

Airdrie, Alberta
September 2, 2019

MY FILE: ONT-013

The Information Commissioner/Ontario
2 Bloor Street East, Suite 1400
Toronto, ON
M4W 1A8

Dear Commissioner:

Re: ONTARIO SOLICITOR GENERAL FILE: A-2019-03536

Please find enclosed a copy of my original request, the decision letter from the department and my \$25.00 cheque payable to the Ontario Minister of Finance. I am filing a complaint objecting to the Ontario Solicitor General department's denial of my request citing four sections of the Act, section 14(1)(l), section 21(1), section 21(2)(f) and section 21(3)(b).

I have attached some important links to background information on this file recently published in the Globe and Mail. I have also included links to my own research efforts into the lack of information on the effectiveness of the federal government's Firearms Interest Police (FIP) Database and the Canadian Firearms Registry Online (CFRO).

The records I have requested from the Solicitor General and the Ontario Provincial Police will help the Domestic Violence Death Review Committee in the conduct of their review of the Mark Jones murder-suicide and answer questions as to why he was able to retain possession of his firearms after serious reports had been filed with police. It's clear from information being made available to Parliament and the public that the RCMP and the Ontario Chief Firearms Office do not collect enough information on an ongoing basis nor have they done a sufficient evaluation of the effectiveness of the two 'Red Flag' systems aimed exclusively at licensed gun owners implemented by the *Firearms Act* passed by the Federal Parliament in 1995, namely; the FIP and CFRO.

My Objections to the Solicitor General's Denial of these Records

1. I don't understand how disclosing these records would be '*expected to facilitate the commission of an unlawful act or hamper the control of crime*'. The only way I can imagine how this is possible is if the records requested reveal how lax the FIP and CRFO systems are and licensed firearms owners intent on doing harm realize that there is a serious weakness in the monitoring and follow-up in these important elements of our firearms licensing system.
2. The records I requested were for Mark Jones (now deceased). How could disclosure '*constitute an unjustified invasion of personal privacy*'? Whose privacy is being invaded.

3. The *'personal information is highly sensitive'* – to whom? Not Mark Jones anymore. Maybe the records are *'highly sensitive'* to the OPP officers and officials in the CFO responsible for any oversight in this case before Mark Jones committed his deadly crimes and killed himself?
4. Again, this exemption makes no sense. Refusing to disclose personal information that was *'compiled and is identifiable as part of an investigation into a possible violation of the law except to the extent that disclosure is necessary to prosecute the violation or to continue an investigation'*. What violation of the law by whom and who do the OPP plan to prosecute? Are the OPP really still investigating Mark Jones?

The information requested is information that Parliamentarians both in Ottawa and the Ontario Legislature need to understand if the 'Red Flag' system envisioned and implemented in Ontario by Bill C-68, the *Firearms Act* is working the way it was intended by removing firearms for those that have threatened harm or committed unsafe acts. Only by examining the FIP records and CFRO records available will we understand why the system failed like it did in this case. If the records cannot be made public in response to my request, then hopefully full disclosure will be made in the review to be conducted by the Domestic Violence Death Review Committee or in a formal inquest or both.

Yours sincerely,

[Original signed by]

Dennis R. Young
1330 Ravenswood Drive SE
AIRDRIE AB T4A 0P8
Home Phone: 587-360-1111
E-Mail1: dennisryoung@telus.net
E-Mail2: dennisryoung.ca@gmail.com
Website: www.dennisryoung.ca

cc Office of the Chief Coroner
Domestic Violence Death Review Committee
c/o Ministry of the Solicitor General
18th Floor, 25 Grosvenor Street
Toronto ON
M7A 1Y6

GLOBE AND MAIL COVERAGE

ONTARIO TRIPLE MURDER-SUICIDE WILL BE REVIEWED BY DOMESTIC VIOLENCE DEATH REVIEW COMMITTEE By MOLLY HAYES, Globe and Mail - PUBLISHED AUGUST 21, 2019

<https://www.theglobeandmail.com/canada/article-ontario-triple-murder-suicide-will-be-reviewed-by-domestic-violence/>

EXCERPT: The mandate of a DVDRC review is similar to that of a coroner's inquest – although the process is less public, and provides only a snapshot of the information that would be publicly available in an inquest. The coroner's office has said it will not be calling an inquest in this case. But under the Coroners Act, relatives have the right to formally request one. The Theoret brothers still believe an inquest in this case would be valuable. Because Mr. Jones also killed himself, there will be no trial. An inquest, they argue, could shine a public light on issues such as firearms policies and violence against women and mental health. In the weeks leading up to the murders, Mr. Jones had confided in another neighbour that he had been diagnosed with dementia, and that his driver's license was revoked. **Thomas and Hans want to know why his firearms licences weren't also taken away. The 58-year-old used both a shotgun and pistol to kill their family members.** Ontario's Chief Firearms Officer Dwight Peer told The Globe previously that his office cannot comment on specific cases, or say whether they are conducting any review into this one. The OPP would not discuss the case with The Globe because the force is mentioned (although not named as defendants) in a lawsuit filed by the brothers against Mr. Jones's estate.

AFTER A GRISLY MURDER-SUICIDE, A SMALL ONTARIO TOWN LOOKS BACK AT MISSED SIGNS OF DANGEROUS OBSESSION - Long before Mark Jones killed his neighbour, her son, her mother and himself, his disturbing behaviour gave the community of Burk's Falls indications that something bad was brewing. **What can this tragedy teach us about domestic violence in rural Canada?**

By MOLLY HAYES, Globe and Mail - AUGUST 17, 2019 <https://www.theglobeandmail.com/canada/article-after-a-grisly-murder-suicide-a-small-ontario-town-looks-back-at/>

EXCERPT: They want to know what came of their mother's report. Was Mr. Jones interviewed? **Why was he able to keep his guns after being accused of a violent sexual assault? If a doctor had indeed revoked his driver's licence after his dementia diagnosis, why not his firearms licences as well?** Ironically, Thomas points out, his mother had received a letter from the Chief Firearms Office after her hospitalization in January, 2018, informing her that her firearms licence – which she'd obtained in order to hang on to her father's hunting guns after he died – would require a doctor's sign-off. **Firearms licences are supposed to be difficult to obtain in Canada. Thomas argues they should also be difficult to keep.** In response to questions from the Globe, Chief Firearms Officer of Ontario Dwight Peer explained that police reporting policies around firearms-licence holders vary from force to force. But if a licence holder is reported to have sexually assaulted someone, he said that should, when coded correctly, trigger a notification to the CFO. The CFO can also receive calls from family, friends, neighbours or physicians who have concerns about a firearms-licence holder, he said. These concerns are then followed-up on a case-by-case basis. **He declined to comment on whether they were notified in this case—or whether any review is being done.**

BACKGROUND INFORMATION

RCMP ATIP REQUEST: Mark Jones CFRO and FIP Hits - Updated August 1, 2019

<https://dennisryoung.ca/wp-content/uploads/2019/08/RCMP-ATIP-E-Mail-Mark-Jones-FIP-and-CFRO-Hits-Aug-1-2019.pdf>

ONTARIO SOLICITOR GENERAL FOIP REQUEST: Mark Jones Police Reports & FIP Hits - Updated August 7, 2019

<https://dennisryoung.ca/wp-content/uploads/2019/08/Ont.-SolGen-Mark-Jones-FOIP-Acknowledgement-Aug-7-2019.pdf>

EFFECTIVENESS OF CANADIAN FIREARMS REGISTRY ONLINE (CFRO) STILL A

MYSTERY <https://dennisryoung.ca/2019/08/30/effectiveness-of-canadian-firearms-registry-online-cfro-still-a-mystery/> RCMP ATIP Response fails to provide 'evidence' to support millions of CFRO queries:

STILL UNKNOWN: The number of CFRO queries that are automatically generated,

STILL UNKNOWN: The number of CFRO queries that are direct checks or requests by officers and,

STILL UNKNOWN: The number of CFRO queries that result in firearms charges being laid

MAY 3, 2019 - MP BRAD TROST'S FOUR GUN CONTROL QUESTIONS: LIBERAL RESPONSES PROVIDE VERY FEW ANSWERS

Analysis, Commentary and Supporting Documentation by Dennis R. Young – May 3, 2019

<https://dennisryoung.ca/2019/05/03/liberal-responses-provide-very-few-answers/>

LIBERAL RESPONSE TO Q-2319: **Firearms Interest Police (FIP) Database Deficiencies**

LIBERAL RESPONSE TO Q-2320: Auditor General Firearms Program 'major additional costs

LIBERAL RESPONSE TO Q-2321: Benefits of Firearms Ownership

LIBERAL RESPONSE TO Q-2322: **Effectiveness of Firearms Interest Police (FIP) Database**

JANUARY 18, 2019 - RCMP: NO STATISTICS ON FIREARMS INTEREST POLICE (FIP)

EVENTS RCMP response to Access to Information Act Request dated January 11, 2019 - Received January 18, 2019. Important statistics about firearms license holders who are 'involved in an event involving violence or other offences' are not tracked.

<https://dennisryoung.ca/2019/01/18/rcmp-has-no-statistics-on-firearms-interest-police-fip-events/>

- No Statistics on the average time it took to initiate an investigation of a FIP event;
- No Statistics on the average time it took to complete the investigation of a FIP event;
- No Statistics on the number of FIP events that resulted in firearms being removed from possession of the licensed gun owner; and
- No Statistics on the average time it took from reporting of the FIP event to the firearms being removed from the possession of the licensed gun owner.

JANUARY 9, 2019 - ONTARIO CFO DOES NOT TRACK FIREARMS INTEREST POLICE (FIP)

STATISTICS - Important statistics about firearms license holders who are 'involved in an event involving violence or other offences' are not tracked. Ontario CFO FOIP Response dated December 31, 2018 – Received January 9, 2019 by Dennis R. Young. <https://dennisryoung.ca/2019/01/09/ontario-cfo-does-not-track-firearms-interest-police-fip-statistics/>

Freedom of Information and
Protection of Privacy Services
200 First Avenue West
North Bay ON P1B 3B9

Services d'accès à l'information et de la
Protection de la vie privée
200 First Avenue West
North Bay ON P1B 3B9

Telephone (705) 494-3080
Toll Free 1-855-273-3080
Facsimile (705) 494-3081
www.ontario.ca/mes4

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www.ontario.ca/s199



AUG 26 2019

*RECEIVED
AUG 29, 2019
[Signature]*

Dennis R. Young
1330 Ravenswood Drive S.E.
Airdrie, Alberta T4A 0P8

Dear Dennis R. Young:

SUBJECT: REQUEST NUMBER SOLGEN-A-2019-03536

In response to your request for access to information under the Freedom of Information and Protection of Privacy Act (the Act), please be advised that access to copies of all police reports and Firearms Interest Police (FIP) events relating to a named individual and police reports of the results of any subsequent investigations regarding the status of the named individual's firearms license and ownership of firearms during the period of September 22, 2017 to February 23, 2018 investigated by the Ontario Provincial Police is denied.

Access to the responsive information is denied in accordance with section(s) 14(1)(l), 21(1), 21(2)(f) and 21(3)(b) of the Act as follows:

14(1)(l)

The ministry may refuse to disclose a record where the disclosure could reasonably be expected to facilitate the commission of an unlawful act or hamper the control of crime.

21(1)

Disclosure of the personal information would constitute an unjustified invasion of personal privacy as set out in sections 21(2) and/or (3) of the Act.

21(2)(f)

The personal information is highly sensitive.

21(3)(b)

A disclosure of personal information is presumed to constitute an unjustified invasion of personal privacy where the personal information was compiled and is identifiable as part of an investigation into a possible violation of law except to the extent that disclosure is necessary to prosecute the violation or to continue the investigation.

Dennis R. Young
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N/R

Please note that some information is not responsive to your request.

This access decision was made by the undersigned. You are entitled to appeal this decision within 30 days to:

Information and Privacy Commissioner/Ontario (IPC)
2 Bloor Street East, Suite 1400
Toronto, ON M4W 1A8
(416) 326-3333

Should you decide to file an appeal, please provide the IPC with the following information:

- 1) a copy of this decision letter;
- 2) a copy of your original request for access to information;
- 3) the mandatory appeal fee of \$25.00 in the form of a cheque or money order payable to the Minister of Finance.

Should you have any questions regarding the foregoing, please do not hesitate to contact Karen Foster, A/Senior Program Analyst & Advisor, at (705) 494-3196.

Sincerely,


for

Enza Ragone
Coordinator
Freedom of Information and
Protection of Privacy Services

Type of Request

- Access to general records
- Access to own personal information
- Correction of own personal information

Name of Institution request made to:
 Freedom of Information and Protection of Privacy Services
 Ministry of the Solicitor General
 200 First Avenue West
 North Bay ON P1B 3B9
 Tel: 705 494-3080 Fax: 705-494-3081

If request is for access to, or correction of, own personal information records:
 Last name appearing on records: same as below or

Requester's Information

Last Name <i>YOUNG</i>		First Name <i>DENNIS</i>		Middle Name <i>ROY</i>
Unit No.	Street No. <i>1330</i>	Street Name <i>RAVENSWOOD DR. SE</i>		PO Box
City/Town <i>AIRDRIE</i>			Province <i>AB</i>	Postal Code <i>T4A0P8</i>
Day Telephone Number (include area code) <i>587-360-1111</i>		Evening Telephone Number (include area code) <i>587-360-1111</i>		

Description of Records or Correction Requested

Reference is being made to the fact that neither the RCMP nor the Office of the Ontario Chief Firearms Officer keep statistics on Firearms Interest Police (FIP) Events.

<https://dennisyoung.ca/2019/01/18/rcmp-has-no-statistics-on-firearms-interest-police-fip-events/>
<https://dennisyoung.ca/2019/01/09/ontario-cfo-does-not-track-firearms-interest-police-fip-statistics/>

Reference is also being made to the news article below about the Almaquin triple murder-suicide:
ALMAGUIN MURDER VICTIM'S SON TELLS PART OF HIS MOTHER'S STORY

NEWS Feb 26, 2018 by Laurel J. Campbell ljbcampbell@live.ca
<https://www.northbaynipissing.com/news-story/8155886-almaguin-murder-victim-s-son-tells-part-of-his-mother-s-story/>

Reference is also being made to Ontario Provincial Police Occurrence Summary NP17111078 Sexual assault @2017/09/22 11:13 by Complainant; Victim Ulla Theoret. Accused; Suspect Mark Jones.

For the period from September 22, 2017 to February 23, 2018 please provide copies of all records of all police reports and Firearms Interest Police (FIP) events regarding Mark Jones D.O.B. 1959/06/18 (58) and records and reports of the results of any subsequent investigations regarding the status of Mark Jones' firearms license and ownership of his firearms during this same period.

Preferred method of access to records <input checked="" type="checkbox"/> Receive Copy <input type="checkbox"/> Examine Original	Sig <i>ORIGINAL SIGNATURE BY</i>	Date (yyyy/mm/dd) <i>2019/07/24</i>
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Payment

Each separate request must be accompanied by the \$5.00 application fee. Cheque or money orders should be made payable to the Minister of Finance.

Amount \$	Payment Options <input type="checkbox"/> Visa <input type="checkbox"/> Mastercard <input type="checkbox"/> Money Order <input type="checkbox"/> Cheque <input type="checkbox"/> Cash				
Credit Card Number	Expiry Date (mm/yy)	Authorization Number (For Ministry Use Only)			
Last Name		First Name		Middle Initial	
Signature				Date (yyyy/mm/dd)	