



<b>Policy Name:</b>	<b>MAKING RECORDS PRIVATE OR INVISIBLE</b>		
<b>Policy #:</b>	AD 9.11	<b>Last Updated:</b>	2022-01-27
<b>Issued By:</b>	SUPPORT SERVICES BUREAU	<b>Approved By:</b>	SURREY POLICE BOARD
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**RELATED POLICIES**

AD 9.12 *PRIME-BC*

**1. PURPOSE**

- 1.1. To ensure that Surrey Police Service (SPS) personnel only make the Police Records Information Management Environment (PRIME-BC) records or portion thereof “Private” or “Invisible” that meet established criteria and as authorized.
- 1.2. To support the principle of information sharing within SPS and PRIME-BC partners, where possible.

**2. SCOPE**

- 2.1. This policy applies to all SPS Employees.

**3. POLICY**

- 3.1. SPS uses the PRIME-BC records management system which provides SPS Users the opportunity of making either parts of a record or the entire record Private or Invisible. Both these features are powerful tools to control access to sensitive information. Inappropriate use, however, can have serious consequences to the functioning of SPS by hampering information sharing and the collection of statistics.
- 3.2. Users will meet the requirements stipulated in this policy before making a General Occurrence (GO) record, Flag Records, or Street Check “Private” or “Invisible”.
- 3.3. Users will not make entire GO record Private or Invisible if the objective can be met by making only select parts of the record “Private” or “Invisible”.

- 3.4. Users must acknowledge that the inappropriate use of “Private” and “Invisible” records can hamper information sharing, investigative work and the collection of statistics. Users must familiarize themselves with Protected A, Protected B, and Protected C security designations when determining whether to make a record “Private” or “Invisible”.
- 3.5. Users may become aware of the existence of information marked “Private” and the identity of the responsible User, but only Users on the access list can view particulars of the “Private” information.
- 3.6. Users will not be made aware of the existence of information marked “Invisible”, except for Users on the access list who can view particulars of the “Invisible” information.
- 3.7. Users may create links from a “Private” or “Invisible” record to another record which will only be visible to Users on the access list.

#### 4. PROCEDURE

##### **Making an Entire Record or a Portion of the Record “Private”**

- 4.1. Users with Police Supervisory or Police Investigative status (or higher) in PRIME-BC are authorized to make a record “Private”. Any other User shall request the approval of a Supervisor to make a record “Private”.
- 4.2. Users intending to make a record “Private” must submit a request to their Supervisor to approve its use to make a record or portion thereof “Private”.
- 4.3. Before making an entire record or portion “Private”, the User’s Supervisor must ensure that the record meets at least one the following criteria:
  - i. the record cannot be disclosed under the *Criminal Records Act* or the *Youth Criminal Justice Act*;
  - ii. the record relates to a police-involved motor vehicle incident;
  - iii. the record contains sensitive third-party information;
  - iv. the record contains hold back evidence;
  - v. the record describes sensitive investigative techniques;
  - vi. the record contains non-specific informant or tipster information;
  - vii. the record contains skeletal counter-terrorism intelligence (with no national security implications);
  - viii. the record contains other information that could jeopardize an ongoing investigation; or
  - ix. the record contains other information that could jeopardize the safety of a person.
- 4.4. The investigating Member making a record “Private” will be the Responsible User. The Member making the record “Private” will have authority to add Users who will have access to the record and need access to the information.
- 4.5. Unless otherwise instructed by the Chief Constable or designate, once an entire record or portion is “Private”, only the following individuals will have access to the “Private” information:

- i. the investigating Member who requested “privatization” of the record (Responsible User);
- ii. the investigating Member’s Supervisor;
- iii. User(s) designated by the Member or Member’s Supervisor;
- iv. Users identified by the Chief Constable or designate (*e.g., Privacy Coordinator, Court Liaison, Source Coordinator, Senior Operations Officer, Records Supervisor, PRIME Administrator, as appropriate*)

**Making an Entire Record or a Portion of the Record “Invisible”**

4.6. Only Officers of the rank of Inspector or above may authorize the making of a GO record or a portion of the GO record “Invisible”.

4.7. Before making an entire GO record or portion thereof “Invisible”, the requesting Member and the approving Officer must ensure that the record meets the following criteria:

- i. an investigation involving an SPS Employee;
- ii. confidential or source information, which if compromised may endanger a person’s life; or
- iii. extremely sensitive intelligence information.

4.8. Any other record/information may be made “Invisible” if approved by the Chief Constable or delegate.

4.9. Unless otherwise determined by the Chief Constable or delegate, once an entire record or portion thereof is made “Invisible” only the following individuals will have access to the information:

- i. Requesting Member;
- ii. Member’s Supervisor;
- iii. Approving Officer;
- iv. “Invisible” default group authorized by the Chief Constable or delegate; and
- v. Any other person(s) considered necessary by the Officer approving the request.

4.10. When an entire record or portion is made “Invisible”, the privatizing User will notify the Records Manager of the fact by providing the following information:

- i. GO number of record being made “Invisible”;
- ii. Investigating Member; and
- iii. Name of approving Officer.

4.11. The PRIME Coordinator will review the “Private Case List” in PRIME of all records containing “Invisible” entries.

4.12. The PRIME Coordinator will issue a request every three months to the approving Officer who will review the record to determine the need to maintain the “Invisible” status.

4.13. The approving Officer may grant the SPS Information and Privacy designate access to a “Private” or “Invisible” record, as deemed necessary to enable SPS to comply with the requirements of the *Freedom of Information and Protection of Privacy Act*.

4.14. If only a portion of a record is made “Invisible,” the record will be accessible by all Members except for the part of the record that was made “Invisible”.

#### **Review of Record Status**

4.15. If the investigator assigned to a record is transferred, retires, or is otherwise relieved of the record responsibility, the Member assuming responsibility for the record will review the information in the record to ensure that it still meets the requirements for being “Private” or “Invisible.” The record must be updated to show the new investigating Member by updating the “Private” or “Invisible” status to show the “Responsible User” as the new Member.

4.16. Before a record is closed, the investigator will ensure that the criteria to classify the record “Private” or “Invisible” still exists. If the criteria are not longer valid, the “Private” or “Invisible” status will be removed.

4.17. The PRIME Coordinator will issue an annual request to the assigned investigator directing that any inactive or closed record be reviewed to determine the need to maintain the record’s “Private” or “Invisible” status. As part of the annual review, the Member who created the “Private” or “Invisible” record must ensure that:

- i. the Users identified on the access list still require access to the record. If not, they are to be removed;
- ii. consideration is given to what other Members require access to the record, and other Members require access, then access to the record is provided;
- iii. the “Private” or “Invisible” status associated with the record continues to be justified by the sensitivity of the information; and
- iv. as part of this annual review the Member shall document in a new text page when the record was reviewed. If there are changes resulting from the review, a new text template is required that specifies the changes.

4.18. Users must perform a six month review of all active records with Invisible information, to determine whether they continue to meet the criteria required to maintain the Invisible status.

4.19. Users will perform an annual review of all closed or inactive records with Private or Invisible information to determine whether they can continue to meet the criteria required to maintain the Private or Invisible status.

4.20. Before charges are forwarded to Crown Counsel, the record will be reviewed to determine the need to maintain the classification.

4.21. Investigators should be aware that with the electronic transfer of the Record to Crown Counsel (RTCC), the “Private” or “Invisible” portions of a record will not be available to Crown Counsel.

- 4.22. For “Private” or “Invisible” records, Court Liaison will be given access so that they may process the RTCC. Once the RTCC submission to JUSTIN is complete, the investigating Member may remove Court Liaison access.
- 4.23. When the RTCC moves to JUSTIN the information becomes available to JUSTIN viewers. The Court Liaison will need to limit the number of viewers in JUSTIN if the record is sensitive. Users will be required to contact Crown Counsel to discuss any requirement to restrict access to specific information within JUSTIN
- 4.24. Reviews must be conducted by a person designated to authorize the making of information Private or Invisible, with input from the Investigator or Supervisor, or both, as required.
- 4.25. Designated persons must document on the General Occurrence or other record in PRIME-BC their authorization for the continued use of the Private or Invisible feature or the release of the information into the general environment.

## **APPENDIX A: DEFINITIONS**

“Employee” means a sworn Member or Civilian Employee appointed by the Surrey Police Board.

“GO” means General Occurrence Record submitted in the PRIME records management system.

“Invisible” means a PRIME Record security classification whereby the existence of the Record and its contents is visible only to Users authorized to view that Record.

“JUSTIN” means the Provincial Court Registry Justice Information Network.

“Member” means a sworn Police Officer appointed by the Surrey Police Board.

“Officer” means an SPS Member holding the rank of Inspector or higher.

“Police Supervisory” status means an SPS Supervisor.

“Police Investigator” status means a Detective Constable, Sergeant or Staff Sergeant or Officer assigned to an investigative unit or team.

“PRIME-BC” means the Police Records Information Management Environment, the provincial police records management system.

“Private” means PRIME Record security classification whereby the existence of the Record is visible to all Users, but the content of the record is hidden to all but those Users authorized to view that Record.

“Protected A” means sensitive information or assets that if compromised could cause injury to an individual, organization, or government.

“Protected B” means sensitive information or assets that if compromised could cause serious Injury or harm to an individual, organization, or government.

“Protected C” means sensitive information or assets that if compromised could cause extremely grave injury to an individual, organization, or government.

“Responsible User” means the person responsible for determining the security classification of a PRIME record.

“RTCC” means an investigational record with multiple records, pages and notes sent through Police Crown Liaison to Crown Counsel for charge approval.

“Supervisor” means a Team Leader, Manager, Sergeant, Staff Sergeant, Inspector, Superintendent, Deputy Chief Constable, Chief Constable, and any other person acting in a Supervisory capacity who is accountable for a particular area or shift on behalf of SPS.

“User” means for the purposes of this policy, an individual authorized by PRIME-BC policy to access PRIME-BC.

## **APPENDIX B: REFERENCES**

*Criminal Records Act*, R.S.C. 1985, c. C-47

*Freedom of Information and Protection of Privacy Act*, R.S.B.C. 1996, c. 165

*Youth Criminal Justice Act*, S.C. 2002, c. 1

PRIME-BC Operational Policy and Procedures, Part 5, Chapter 5.4 - *Private & Invisible Records*