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## Toronto Police Service

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Website: www.TorontoPolice.on.ca



William Blair  
Chief of Police

File Number: .....

November 28, 2006

Mr. David Simpson, Director  
Psychiatric Patient Advocate Office  
55 St. Clair Avenue West  
Box 28, Suite 802  
TORONTO, ON M4V 2Y7

Dear Mr. Simpson:

I have viewed with interest the website for the Psychiatric Patient Advocate Office (the PPAO) and felt obliged to write you to clarify a number of points.

The Toronto Police Service goes to great lengths to ensure that a fair and balanced process is in place for the administration of our background screenings for the vulnerable sector. We are sensitive to the fact that records of Mental Health Act contact with the Service relate to matters of non-criminality.

I must draw your attention to Paragraph two of a letter written by yourself to Ann Cavoukian, Information and Privacy Commissioner of Ontario, wherein you state, "We believe that the practice of *releasing non-criminal medical/personal information to a potential employer or volunteer group* not only discriminates against persons with mental illness but also presents an unjustified invasion of privacy under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)." (*emphasis added*). This statement is not correct. Our Service does not release personal information to anyone other than the applicant themselves through the vulnerable sector screening program.

On October 17, 2006, together with other members of my staff, I consulted with representatives of the top five agencies in Toronto who utilize the services of volunteers as well as paid employees, and as a result, use our Police Reference Check Program for background screening for individuals seeking positions with the vulnerable.

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Those representatives were unanimous in their support of the existing process. However, they too are sensitive to the issues you raise, and as a result, have established their own processes to ensure that there is no inappropriate use of this particular background information should it be shared by the applicant.

Our Service is currently revising our waiver (consent form), as per recommendation from the Office of the Information and Privacy Commissioner of Ontario, in order to ensure at that very first stage of the process that applicants being screened are aware that Mental Health Act apprehensions will be disclosed as part of the vulnerable screening program.

As such, the Toronto Police Service, which deals with approximately 1,800 agencies, maintains the position of allowing the community the benefit of information in order to administer the decision making process in relation to vulnerable sector screening. It is not the Police Service that decides appropriateness of placement.

The L.E.A.R.N. Committee (Law Enforcement and Records Managers Network) which is a working group of the O.A.C.P. (Ontario Association of Chiefs of Police) is currently reviewing the release of Mental Health Act apprehension information. This review is anticipated to be completed early in 2007. Our Service will review the new "Best Practices" document that is generated by this group and will consider implementation of the recommendations contained therein.

Should you wish to discuss the foregoing, please feel free to contact me at (416) 808-8229.

Yours truly,



Peter Howes, Manager  
Records Management Services

pjw