constables (Railway Act s.255), be advised that the Railway Act is under the responsibility of the Minister of Transportation and Infrastructure.

Your file is now closed.

These records will be published on the BC Government's Open Information website a minimum of 72 hours after it is released electronically or a minimum of five business days after it has been released by mail in hardcopy. To find out more about Open Information, please access the Open Information website at: <http://www.openinfo.gov.bc.ca/ibc/index.page>

If you have any questions regarding your request, please contact Samara Fisher, the analyst assigned to your request, at 250-387-0824. This number can be reached toll-free by calling from Vancouver, 604-660-2421, or from elsewhere in BC, 1-800-663-7867 and asking to be transferred to 250-387-0824.

You have the right to ask the Information and Privacy Commissioner to review this decision. I have enclosed information on the review and complaint process.

Sincerely,

A handwritten signature in dark ink, appearing to be 'D. Wilkinson', with a stylized flourish at the end.

Donna Wilkinson for:
Vicki Hudson, Manager
Justice Social Team
Information Access Operations

Enclosures

Disclosure harmful to law enforcement:

15 (1) The head of a public body may refuse to disclose information to an applicant if the disclosure could reasonably be expected to

- (a) harm a law enforcement matter,
- (b) prejudice the defence of Canada or of any foreign state allied to or associated with Canada or harm the detection, prevention or suppression of espionage, sabotage or terrorism,
- (c) harm the effectiveness of investigative techniques and procedures currently used, or likely to be used, in law enforcement,
- (d) reveal the identity of a confidential source of law enforcement information,
- (e) reveal criminal intelligence that has a reasonable connection with the detection, prevention or suppression of organized criminal activities or of serious and repetitive criminal activities,
- (f) endanger the life or physical safety of a law enforcement officer or any other person,
- (g) reveal any information relating to or used in the exercise of prosecutorial discretion,
- (h) deprive a person of the right to a fair trial or impartial adjudication,
- (i) reveal a record that has been confiscated from a person by a peace officer in accordance with an enactment,
- (j) facilitate the escape from custody of a person who is under lawful detention,
- (k) facilitate the commission of an offence under an enactment of British Columbia or Canada, or
- (l) harm the security of any property or system, including a building, a vehicle, a computer system or a communications system.

(2) The head of a public body may refuse to disclose information to an applicant if the information

- (a) is in a law enforcement record and the disclosure would be an offence under an Act of Parliament,
- (b) is in a law enforcement record and the disclosure could reasonably be expected to expose to civil liability the author of the record or a person who has been quoted or paraphrased in the record, or
- (c) is about the history, supervision or release of a person who is in custody or under supervision and the disclosure could reasonably be expected to harm the proper custody or supervision of that person.

(3) The head of a public body must not refuse to disclose under this section

- (a) a report prepared in the course of routine inspections by an agency that is authorized to enforce compliance with an Act,
- (b) a report, including statistical analysis, on the degree of success achieved in a law enforcement program or activity unless disclosure of the report could reasonably be expected to interfere with or harm any of the matters referred to in subsection (1) or (2), or
- (c) statistical information on decisions under the Crown Counsel Act to approve or not to approve prosecutions.

(4) The head of a public body must not refuse, after a police investigation is completed, to disclose under this section the reasons for a decision not to prosecute

- (a) to a person who knew of and was significantly interested in the investigation, including a victim or a relative or friend of a victim, or

(b) to any other member of the public, if the fact of the investigation was made public.

Disclosure harmful to law enforcement:

How to Request a Review with the Office of the Information and Privacy Commissioner
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If you have any questions regarding your request please contact the analyst assigned to your file. The analyst's name and telephone number are listed in the attached letter.

Pursuant to section 52 of the *Freedom of Information and Protection of Privacy Act* (FOIPPA), you may ask the Office of the Information and Privacy Commissioner to review any decision, act, or failure to act with regard to your request under FOIPPA.

Please note that you have 30 business days to file your review with the Office of the Information and Privacy Commissioner. In order to request a review please write to:

Information and Privacy Commissioner
PO Box 9038 Stn Prov Govt
4th Floor, 947 Fort Street
Victoria BC V8W 9A4
Telephone 250-387-5629 Fax 250-387-1696

If you request a review, please provide the Commissioner's Office with:

1. A copy of your original request;
2. A copy of our response; and
3. The reasons or grounds upon which you are requesting the review.