OFFICE OF THE
INFORMATION and PRIVACY COMMISSIONER
for Prince Edward Island

Decision No.	D-26-013
OIPC File No.	C/26/00213
Public Body	Department of Justice and Public Safety
Statute	*Freedom of Information and Protection of Privacy Act*
Decision-Maker	Maria C. MacDonald, Deputy Commissioner
Date of Decision	October 26, 2026

Summary

A Complainant requested a review related to various questions. The Deputy Commissioner refused to conduct a review because the Complainant did not allege any violations of the *FOIPP Act* and as such, an inquiry is not warranted.

Request for Review

[1] The Complaint relates to the Department of Justice and Public Safety, Community and Correctional Services (a division of JPS), and services of JPS including Probation Services, Clinical Services, and Turning Point[1]. The Complainant asked our office to investigate what the Complainant refers to as source-record issues, including asking what records were transmitted? by whom? to whom? and under what authority? and what records were not transferred? The Complainant summarizes their request for review, on page 1 of their original request for review, as follows:

> 2. Questions for the Commissioner
> - Identify the personal information actually collected, accessed, used, disclosed, routed, retained or relied upon by Probation Services, Clinical Services / Turning Point and any related JPS unit in connection with the referral and related August 2026 events.
> - Identify the originating source, date, sender, recipient, purpose and legal authority for each material information flow, including any information exchanged with prosecution/ Crown if such an exchange occurred.

[1] On their website, the Department of Justice and Public Safety describes the Turning Point Program as an intimate partner violence intervention/counselling program primarily for men involved in the criminal justice system.

- Determine whether records or summaries accurately reflected their source documents and whether later clarifications, replacements or exclusions were properly documented.
- Determine whether access controls, safeguarding, retention, version control and preservation were adequate.
- Require correction, annotation, preservation, production or other remedial steps within the Commissioner's jurisdiction if the investigation establishes an issue.

[2] The Complainant gave us a "Supplemental Evidence Notice", and wrote in the second paragraph of page 1 that:

> My original filing asked the Commissioner to determine the actual personal-information flow and legal authority, including source/provenance, collection, use, disclosure, accuracy, internal access/routing, version control, safeguarding, retention and preservation. The events below materially sharpen those existing questions.

Analysis

[3] Section 60(3) of the *FOIPP Act* allows a person who believes that their own personal information has been collected, used or disclosed in violation of Part II of the *FOIPP Act* to ask the Commissioner to review that matter. Not all requests for review proceed to an inquiry. Section 64.1 of the *FOIPP Act* authorizes the Commissioner to refuse to conduct an inquiry if the circumstances do not warrant an inquiry.

[4] To initiate a review, we need some evidence or a reasonable belief that there was a violation of the law. With a view to assessing whether there may have been a violation of the *FOIPP Act*, I reviewed the Complainant's request for review, their supplement, and enclosures of approximately 40 pages (I did not review the enclosures to the enclosures.)

[5] The Complainant asks many questions but has not identified any potential violation of the *FOIPP Act*.

Conclusion

[6] As we do not have any evidence, or reasonable belief, that there may have been a violation of the *FOIPP Act*, an investigation or inquiry is not warranted. I am refusing to conduct an inquiry under section 64.1(b) of the *FOIPP Act*.

Maria MacDonald

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Maria MacDonald
Deputy Commissioner