

Tab 1



Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com>

FOI eRequest – McLean - 20251001175728730

Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com>

Wed, Oct 29, 2025 at 12:06 PM

To: "Service Ontario Account (MPBSDP)" <ServiceOntarioAccount@ontario.ca>

Thanks for the kind note Natasha. I appreciate you and happy to hear you had a wonderful long weekend. I am still working through the Archives of Ontario and waiting for their search results in relation to the requested records but thanks again.

On Tue, Oct 28, 2025 at 3:23 PM Service Ontario Account (MPBSDP) <ServiceOntarioAccount@ontario.ca> wrote:

Good afternoon Kevin,

Thank you for the kind message, I hope you enjoyed the long weekend just as much as I did. 😊

Regards,

Natasha

Customer Care Representative | ServiceOntario

ServiceOntario Account

Ministry of Public and Business Service Delivery and Procurement

888-745-8888

416-212-8888

ServiceOntarioAccount@ontario.ca



From: Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com>

Sent: October 14, 2025 5:08 PM

To: Service Ontario Account (MPBSDP) <ServiceOntarioAccount@ontario.ca>

Subject: Re: FOI eRequest – McLean - 20251001175728730

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Good Evening Natasha, thank you for your email as it is appreciated. I am not sure I see an email to you directly but I will take that in stride accordingly and take guidance of your sage referral and I note your reference to archives which I had recently turned my mind to. I will reach out to them with thanks.

I hope the long weekend treated you well and thank you for reaching out.

On Tue, Oct 14, 2025 at 4:56 PM Service Ontario Account (MPBSDP) <ServiceOntarioAccount@ontario.ca> wrote:

Good afternoon Kevin,

Your email has reached ServiceOntario Account, which provides referrals for business-related government programs and services; along with support to the ServiceOntario Account Website.

If you need assistance, please call the [Freedom of Information and Privacy \(FOIP\) coordinator](#) at the organization you want information from. For Ministry FOI Coordinators, a listing can be found on [Info-Go](#).

You can also contact the Information, Privacy and Archives Division of the Ministry of Public and Business Service Delivery and Procurement by email or by phone at:

- access.privacy@ontario.ca
- Tel: 416-327-1600
- Toll-free: 1-800-668-9933

Regards,

Natasha

Customer Care Representative | ServiceOntario

ServiceOntario Account

Ministry of Public and Business Service Delivery and Procurement

888-745-8888

416-212-8888

ServiceOntarioAccount@ontario.ca



From: Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com>

Sent: October 2, 2025 4:56 PM

To: Service Ontario Account (MPBSDP) <ServiceOntarioAccount@ontario.ca>; FOI SOLGEN (MAG) <foi.solgen@ontario.ca>

Subject: Re: FOI eRequest – McLean - 20251001175728730

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Dear SOLGEN:

Kindly see the attached access request and reference number below. The False Information Package that I am referring to is also attached. For security and verification purposes, my identification is also attached.

You will have the fulsome and sufficiently particularized details of what I have sought in the access request.

For ease of reference and expediency purposes, is the Police Case File ID that of a string or the entire number string for the OPP?

Also, do you have Criminal Code Form 4 Indictments drafted and/or signed by the SOLGEN in relation to myself?

I will provide some further underlying documents to assist where I can and in the spirit of our "access partnership",

Thank you.

On Wed, Oct 1, 2025 at 6:00 PM <noreply@ontario.ca> wrote:

Thank you for submitting your Access or Correction request form under the *Freedom of Information and Protection of Privacy Act* (FIPPA).

Your request form and application fee were submitted on October 01, 2025 at 05:57 PM.

Please make a note that the submission ID for this application is: 20251001175728730. A copy of your request form is attached for your reference. The payment confirmation number can be found on the last page of the attachment.

A representative from the Ministry of the Solicitor General may contact you during the request process with additional information.

Alternatively, you may contact the Freedom of Information and Privacy Coordinator at the Ministry of the Solicitor General directly for further information.

--

My best regards to you,

Kevin A. McLean (B.A., J.D., CIM)

Chartered Investment Manager

E (personal and confidential): mrkevinalexandermcleanbajdcim@gmail.com

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mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future.

2. Due to being an accident, this email may be dictated in part or full with voice recognition software. Kindly excuse any errors for grammar, syntax or spelling.

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My best regards to you,

Kevin A. McLean (B.A., J.D., CIM)

Chartered Investment Manager

E (personal and confidential): mrkevinalexandermcleanbajdcim@gmail.com

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My best regards to you,

Kevin A. McLean (B.A., J.D., CIM)

Chartered Investment Manager

E (personal and confidential): mrkevinalexandermcleanbajdcim@gmail.com

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Tab 2



Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com>

Kind request - referral by Natasha - Customer Care Representative - ServiceOntario

Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com>

Fri, Oct 17, 2025 at 3:22 PM

To: Access Privacy <Access.Privacy@ontario.ca>

Cc: Reference <reference@ontario.ca>

Thanks so much Natasha as it is greatly appreciated. I did follow up with the SOLGEN but no response but thanks for your confirmation regarding the Archives of Ontario. Have a great weekend!

On Fri, Oct 17, 2025 at 1:24 PM Access Privacy <Access.Privacy@ontario.ca> wrote:

Hello Kevin and thank you for contacting the Recordkeeping, Access and Privacy Advisory Services Unit of the Ministry of Public and Business Service Delivery and Procurement.

As your inquiry pertains to the Archives of Ontario reference services, the reference team will respond to your inquiry soon.

Thank you,

Recordkeeping, Access and Privacy Advisory Services | Strategic Policy Division
Ministry of Public and Business Service Delivery and Procurement | Ontario Public Service
416-327-1600 / toll-free 1-800-668-9933 | access.privacy@ontario.ca

----- Original Message -----

From: Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com>;

Received: Tue Oct 14 2025 20:24:04 GMT-0400 (Eastern Daylight Time)

To: Access & Privacy <access.privacy@ontario.ca>; CSPS-Generic Email <reference@ontario.ca>;

Subject: Kind request - referral by Natasha - Customer Care Representative - ServiceOntario

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Date: October 14, 2025

Classification: Private and Confidential

Sending method: Via Electronic Transmission

Creation method: Dictated with Voice Recognition Software (reservation of rights to correct any grammar, syntax, important qualifiers, or improper double negatives)

To:

The Information and Privacy Unit

Attention: Reference Archivist

Archives of Ontario

134 Ian Macdonald Boulevard

Toronto, Ontario, M7A 2C5

Email: reference@ontario.ca

Subject I: Request for Access to Personal Records Pertaining to Prosecutorial Decision-Making and Ancillary Custody Pursuant to Statutory Mandate

Subject II: Formal Request for Access to Archival Records in the Custody of the Crown concerning File PRSG-2025-03601 and my MAG Access Request (The “Correspondence”: “Subjects”, “Foci”, or “Themes”).

Introduction and Adoption of Definitions

I cordially write regarding the above **Subjects** of this correspondence. I thank you in advance for your time and consideration of this correspondence and its attachments (by reference or inclusion). I appreciate your finite yet valuable resources which is why I have taken immense time to research the legal issues herein and apply them to the facts herein.

I adopt all definitions from previously, indirectly or directly, cited correspondence. Specifically, this submission incorporates by reference the substantive content and chronological history of the antecedent exchanges with the **Ministry of the Solicitor General (“SOLGEN”)** Freedom of Information and Protection of Privacy (“**FIPPA**”) Office, which are collectively defined herein as the “**PRSG-2025-03601 Correspondence**” (attached hereto, *ad abundantiam cautelam*).

Please see attached with respect to the emails where I was referred by Natasha, with thanks, to you.

Her emails is reproduced for ease of reference:

Good afternoon Kevin,

Your email has reached ServiceOntario Account, which provides referrals for business-related government programs and services; along with support to the ServiceOntario Account Website.

If you need assistance, please call the [Freedom of Information and Privacy \(FOIP\) coordinator](#) at the organization you want information from. For Ministry FOI Coordinators, a listing can be found on [Info-Go](#).

You can also contact the Information, Privacy and Archives Division of the Ministry of Public and Business Service Delivery and Procurement by email or by phone at:

- access.privacy@ontario.ca
- Tel: 416-327-1600
- Toll-free: 1-800-668-9933

Regards,

Natasha

Customer Care Representative | ServiceOntario

ServiceOntario Account

Ministry of Public and Business Service Delivery and Procurement

888-745-8888

416-212-8888

ServiceOntarioAccount@ontario.ca

While I did not directly contact her, my email somehow reached her by referral. As I have already contacted the *FIPPA* privacy manager with the SOLGEN and MAG, but *FIPPA* is not applicable to records in the Ontario Archives, I can see the same value in her guidance.

I. Mandate for Correspondence and Referral *Ab Initio*

This present electronic transmission is necessitated by the recent administrative exigencies encountered during the prosecution of the aforementioned access request. The initiation of this specialized inquiry is predicated upon the **sagacious counsel** tendered by **Natasha** ("**Customer Care Representative**" at **ServiceOntario**), who, through electronic communiqué, proffered the judicious recommendation to redirect the purview of my records inquiry towards the **Information, Privacy and Archives Division**.

The **aforementioned referral** compels the presumption that records documenting administrative or prosecutorial actions of **enduring legal significance** may have transitioned from the operational custody of the **SOLGEN** to the dedicated archival repository of the Crown, pursuant to the established "**Doctrine of Perpetual Administrative Custody**" ("**The Custody Doctrine**": The administrative principle stipulating that government records of lasting value, even if initially sought from an operational ministry, transition to the Archives of Ontario and do not simply cease to exist).

II. Substantive Purview of the Request and Prior Search *Lacunae*

The objective of this request is to procure access to records pertaining to my person, which were previously deemed **non-existent** following a demonstrably **circumscribed** search methodology executed by the **SOLGEN**. The premise advanced herein is that the records, due to their profound jurisprudential and administrative import, have transcended the **SOLGEN's** immediate, operational control and are now securely lodged within the **Archives of Ontario** as the ultimate custodian of the Crown's documentary history.

The precise documents sought are those which predate and precipitate the commencement of criminal proceedings, and which are categorically excluded from any exclusive police repository, thus furnishing the definitive nexus to the archival collection:

1. **Judicial Processes Documentation:** The **draft and signed Criminal Code Form 4 Indictments**, and all ancillary records, memoranda, or sign-off sheets relating to the **evidentiary sufficiency analysis** and **public interest assessment** conducted by the delegated agents (Crown Attorneys) of the **SOLGEN** in their capacity as the functional "**Attorney General**" for the purpose of preferring an indictment.
2. **Specialized Records:** The **comprehensive holdings** pertaining to my file from specialized ministerial sub-entities, including but not limited to the **Centre of Forensic**

Sciences Records and Private Security and Investigative Services Records, the inherent nature of which necessitates a custodial transition to a long-term administrative record repository.

III. Legal Premise for Archival Custody and *Ratio Decidendi*

The legal mandate for this inquiry is established by the provisions of the *Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. F.31 ("**FIPPA**"), which governs the right of access to records within the custody or control of provincial institutions. I submit that the **Archives of Ontario**, in its capacity as the designated custodian of provincial records, retains an **unwavering custodial obligation** concerning documents that evidence a fundamental exercise of Crown power, such as the preferring of an indictment even when it was discovered likely some 14 to 16 months as to have been a step taken that lacked merit.

This position is reinforced by the jurisprudential findings various cases wherein jurisprudence affirming the custodial obligation of the Crown to maintain and transition records that document fundamental governmental actions), which establishes the **indefeasible right** of the public and individuals to access records chronicling such substantive exercises of State authority, irrespective of the records' subsequent administrative domicile. The **substantive disposition** of the prior request—namely, the claim of **non-existence**—is herewith rendered **untenable** until such time as an **exhaustive archival search** is effectuated.

While I appreciate that it would be unique for the Archivists of Ontario to receive such records like a Criminal Code Form 4 Indictment or an arrest warrant that was not proceeded upon, it is not unprecedented or unreasonable as per section 65 of FIPPA:

Application of Act

65 (1) This Act does not apply to records placed in the archives of an educational institution or the Archives of Ontario by or on behalf of a person or organization other than,

- (a) an institution as defined in this Act or in the [Municipal Freedom of Information and Protection of Privacy Act](#); or
- (b) a health information custodian as defined in the [Personal Health Information Protection Act, 2004](#). 2005, c. 28, Sched. F, s. 8 (1).

While I appreciate that the SOLGEN and MAG are institutions under FIPPA and the TPS would be an institution under MFIPPA, I note the following. The exclusion established by Section 65(1) **does not apply** to the records I am requesting in that the records I seek (**Criminal Code Form 4 Indictments, Centre of Forensic Sciences Records, etc.**) are inherently the official, working documents created by the **Ministry of the Solicitor General ("SOLGEN")** and the Crown Attorney's office; and **SOLGEN** and the Crown Attorney's office are unequivocally "institutions" as defined by *FIPPA* (specifically referenced in subsection 65(1) (a)). The same would be applicable to the TPS. As I have already paid FIPPA fees to MAG and SOLGEN, I trust that covers the same.

Therefore, even if those records have been transferred to the Archives of Ontario, they remain subject to the access provisions of *FIPPA*, and the Archives must process my request to the same standard as the originating ministry. This fact further reinforces the legal standing of my detailed request

I respectfully request that the Archivist of Ontario, or the designated Information and Privacy Unit, formally confirm the scope of search and the necessary administrative procedure required to initiate an investigation into the existence and location of these **fundamental records** within the provincial archival collection.

I enclose copies of my identification for ease of reference.

Respectful consideration is herewith rendered by,

/s/Mr. Kevin A. McLean (BA, JD, CIM)

Mr. Kevin A. McLean (BA, JD, CIM) (he/him)

--

My best regards to you,

Kevin A. McLean (B.A., J.D., CIM)

Chartered Investment Manager

E (personal and confidential): mrkevinalexandermcleanbajdcim@gmail.com

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--

My best regards to you,

Kevin A. McLean (B.A., J.D., CIM)

Chartered Investment Manager

E (personal and confidential): mrkevinalexandermcleanbajdcim@gmail.com

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Tab 3



Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com>

Kind request - referral by Natasha - Customer Care Representative - ServiceOntario

Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com>

Wed, Oct 29, 2025 at 2:25 PM

To: AO ASA <reference@ontario.ca>, Access Privacy <access.privacy@ontario.ca>, "Jacqueline.Spencer@ontario.ca" <Jacqueline.Spencer@ontario.ca>, chloe.montpetit@ontario.ca

Dear Archivist of Ontario (attention: Ms. Spencer):

I confirm that my email with attachments was delivered above but I received a bounce-back from Ms. Montpetit so she has been removed from the email thread. Kindly provide your response to the above in accordance with the law as this is now quite outstanding.

On Wed, Oct 29, 2025 at 12:59 PM Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com> wrote:

Date: October 29, 2025

Classification: **Private and Confidential**

Sending method: **Via Electronic Transmission**

Creation method: Dictated with Voice Recognition Software (reservation of rights to correct any grammar, syntax, important qualifiers or improper double negatives)

To:

The Information and Privacy Unit

Attention: Reference Archivist

Archives of Ontario

134 Ian Macdonald Boulevard

Toronto, Ontario, M7A 2C5

Email: reference@ontario.ca

Cc: Ms. Jacqueline Spencer, Head Archivist of Ontario

Cc: Chloe Montpetit

Subject I: **Request for Access to Records of a personal information nature based upon the referral from the Ministry of Business and Public Procurement**

Subject II: **Formal Request for Access to records placed by a person or organization that were neither an Institution under FIPPA or MFIPPA (the "Subjects")**

Dear Sirs/Mesdames/Other Gender-Neutral Pronouns:

This correspondence is formally directed toward the consideration of the aforementioned Subjects. Appreciation is herewith extended for the prospective allocation of resources and attention to this matter, as the finite yet valuable nature of institutional capacity has been taken into judicious account during the extensive legal and factual research culminating in this submission. All definitions previously established in the indirect or direct communications cited are adopted for the present purposes (the "Correspondence").

Analysis of Access Entitlement: The Mandate for a Definitive Determination (*Ratio Decidendi*)

This communication serves as a formal reiteration, establishing the **imperative mandate** for the Archives of Ontario (the “Repository”) to render a definitive and conclusive administrative determination concerning the totality of the records requested within the ambit of the Subjects.

It is noted that a **fiduciary obligation** of good faith (*bona fides*) is incumbent upon the Repository in its interactions with the public and the applicant. This obligation necessitates not merely acknowledgment of receipt, but the subsequent **adjudication** of the claim by either granting access or formally applying a statutory exemption to the identified archival material. The prolonged duration of this exchange, as documented in the appended materials, transcends the conventional parameters of reasonable administrative processing time.

Statutory Foundational Principles

It is discerned that the fundamental purposes of the *Archives and Recordkeeping Act* (the “ARA”), as articulated in **Section 1**, encompass:

- (a) the ensuring of the proper management, custody, and preservation of the public records of Ontario in a useable format for the collective benefit of current and future generations;
- (b) the fostering of governmental accountability and transparency, concurrently supporting effective administration through the facilitation of commendable public body recordkeeping practices; and
- (c) the encouragement of public utility of the archival records of the Province of Ontario as an essential resource for historical interpretation.

The synergistic operation of these three principles mandates that the Repository’s internal protocols concerning access must be reconciled with the overarching goals of **accountability** and **public utility**. An indeterminate status of an access request serves as an effective impediment to the fulfillment of these core legislative intentions.

Applicability and Exclusions (*Obiter Dicta on Lex Generalis*)

Furthermore, **Section 3(1)** of the ARA stipulates that the operation of extant laws or privileges governing the protection of privacy or access to information concerning records held by public and legislative bodies is not curtailed by the ARA. Given that a person or entity not designated as an **Institution** under *FIPPA* or *MFIPPA* is not construed as a public or legislative body, it is posited that the application of this subsection to records originating from such non-institutional sources is rendered inapplicable. This conclusion is reached through the meticulous application of the interpretive canon *expressio unius est exclusio alterius*, suggesting that the express mention of public and legislative bodies inherently excludes other entities from the direct scope of this specific preservation clause. Therefore, the processing of records originating from a third-party organization, whose status falls outside the restrictive definition of an **Institution**, requires scrupulous adherence to the access provisions delineated in ARA Section 22.

The Mandate of the Archivist of Ontario (*Imperium*)

The rationale undergirding the inclusion of Ms. Spencer is predicated upon the **mandatory obligations** vested in the office of the Archivist of Ontario.

- **Section 8(1)** requires that an Archivist of Ontario be appointed by the Lieutenant Governor in Council.
- **Section 8(2)** dictates that the Archivist **shall administer** the Archives of Ontario and **shall execute** the powers and duties assigned under the ARA. The term “**shall**” must be construed as bearing an **obligatory**, rather than a permissive, signification, establishing a **non-derogable** duty to ensure statutory compliance within the Repository’s operational ambit.

Moreover, in the exercise of these **powers and duties**, **Section 8(4)** establishes that, notwithstanding any other Act or privilege, the Archivist **shall have access** to any public record, and **Section 8(5)** places an obligation upon public bodies and their personnel to grant such access. This legislative grant of ubiquitous access authority underscores the **paramountcy** of the Archivist’s role in securing public records, which concomitantly implies an equally paramount duty to facilitate lawful access thereto. The ultimate responsibility for any lacuna in the administrative process of fulfilling the statutory access entitlement, therefore, inheres in this office.

The Prohibition Against Spoliation (*Nemo Tenetur Se Ipsum Accusare*)

It is germane to note the absolute prohibition stipulated in **Section 15(1)** against the destruction, damage, alteration, removal from custody, concealment, or rendering illegible of a public record. This provision serves as a fundamental safeguard of the integrity of the archival holdings, ensuring the evidentiary value of the documents remains untainted (*res integra*). The implication is that records, once deemed public and consigned to the Repository, must be managed with the utmost degree of professional and statutory integrity, a principle that extends to the prompt and appropriate adjudication of access requests to prevent any perceived **subversion of the archival mandate**.

The Management of Private Records (*Ex Contractu*) and the Doctrine of Custody

In relation to records originating from non-public bodies, **Section 17(1)** permits the Archivist to enter into an agreement with any non-institutional person or entity concerning their recordkeeping. The ensuing agreements, as set forth in **Section 17(2)**, may provide for the preservation of, and the conditions for **access to**, such private records of archival value. This framework establishes that records, regardless of their origin, transition into the **custody** of the Repository, triggering the application of the *ARA* and its access provisions.

The judicial interpretation in *Ontario Criminal Code Review Board v. Hale et al* (1999, ONCA) ("*Hale*") is instrumental here, wherein the concept of "**control**" was found to signify the capability to mandate the production of a record. While the *ARA* speaks specifically to **custody** in the context of the Repository, the principle from *Hale* reinforces that the physical possession and legal authority to administer access—which the Archivist holds via the **custody** mandate—places an **inescapable legal burden** upon the Repository to adjudicate the access request definitively. The Repository possesses the **requisite dominion** over the records to issue a conclusive administrative action, irrespective of whether the records are deemed *public* or *private* under the *ARA*.

The Public Right to Examine Records (*Ius Publicum*) and Restrictions by Law

The right of access to records of archival value is statutorily established in **Section 22** of the *ARA*:

- **Section 22(1)** grants every person the right to examine a **public record** of archival value, subject to restrictions imposed by law.
- **Section 22(2)** grants every person the right to examine a **private record** of archival value, subject to restrictions imposed by law **or by agreement** between the Archivist and the donor.

The phrase "**subject to restrictions imposed by law**" necessitates a specific and actionable identification of the restricting statutory provision. An administrative reference guide, while informative, is not **law** and, *per se*, cannot constitute the sole **restriction** under this section. The failure to cite the precise, applicable section of the *Act* (or other legislation) that **requires** or **permits** the refusal of access, coupled with the **reasonableness** of applying that provision to the specific records identified in the Correspondence, renders the absence of a decision procedurally defective. The Repository is compelled to delineate the exact legal mechanism being invoked, thereby providing a clear *locus standi* for any subsequent review of the determination.

The Statutory Framework for Refusal of Access and Deemed Refusal

The mandatory basis for the refusal of access, as set forth in **Section 22(4)(a)** of the *ARA*, dictates that the Archivist **shall refuse** to produce a record if the refusal is **required** by the *Freedom of Information and Protection of Privacy Act* (the "*Act*") or any other Act.

Conversely, the discretionary grounds for refusal, delineated in **Section 22(4)(b)**, allow the Archivist to refuse production if:

- (i) the refusal is **permitted** by the *Act* or any other Act, or
- (ii) the record is **excluded** from the application of the *Act* by **Section 65** of that *Act*.

It is advanced that the sought-after records are not, *ipso facto*, excluded from the application of *FIPPA* as it relates to the Repository, which must be viewed as an **Institution** when exercising its mandatory and discretionary refusal powers under the *ARA*. Should the Repository, acting in good faith (*bona fides*), posit that certain records are subject to permissive refusal under the *Act* or another statute, a precise, written articulation of such grounds is necessitated. Furthermore, while the Repository may not strictly be subject to the **deemed refusal** provisions contained within the *Act*, the overarching principles of administrative fairness and transparency require that the Repository act with **due dispatch**. The current situation is characterized by the absence of a formal refusal, having been addressed solely by an ancillary reference to an Archives of Ontario Guide. Considering the diverse range of records potentially held—encompassing both public and private records pursuant to various agreements—such a generalized guidance document is deemed inadequate for the specific legal and factual complexities herein, representing a deficient application of rudimentary statutory interpretation principles to the *facta probanda*.

The Imperative for Decision

The Repository, operating as an agency of the Crown, is inextricably bound by the strictures of the *Act*. Entitlement to a conclusive administrative response is not merely an expression of courtesy; it constitutes a mandatory **statutory obligation** predicated upon the foundational principles of administrative law. The Correspondence, encompassing the detailed submissions within:

- **Attachment 1** (*Email thread number one - McLean with AO.pdf*): Documenting the initial submission and the necessity of initiating a search for the authentic, complete records.
- **Attachment 2** (*Email thread number two - McLean with AO.pdf*): Confirming the satisfactory provision of requisite identification documentation and discussing the pertinent date range of the records.

- **Attachment 3** (*Email thread number three - McLean with AGO.pdf*): Delineating the specific file identifiers and the formal invocation of the statutory access mandate.

...demonstrates a prolonged engagement which now renders a final determination **necessary**. The non-existence of a formal decision—which must explicitly define the extent of records located, the nature of any utilized statutory exemptions, or a definitive declaration of the non-existence of records (*de non apparentibus et de non existentibus eadem est ratio*)—constitutes an ongoing failure to fulfil the mandatory legislative requirements of the *Act*. Consequently, the issuance of this definitive administrative action is imperative to enable the pursuit of available recourse before the Information and Privacy Commissioner of Ontario, should that step become warranted, thereby safeguarding the applicant's **substantive and procedural rights** under the relevant statutes.

Timeliness and Modality of Access

It is herewith observed that the ARA does not stipulate a mandatory or definite statutory period for the adjudication of access requests; consequently, the expectation of a **prompt and timely determination** is advanced, consistent with the foundational principles of efficient public administration and due diligence. In the event that access is granted to any portion of the requested records deemed to be of a personal information nature, formal notification of a suitable time for **in-person attendance and examination** is required. Alternatively, and where technically and legally feasible, arrangements for the secure **electronic transmission** of said records are solicited, provided such modality conforms to extant security protocols and preserves the integrity of the material.

The *Prudential* Inclusion of the Archivist of Ontario: Institutional Accountability

The Rationale for Notifying the Head of the Institution

The Archivist of Ontario (Ms. Jacqueline Spencer) has been formally appended to this electronic transmission out of an abundance of caution and for reasons pertaining to **institutional oversight and the necessity for administrative transparency**.

As the most senior official of the Archives of Ontario, Ms. Spencer's appointment on **November 7, 2024**, confers the **ultimate administrative authority and responsibility** for ensuring the Repository's comprehensive adherence to its statutory and policy obligations regarding access and privacy. This authority encompasses the **delegation of duties** and the **supervision of all decision-making processes** related to the disclosure or refusal of archival records. The involvement of the Archivist is therefore not a circumvention of the established unit structure, but a logical and necessary elevation of a matter that has reached a state of administrative impasse.

Ministerial and Institutional Risk Mitigation

The position of Archivist of Ontario inherently carries a high degree of **Ministerial oversight** responsibility. The failure to issue a conclusive determination on a formal request for access may be interpreted as a potential **institutional dereliction** of a statutory duty, thereby introducing an avoidable risk of administrative sanction or litigation. This situation necessitates the **Archivist's personal notification** to enable the most senior administrative echelon to undertake a comprehensive review of the case file and provide the requisite guidance to the subordinate staff for the immediate and proper disposition of the request. This procedural step functions as a form of **institutional risk mitigation**, preventing the escalation of a localized administrative delay into a matter of broader governmental accountability.

Conclusion and Reservation of Rights

This instrument is proffered as a professional courtesy and is executed out of an abundance of caution, the objective being the accurate and veracious depiction and referencing of documents for current and prospective utilization. It is sincerely anticipated that this correspondence, incorporating the extrapolated legal principles, will serve as the necessary catalyst for the immediate issuance of the required definitive decision pursuant to the *Act*. The current administrative inertia, if prolonged further, will necessitate the **procedural presumption** of a failure to comply with the overarching statutory mandates governing access to information held by Crown agencies.

While I am not guaranteed access to the requested records I am entitled to a definitive response on now a forthwith basis.

Naturally, a reference to a guide is not a specific response to a specific request which was by referral.

The right to utilize this correspondence for any lawful purpose, including but not limited to, the initiation of a formal complaint or appeal to the Information and Privacy Commissioner of Ontario, is formally reserved.

Yours most appreciatively and gratefully,

/s/Mr. Kevin A. McLean (BA, JD, CIM)

Mr. Kevin A. McLean (BA, JD, CIM) (he/him)

Enclosures:

Three distinct email threads:

1. *Email thread number one - McLean with AO.pdf*
2. *Email thread number two - McLean with AO.pdf*
3. *Email thread number three - McLean with AGO.pdf*

On Mon, Oct 27, 2025 at 8:17 AM Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com> wrote:

CLASSIFICATION: PRIVATE AND CONFIDENTIAL

October 27, 2025

Sending Method: Via Electronic Transmission

Creation Method: Dictated with Voice Recognition Software (reservation of rights to correct any grammar, syntax, important qualifiers, or improper double negatives)

To:

Ms. Chloe Montpetit (she/her)

Reference Archivist

Archives of Ontario

AND TO:

Access Privacy

Ontario Ministry of the Attorney General

Subject I: Comprehensive Review and Substantiation of Legal and Factual Assertions Regarding Public Access to Records that are excluded from FIPPA by the placing by an organization or person than an Institution under FIPPA or MFIPPA

Subject II: Clarification on the Determinative Scope of Institutional Placement of Records Pursuant to the Jurisdictional Ambit of the *Freedom of Information and Protection of Privacy Act* Subject III: kindly either provide a refusal to my access or a time for my attendance to view the same by end of business day

(the “Subjects”)

Dear Sirs/Mesdames/Other Gender-Neutral Pronouns:

I cordially write regarding the above Subjects of this epistolary communication. I thank you in advance for your time and consideration of this correspondence and its attachments (by reference or inclusion), which comprehensively articulate the legal and factual **postulations** herein. I appreciate your finite yet valuable resources which is why I have taken immense time to research the legal issues herein and apply them to the facts herein.

I adopt all definitions from previously, indirectly or directly, cited correspondence, including specifically the definitions and **designations** contained within the appended electronic transmission titled “**Gmail - Kind request - referral by Natasha - Customer Care Representative - ServiceOntario.pdf**” (hereafter referred to as the “Initial Referral”). Furthermore, I incorporate the complete legal and factual assertions contained within the aforementioned electronic transmission as the “**Contextual Analysis**” by reference.

I. Affirmation of Precedent Factual and Legal Positions: The Doctrine of Tacit Acknowledgment

The substantive content of this missive is predicated upon the demonstrable absence of a definitive **repudiation** concerning the factual and legal **postulations** previously advanced by my office through the aforementioned Initial Referral. The lack of a formal, reasoned denial serves, *prima facie*, to corroborate the **cogency** of the submissions presented, thereby shifting the burden of **rebuttal** onto the responding institution. This protracted absence of a formal, reasoned *repudiation* of the central premise—namely, the location and transfer history of the information assets—constitutes, in effect, a **tacit acknowledgment** of the factual premise.

The principle of **deemed admission** (*confessio facti*), though typically applied in procedural contexts, illuminates the evidential weight of official silence in administrative matters. When an Institution, possessed of superior knowledge regarding the disposition and custodial chain of its public records, deliberately **abnegates** its responsibility to refute a detailed assertion, the logical and legal **extrapolation** is that the assertion is factually unassailable. This **inertia** on the part of the responding entity compels the **irresistible inference** that the Archives of Ontario (“AO”) has, in fact, engaged in the non-traditional placement of these information assets as initially **postulated**, leading directly to the jurisdictional anomaly that warrants this immediate clarification.

II. The *Vexata Quaestio* of Extrajurisdictional Record Placement

The crux of the matter, the “**Vexed Question**” (*Vexata Quaestio*), pertains to the institutional placement of certain records. I respectfully seek written affirmation that the AO has not asserted or denied that it positioned a “**public record**” (as defined by the *Archives and Recordkeeping Act, 2006*) with an entity or individual that does not qualify as an “**Institution**” under the *Freedom of Information and Protection of Privacy Act (FIPPA)* or the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*.

This confirmation is germane to the fundamental legal principle that “**no one gives what he doesn’t have**” (*nemo dat quod non habet*). The transfer of a public record to a non-statutory entity is a legal nullity for the purposes of *FIPPA* access. An entity cannot confer *FIPPA* or *MFIPPA* status, and thus the attendant obligations and exclusions, upon a third-party repository unless that repository already satisfies the statutory criteria of an “**Institution**.” The placement of a record outside the statutory **ambit** of *FIPPA* or *MFIPPA* Institutions, even *per* the operation of the transfer and forwarding provisions contained within *FIPPA*, would consequently appear to invalidate the applicability of these **legislative** instruments, thereby creating a profound **jurisdictional lacuna**.

It is **axiomatic** and self-evident that a record contemporaneously relevant to an ongoing “**prosecution**” cannot simultaneously reside within the permanent holdings of the Archives of Ontario, as its accession to the AO is predicated upon the determination of its established “**historical value**” and the cessation of its active operational utility. This inherent **dichotomy** between a document retaining its operational status within a current legal proceeding and its definitive classification as an inactive, historical artifact for archival retention is **antithetical**. The moment a record is vested in the AO, it is administratively presumed to have exhausted its operational life, possessing **historical locus** rather than **evidentiary locus**.

The Attorney General’s ostensible omission to transfer or forward the access request to the Solicitor General (“**SOLGEN**”), an omission encompassing agencies such as the Ontario Provincial Police (“**OPP**”) or the Toronto Police Service (“**TPS**”, an *MFIPPA* Institution), resulted in the SOLGEN’s representation that it possessed no records **subject** to the original *FIPPA* requisition (“**nil return**”). This **extraneous** circumstance, combined with the SOLGEN’s **nil return**, strongly suggests that the record’s location, and the subsequent inapplicability of the *FIPPA* regime, was a result of this **extra-statutory** placement by a preceding custodian. This **circumstantial evidence** renders the AO’s custodial history absolutely **imperative** for the resolution of this access request.

III. Legislative and Jurisprudential Context: The Narrow Scope of Exclusion

The statutory framework governing the preservation and accessibility of public records in this **jurisdiction** is articulated primarily within the *Archives and Recordkeeping Act, 2006*. This **legislation** establishes the **requisite** criteria for determining records of archival value and serves as the **legislative foundation** for democratic accountability, mandating not only the preservation of information assets but also their **promulgation** for historical research and public scrutiny. This objective of **maximized transparency** must inform the interpretation of any restrictive provisions under *FIPPA*.

Furthermore, I **propose** that the exclusion contained within Section 65(5.2) of the *Freedom of Information and Protection of Privacy Act* is demonstrably confined to excluding a “**non-individual requestor**” (i.e., a general requestor) from its purview. This specific legislative design is engineered to ensure the **inviolable** right of an accused individual to a “**fair trial**” (*audi alteram partem*). The underlying constitutional imperative is the protection of the **s. 7 Charter right** to life, liberty, and security of the person, which is fundamentally interconnected with the right of an accused to make full answer and defence and secure a **constitutionally compliant** fair trial. To interpret Section

65(5.2) as an instrument to **frustrate** the direct access rights of the individual who is the subject of the prosecution-related records would represent an **unconscionable derogation** from the *Charter* protections, effectively allowing an administrative provision to **subvert** a constitutional guarantee. The intent of the legislature in enacting this provision was to preserve the **integrity** of the prosecutorial process from extraneous discovery by third parties, not to **interdict** the individual's right to their own personal information.

I respectfully reserve the right to introduce and rely upon “**Relevant Jurisprudence**” (hereafter referred to as the name of the case) at a subsequent juncture to further illuminate the precise application of statutory exemptions and the **decentralization** of information assets.

IV. Conclusion and Assertion of Right to Access

I provide this letter as a courtesy and out of an **abundance of caution** to ensure that documents are truly, accurately and honestly depicted and referenced for current or future purposes, thereby eliminating any potential for subsequent factual or legal **equivocation**. This is an exercise in meticulous legal and factual **fidelity** and administrative **decorum**.

Naturally, there would not have been a referral from Natasha and her Ministry if there was no **substantive** merit to the Archives of Ontario having custody and/or control of the records sought. Moreover, the sustained lack of a categorical denial is entirely **consistent** with the records having been placed within the Archives of Ontario by an entity or person other than an *MFIPPA* or *FIPPA* Institution, thereby triggering the exclusion articulated in Subject I.

I note that the Archives of Ontario possesses the **statutory prerogative** to refuse access to records where a permissible exception under *FIPPA* is applicable, which, by **self-evident** reason and given my status as the subject of the records, could not exist herein. Consequently, the entirety of Section 65 of *FIPPA* has no **applicability** herein by virtue of any of its provisions.

Simply put, the **statutory regime** governing the preservation and **promulgation** of public records, specifically the *Archives and Recordkeeping Act, 2006*, is **devoid of any provision** that would sanction the **attenuated response** of merely directing a requestor to a general, non-specific research **guide** based on what conventionally or standardly are in the custody and control of the Archives of Ontario. Rather, it imposes a **mandatory obligation** to either provide an **affirmative** confirmation of an attendance time for the **expeditious** inspection of a copy of the record or to issue a formal determination of non-disclosure pursuant to a specified and enumerated exemption under *FIPPA*.

As there is no **thirty-day statutory timeframe** applicable within this precise administrative context, I **mandatorily** request that your definitive response be **remitted** no later than the close of business this day, in accordance with Subject III. Kindly confirm at what time I can attend to inspect some or all of the records requested and in what form, and/or provide the specific position of your refusal to some or all of the records and the explicit reasons why. Please be absolutely **specific** as to the exact provisions: the specific section(s) of *FIPPA* being relied upon, whether the exclusion is **mandatory** or **permissive**, and/or whether the refusal is predicated upon **jurisdictional grounds** of which I assert there are none. This level of detail is **imperative** to facilitate the efficient exercise of my rights should I need to pursue further administrative or judicial review.

I reserve the right to rely on this correspondence for any lawful purpose.

Thank you.

Yours most appreciatively and gratefully,

/s/Mr. Kevin A. McLean (BA, JD, CIM)

Mr. Kevin A. McLean (BA, JD, CIM) (he/him)

On Tue, Oct 21, 2025 at 4:46 PM Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com> wrote:

Private and Confidential

Via Electronic Transmission

October 21, 2025

Creation Method: Dictated with Voice Recognition Software (reservation of rights to correct any grammar, syntax, important qualifiers, or improper double negatives)

To: Ms. Chloe Montpetit (she/her)

Subject I: Revised Correspondence Regarding Comprehensive Information Assets and Documents Retrieval Pursuant to Public Access Frameworks

Subject II: Challenge to the Determinative Authority of Research Guide 233, Criminal Justice Records (March 2023 Update) and Clarification on the Scope of the Records Requisition (Police Case ID: 457197)

(the "Subjects")

Dear Sirs/Mesdames/Other Gender-Neutral Pronouns:

I cordially write regarding the above **Subjects** of this correspondence. I thank you in advance for your time and consideration of this correspondence and its attachments (by reference or inclusion), specifically: **Gmail - Kind request - referral by Natasha - Customer Care Representative - ServiceOntario.pdf** and **research_guide_233_criminal_justice.pdf**. I appreciate your finite yet valuable resources which is why I have taken immense time to research the legal issues herein and apply them to the facts herein.

I adopt all definitions from previously, indirectly or directly, cited correspondence.

I. Delineation of Legal Principle: The Directory Nature of the Guide

I acknowledge receipt of your electronic communication and express **gratitude** for your delineation of pertinent research modalities. However, I must respectfully posit that the document referenced, the **Research Guide 233, Criminal Justice Records** ("The Guide") updated in March 2023, constitutes merely a heuristic **advisory instrument** and is **devoid** of the legislative and mandatory force of a **statute** or **regulation**. Its character, therefore, is solely **directory**, not **determinative**, of the rights of access prescribed by the relevant legislative instruments. To rely solely on "The Guide" as a basis for **non-custody** or **non-disclosure** without reference to the substantive provisions of the *Archives and Recordkeeping Act, 2020* or the appropriate **access to information** legislation represents a **legal lacuna**.

II. Scrutiny of Records Scope and Custodial Ambiguities

II.A. Extent of Requested Information Assets

It is essential to re-emphasize that the **purview** of my antecedent requisition for records, information, and **information assets** ("The Requested Assets") comprehensively **transcends** the narrow confines of conventional criminal court files or ancillary judicial documentation. The scope encompasses all forms of **recorded information** and **assets**, without limitation to their custodial origin or physical format.

The ambit of the present requisition explicitly incorporates records originating from the **Ontario Provincial Police** ("OPP") and is identified by **Police Case ID: 457197**. My initial **extrapolation** suggests that these **information assets** are not definitively excluded *per se* by the specific provisions enumerated on page 3 of 18 under the rubric **"Records not at the Archives"** within "The Guide."

II.B. Non-Institutional Placement and Temporal Proscription

While **The Guide** primarily addresses the conventional transfer of documentation from institutional custodians, I must offer the following **sylogistic extrapolation**:

The capacity for **information assets** to be lawfully remitted to the Archives of Ontario ("The Archives") by a **person or organization other than an Institution** as defined within the *Freedom of Information and Protection of Privacy Act* ("FIPPA") or the *Municipal Freedom of Information and Protection of Privacy Act* ("MFIPPA") remains a **viable legal possibility** and is not **statutorily constrained** by any explicit **temporal proscription** enacted by the Legislature. *Ergo*, the absence of a record within the standard **institutional transfer mechanism** does not operate as an **irrefutable presumption** of its non-existence within "The Archives" holdings.

It bears objective articulation that I have never been adjudicated as guilty of a **criminal offence** and, consequently, have not endured any period of **incarceration**, save for a brief, albeit significant, four-hour custodial experience on **October 2, 2024**. This factual predicate is highly **material** to the disposition of access, given the potential for the records to exist outside the typical institutional custody pathways.

II.C. The Distinction Between Indictments and Court Files

Your assertion concerning the non-custody of criminal court files or related records for 2024 is acknowledged. However, this necessitates a crucial legal distinction: the difference between an **e-filed Indictment** and a substantively docketed **court file number**.

I hold **reasonable grounds to believe** that an **Indictment** was electronically filed by a **police service** subsequent to authorization by an authorized signatory (potentially representing the Solicitor General ("SOLGEN"), the Attorney General of Ontario ("AGO"), the Attorney General of Canada ("AGC"), and/or other duly authorized signatories). Such a document may, by **operative effect**, never have been formally accorded a **court file number** as typically referenced on a Transcript Order Form, and thus would not constitute a **related court record** in the most restrictive sense.

The existing response is therefore **deficient** in its failure to comprehensively cover **information assets** which were placed in "The Archives" that were:

1. Filed or laid documents, such as an **Indictment**, that never eventuated into an allocated court file number; and
2. Records that were placed by a **non-FIPPA/MFIPPA Institution** or a **person or organization other than an Institution**.

III. Concluding Demand for Substantive Clarification

Given the **legal impediments** and **interpretative ambiguities** exposed by the reliance upon "The Guide," I formally and courteously reiterate my demand for a **definitive, substantive response** pertaining to "The Requested Assets" rather than a mere **reiteration** of a research guide, which is demonstrably **too attenuated and restrictive** in its scope to constitute a complete answer to my expansive requisition.

I repeat and rely upon the above.

I provide this letter as a courtesy and out of an abundance of caution to ensure that documents are truly, accurately and honestly depicted and referenced for current or future purposes. I reserve the right to rely on this correspondence for any lawful purpose.

Thank you kindly in advance for your time and consideration, and providing a definitive response after conducting a thorough search with the same in the spirit of an "access partnership". I wish to make abundantly clear that I do not castigate or make any allegation against the Archives of Ontario because of the language of the Legislature and the response of the, inter alia, SOLGEN that it could not find any responsive records along with that of the MAG which would be impossible as a matter of law unless FIPPA did not apply. The only exception would be that of section 65(1) which clearly states the following:

Application of Act

65 (1) This Act does not apply to records placed in the archives of an educational institution or the Archives of Ontario by or on behalf of a person or organization other than,

- (a) an institution as defined in this Act or in the *Municipal Freedom of Information and Protection of Privacy Act*; or
- (b) a health information custodian as defined in the *Personal Health Information Protection Act, 2004*. *2005, c. 28, Sched. F, s. 8 (1)*.

I stand by my position and belief a person or organization other than an MFIPPA or FIPPA Institution placed the same in the Archives of Ontario as per the referral by Natasha of the aforementioned Ministerial unit. As we know, the Information Package which included a Form 2 Information and an Intake Court Endorsement [Sic] was false. As such, there had to be an actual and legitimate Form 2 or Form 4 under the Criminal Code that was filed and laid and a corresponding arrest warrant. Obviously had the MAG placed the same in the Archives of Ontario, then FIPPA would apply. The same would be applicable to that of the SOLGEN (which includes the OPP) and the TPS. However, if a person or organization other than those Institutions "placed" the same with the Archives of Ontario, then that would mean, specifically not on behalf of an Institution under FIPPA or MFIPPA or a person that is not an Institution under FIPPA, then it is placed in the Archives of Ontario and then FIPPA does not apply. I can confirm that no court file was ever created with the SCJ Criminal Law Office at SCJ 361 University Avenue, Toronto, Ontario. Thank you.

Yours most appreciatively and gratefully,

/s/Mr. Kevin A. McLean (BA, JD, CIM)

Mr. Kevin A. McLean (BA, JD, CIM) (he/him)

On Mon, Oct 20, 2025 at 6:56 PM Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com> wrote:
Good Day in return Chloe, thanks for the information. I shall take a look at what you have sent. Thank you.

On Mon, Oct 20, 2025 at 2:20 PM AO ASA <reference@ontario.ca> wrote:

Good morning Kevin,

The Archives of Ontario does not hold any criminal court files or related records for the year 2024.

For more information on the criminal justice records held at the Archives of Ontario, please see the following guide: [research_guide_233_criminal_justice.pdf](#).

Regards,

Chloe Montpetit (she/her)

Reference Archivist | Archives of Ontario

Please inform me if you need an alternate format or other accommodation to access this email or attachments.

From: Kevin McLean
Sent: Friday, October 17, 2025 4:15 PM
To: Reference
Cc: Access Privacy
Subject: Re: Kind request - referral by Natasha - Customer Care Representative - ServiceOntario

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.
CONFIDENTIAL CORRESPONDENCE: REVISED ACCESS INQUIRY

Date: October 17, 2025 (or current date)

To: Ms. Chloe Montpetit (she/her), Reference Archivist | Archives of Ontario

I. ACKNOWLEDGMENT AND COMMITMENT TO COOPERATION

I express my sincere gratitude for your electronic correspondence and confirm the provision of requisite identification documentation for official verification purposes. This communication immediately follows the expression of my appreciation to Ms. Natasha for her confirmation that the subject request has been duly lodged with the Archives of Ontario.

Please be assured that I shall endeavour to maintain a position of comprehensive and meticulous engagement within our collaborative access partnership, acting at all times in bona fide.

II. ANALYSIS OF THE TORONTO POLICE SERVICE'S INVOLVEMENT

The rationale for the inclusion of the Toronto Police Service (TPS) in this matter remains somewhat opaque; nevertheless, it warrants a formal elucidation.

The foundational principle governing the arrest procedure, as codified in subsection 29(1) of the Criminal Code, necessitates that a peace officer executing an arrest warrant must possess a copy of the said warrant and must produce it upon request. The TPS peace officer failed to comply with both of these statutory duties. Ergo, the TPS demonstrably lacked both the requisite custody and control over the instrumental record in question.

Further complicating the matter is the subsequent production of a document identified as a specious or fabricated Criminal Code Form 2 Information and a spurious Intake Court Endorsement [sic]. I have enclosed a duplicate of this "False Information Package" to empirically demonstrate the utter lack of authentic value in the records previously tendered, which substantively justifies the continuance of this laborious and resource-intensive mission to secure the authentic records. I also note that the falsified Criminal Code Form 2 Information purports to originate from a court officer (specifically, Court Officer (Toronto Region) Mrs. Frugoni-

Rojas), who provides professional services to the Ontario Court of Justice (OCJ) and the Superior Court of Justice (SCJ) in Toronto, Ontario. In light of these circumstances, the element pertaining to the TPS constitutes an extraneous consideration, or, ad hoc, a red herring.

II.A. EMPIRICAL CORROBORATION OF SPURIOUS DOCUMENTATION

Subsequent investigations into the provenance of the alleged judicial instruments have yielded substantive evidence substantiating their purported illegitimacy. I can confirm that the Brampton Courthouse of the Ontario Court of Justice (OCJ) possesses no record of any arrest warrant having ever been issued by Justice of the Peace Jiri. Furthermore, the Ministry of the Attorney General (MAG) provided a post-docket court list which confirms, unequivocally, that Justice of the Peace Jiri was not in attendance on the date in question, September 23, 2024.

The conclusive lack of judicial issuance, coupled with the judicial officer's non-attendance, reinforces the assertion that the documentation produced in the accompanying "False Information Package" is materially and procedurally defective.

III. DOCUMENTATION DISCREPANCIES AND MINISTERIAL CUSTODY

I acknowledge the courts' general exemption from the application of the Freedom of Information and Protection of Privacy Act (FIPPA). However, intelligence procured from my authorized transcriptionists indicates, inter alia, the existence of a Criminal Code Form 4 "Indictment," rather than a Criminal Code Form 2 Information.

Customarily, such an instrument would constitute a record within the control of either the Ministry of the Attorney General (MAG) or, by definition, the Solicitor General (SOLGEN), pursuant to the execution requirements stipulated in section 2 of the Criminal Code and the Form 4 schema thereunder.

Given that the MAG has been unable to produce a copy of the aforementioned instrument through an antecedent access request, a corresponding request was submitted to the SOLGEN. In light of the salutary referral conveyed by Ms. Natasha, it appears plausible that the SOLGEN may have executed the instrument but did not retain an authentic duplicate thereof.

Consequently, Tribunals Ontario, having possessed a demonstrably relevant role in the locus in quo, is not classified as an "Institution" under FIPPA, yet it may satisfy the definition of a "person" or "organization" that may have effected the placement of the subject records.

IV. ANALYSIS OF THE FIPPA SECTION 65(1) EXEMPTION

The analytical nexus pivots upon the express language of subsection 65(1) of FIPPA, which is reproduced hereunder for precise consideration:

Application of Act

65 (1) This Act does not apply to records placed in the archives of an educational institution or the Archives of Ontario by or on behalf of a person or organization other than,

(a) an institution as defined in this Act or in the Municipal Freedom of Information and Protection of Privacy Act; or

(b) a health information custodian as defined in the Personal Health Information Protection Act, 2004.

As the TPS, MAG, and SOLGEN are unequivocally deemed Institutions under FIPPA and the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), had any of these bodies placed the records in the Archives of Ontario, FIPPA would remain fully applicable.

Crucially, the statutory language dictates that the applicability of FIPPA turns entirely upon the identity of the entity that "placed" the records, or on whose behalf the placement was executed. If the actual (de facto) Criminal Code Form 2 and/or Criminal Code Form 4 Indictment were deposited by a person or organization other than an Institution, or on behalf of a person or organization other than an MFIPPA or FIPPA Institution, then FIPPA would be rendered wholly inapplicable to those specific records, irrespective of the requesting body (TPS, MAG, SOLGEN, or any other Institution).

Furthermore, having been apprised of the position advanced by counsel for the MAG (lawyer licensee Mr. Sinnadurai) that the relevant courthouse would not retain a copy of a signed arrest warrant—a submission that runs counter to the fundamental legal tenets of the open court principle—this nevertheless becomes an academic point (obiter dictum) for our present purposes. The central finding remains that a non-Institution, or an agent acting on behalf of a non-Institution, may have effectuated the placement of the records at issue with the Archives of Ontario, thereby making FIPPA inapplicable under the explicit terms of the statute.

Therefore, the sagacious nature of the unsolicited referral from Ms. Natasha of Recordkeeping, Access and Privacy Advisory Services is made self-evident.

V. DISPOSAL OF PERSONAL INFORMATION AND CUSTODY ELIMINATION

I note the reappearance of the Archives of Ontario within the regulation entitled "Disposal of Personal Information" (R.R.O. 1990, Reg. 459), which states:

2. (1) An institution, other than an educational institution, may dispose of personal information only by transferring it to the Archives or by destroying it.

It is axiomatic that the designated heads of the aforementioned bodies, including those exempt from FIPPA such as the OCJ and SCJ, are constitutionally precluded from destroying documentation that is potentially subject to superior constitutional mandates, such as the Canadian Charter of Rights and Freedoms.

Accordingly, the permissible "disposal" must be interpreted as the transfer of said documents to the Archives. While customary retention schedules are acknowledged, those schedules cannot logically supersede the clear language of FIPPA, which establishes no temporal prerequisite for an Institution to transfer records to the

Archives of Ontario. Such a transfer serves to eliminate the element of custody and control by the originating Institution, or at least provides a strong basis for the legal argument regarding the same.

A fortiori, if a person or organization other than a FIPPA or MFIPPA Institution "placed" the records there, subsection 65(1) of FIPPA eliminates the Act's applicability altogether.

VI. CONCLUDING STIPULATIONS AND TEMPORAL PARAMETERS

Consequently, I am seeking archival records which, given this unique factual matrix, are those of demonstrable historical significance and, crucially, ones never formally proceeded upon or produced by the three aforementioned Institutions.

In light of the refined facts, the temporal parameters for this exhaustive search should be presumptively delineated as August and September two thousand and twenty-four (2024), while maintaining the current broader scope to obviate the omission of any relevant documents.

I shall be prepared to supplement this submission with further information and documents to assist your office. I thank you kindly for your swift response on a Friday and look forward to continuing this constructive collaborative effort.

For the maintenance of continuity and in anticipation of any necessary cross-Ministerial inquiries that may arise from the email threads, I have copied the Recordkeeping, Access and Privacy Advisory Services | Strategic Policy Division | Ministry of Public and Business Service Delivery and Procurement | Ontario Public Service on this correspondence.

If I can be of further assistance, please let me know.

Sincerely,

/s/Mr. Kevin A. McLean (BA, JD, CIM)

Mr. Kevin A. McLean (BA, JD, CIM)

Enclosures:

1. Identification; and
2. False Information Package (which has led to the search for the true, accurate and complete records even where FIPPA (section 65(1)) has operational value)
3. Charat of 43 errors in the False Information Package and why the metadata (application: GrapeCity.PDF for Documents) demonstrates why the FIP was manipulated and why those errors occurred.

On Fri, Oct 17, 2025 at 3:00?PM AO ASA wrote:

Good morning Kevin,

Thank you for contacting the Archives of Ontario.

What is the date range of the records you are interested in?

Note that the Archives of Ontario holds older records related to criminal justice (1990s and earlier, depending on the location).

The Archives of Ontario does not hold records pertaining to the Toronto Police Service. For more information on how to submit an FOI Request to TPS, click here: [Freedom of Information Request- Toronto Police Service](#).

Regards,

Chloe Montpetit (she/her)

Reference Archivist | Archives of Ontario

Please inform me if you need an alternate format or other accommodation to access this email or attachments.

From: Kevin McLean

Sent: Wednesday, October 15, 2025 3:20 PM

To: Access Privacy ; Reference

Subject: Re: Kind request - referral by Natasha - Customer Care Representative - ServiceOntario

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Dear Ontario Archives: would you kindly confirm receipt of the above? Thank you.

On Tue, Oct 14, 2025 at 8:22?PM Kevin McLean wrote:

Date: October 14, 2025

Classification: Private and Confidential

Sending method: Via Electronic Transmission

Creation method: Dictated with Voice Recognition Software (reservation of rights to correct any grammar, syntax, important qualifiers, or improper double negatives)

To:

The Information and Privacy Unit

Attention: Reference Archivist
 Archives of Ontario
 134 Ian Macdonald Boulevard
 Toronto, Ontario, M7A 2C5
 Email: reference@ontario.ca

Subject I: Request for Access to Personal Records Pertaining to Prosecutorial Decision-Making and Ancillary Custody Pursuant to Statutory Mandate
 Subject II: Formal Request for Access to Archival Records in the Custody of the Crown concerning File PRSG-2025-03601 and my MAG Access Request (The "Correspondence": "Subjects", "Foci", or "Themes").

Introduction and Adoption of Definitions

I cordially write regarding the above Subjects of this correspondence. I thank you in advance for your time and consideration of this correspondence and its attachments (by reference or inclusion). I appreciate your finite yet valuable resources which is why I have taken immense time to research the legal issues herein and apply them to the facts herein.

I adopt all definitions from previously, indirectly or directly, cited correspondence. Specifically, this submission incorporates by reference the substantive content and chronological history of the antecedent exchanges with the Ministry of the Solicitor General ("SOLGEN") Freedom of Information and Protection of Privacy ("FIPPA") Office, which are collectively defined herein as the "PRSG-2025-03601 Correspondence" (attached hereto, ad abundantiam cautelam).

Please see attached with respect to the emails where I was referred by Natasha, with thanks, to you.

Her emails is reproduced for ease of reference:

Good afternoon Kevin,

Your email has reached ServiceOntario Account, which provides referrals for business-related government programs and services; along with support to the ServiceOntario Account Website.

If you need assistance, please call the Freedom of Information and Privacy (FOIP) coordinator at the organization you want information from. For Ministry FOI Coordinators, a listing can be found on Info-Go.

You can also contact the Information, Privacy and Archives Division of the Ministry of Public and Business Service Delivery and Procurement by email or by phone at:

- access.privacy@ontario.ca
- Tel: 416-327-1600
- Toll-free: 1-800-668-9933

Regards,

Natasha
 Customer Care Representative | ServiceOntario
 ServiceOntario Account
 Ministry of Public and Business Service Delivery and Procurement
 888-745-8888
 416-212-8888
ServiceOntarioAccount@ontario.ca

While I did not directly contact her, my email somehow reached her by referral. As I have already contacted the FIPPA privacy manager with the SOLGEN and MAG, but FIPPA is not applicable to records in the Ontario Archives, I can see the sae value in her guidance.

I. Mandate for Correspondence and Referral Ab Initio

This present electronic transmission is necessitated by the recent administrative exigencies encountered during the prosecution of the aforementioned access request. The initiation of this specialized inquiry is predicated upon the sagacious counsel tendered by Natasha ("Customer Care Representative" at ServiceOntario), who, through electronic communiqué, proffered the judicious recommendation to redirect the purview of my records inquiry towards the Information, Privacy and Archives Division.

The aforementioned referral compels the presumption that records documenting administrative or prosecutorial actions of enduring legal significance may have transitioned from the operational custody of the SOLGEN to the dedicated archival repository of the Crown, pursuant to the established "Doctrine of Perpetual Administrative Custody" ("The Custody Doctrine": The administrative principle stipulating that government records of lasting value, even if initially sought from an operational ministry, transition to the Archives of Ontario and do not simply cease to exist).

II. Substantive Purview of the Request and Prior Search Lacunae

The objective of this request is to procure access to records pertaining to my person, which were previously deemed non-existent following a demonstrably circumscribed search methodology executed by the SOLGEN. The premise advanced herein is that the records, due to their profound jurisprudential and administrative import, have transcended the SOLGEN's immediate, operational control and are now securely lodged within the Archives of Ontario as the ultimate custodian of the Crown's documentary history.

The precise documents sought are those which predate and precipitate the commencement of criminal proceedings, and which are categorically excluded from any exclusive police repository, thus furnishing the definitive nexus to the archival collection:

1. Judicial Processes Documentation: The draft and signed Criminal Code Form 4 Indictments, and all ancillary records, memoranda, or sign-off sheets relating to the evidentiary sufficiency analysis and public interest assessment conducted by the delegated agents (Crown Attorneys) of the SOLGEN in their capacity as the functional "Attorney General" for the purpose of preferring an indictment.
2. Specialized Records: The comprehensive holdings pertaining to my file from specialized ministerial sub-entities, including but not limited to the Centre of Forensic Sciences Records and Private Security and Investigative Services Records, the inherent nature of which necessitates a custodial transition to a long-term administrative record repository.

III. Legal Premise for Archival Custody and Ratio Decidendi

The legal mandate for this inquiry is established by the provisions of the Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. F.31 ("FIPPA"), which governs the right of access to records within the custody or control of provincial institutions. I submit that the Archives of Ontario, in its capacity as the designated custodian of provincial records, retains an unwavering custodial obligation concerning documents that evidence a fundamental exercise of Crown power, such as the preferring of an indictment even when it was discovered likely some 14 to 16 months as to have been a step taken that lacked merit.

This position is reinforced by the jurisprudential findings various cases wherein jurisprudence affirming the custodial obligation of the Crown to maintain and transition records that document fundamental governmental actions), which establishes the indefeasible right of the public and individuals to access records chronicling such substantive exercises of State authority, irrespective of the records' subsequent administrative domicile. The substantive disposition of the prior request—namely, the claim of non-existence—is herewith rendered untenable until such time as an exhaustive archival search is effectuated.

While I appreciate that it would be unique for the Archivists of Ontario to receive such records like a Criminal Code Form 4 Indictment or an arrest warrant that was not proceeded upon, it is not unprecedented or unreasonable as per section 65 of FIPPA:

Application of Act

65 (1) This Act does not apply to records placed in the archives of an educational institution or the Archives of Ontario by or on behalf of a person or organization other than,

- (a) an institution as defined in this Act or in the Municipal Freedom of Information and Protection of Privacy Act; or
- (b) a health information custodian as defined in the Personal Health Information Protection Act, 2004. 2005, c. 28, Sched. F, s. 8 (1).

While I appreciate that the SOLGEN and MAG are institutions under FIPPA and the TPS would be an institution under MFIPPA, I note the following. The exclusion established by Section 65(1) does not apply to the records I am requesting in that the records I seek (Criminal Code Form 4 Indictments, Centre of Forensic Sciences Records, etc.) are inherently the official, working documents created by the Ministry of the Solicitor General ("SOLGEN") and the Crown Attorney's office; and SOLGEN and the Crown Attorney's office are unequivocally "institutions" as defined by FIPPA (specifically referenced in subsection 65(1)(a)). The same would be applicable to the TPS. As I have already paid FIPPA fees to MAG and SOLGEN, I trust that covers the same.

Therefore, even if those records have been transferred to the Archives of Ontario, they remain subject to the access provisions of FIPPA, and the Archives must process my request to the same standard as the

originating ministry. This fact further reinforces the legal standing of my detailed request
I respectfully request that the Archivist of Ontario, or the designated Information and Privacy Unit, formally confirm the scope of search and the necessary administrative procedure required to initiate an investigation into the existence and location of these fundamental records within the provincial archival collection.

I enclose copies of my identification for ease of reference.

Respectful consideration is herewith rendered by,
/s/Mr. Kevin A. McLean (BA, JD, CIM)
Mr. Kevin A. McLean (BA, JD, CIM) (he/him)

--

My best regards to you,

Kevin A. McLean (B.A., J.D., CIM)
Chartered Investment Manager
E (personal and confidential): mrkevinalexandermcleanbajdcim@gmail.com

DISCLAIMER

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2. Due to being an accident, this email may be dictated in part or full with voice recognition software. Kindly excuse any errors for grammar, syntax or spelling.

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Tab 4



Kevin McLean <mrkevinaalexandermcleanbajdcim@gmail.com>

Kind request - referral by Natasha - Customer Care Representative - ServiceOntario

2 messages

AO ASA <reference@ontario.ca>

Fri, Oct 17, 2025 at 3:00 PM

To: mrkevinaalexandermcleanbajdcim@gmail.com

Good morning Kevin,

Thank you for contacting the Archives of Ontario.

What is the date range of the records you are interested in?

Note that the Archives of Ontario holds older records related to criminal justice (1990s and earlier, depending on the location).

The Archives of Ontario does not hold records pertaining to the Toronto Police Service. For more information on how to submit an FOI Request to TPS, click here: [Freedom of Information Request-Toronto Police Service](#).

Regards,

Chloe Montpetit (she/her)

Reference Archivist | Archives of Ontario

Please inform me if you need an alternate format or other accommodation to access this email or attachments.

From: Kevin McLean

Sent: Wednesday, October 15, 2025 3:20 PM

To: Access Privacy ; Reference

Subject: Re: Kind request - referral by Natasha - Customer Care Representative - ServiceOntario

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Dear Ontario Archives: would you kindly confirm receipt of the above? Thank you.

On Tue, Oct 14, 2025 at 8:22?PM Kevin McLean wrote:

Date: October 14, 2025

Classification: Private and Confidential

Sending method: Via Electronic Transmission

Creation method: Dictated with Voice Recognition Software (reservation of rights to correct any grammar, syntax, important qualifiers, or improper double negatives)

To:

The Information and Privacy Unit

Attention: Reference Archivist

Archives of Ontario

[134 Ian Macdonald Boulevard](#)[Toronto, Ontario, M7A 2C5](#)Email: reference@ontario.ca

Subject I: Request for Access to Personal Records Pertaining to Prosecutorial Decision-Making and Ancillary Custody

Pursuant to Statutory Mandate

Subject II: Formal Request for Access to Archival Records in the Custody of the Crown concerning File PRSG-2025-03601 and my MAG Access Request (The "Correspondence": "Subjects", "Foci", or "Themes").

Introduction and Adoption of Definitions

I cordially write regarding the above Subjects of this correspondence. I thank you in advance for your time and consideration of this correspondence and its attachments (by reference or inclusion). I appreciate your finite yet valuable resources which is why I have taken immense time to research the legal issues herein and apply them to the facts herein.

I adopt all definitions from previously, indirectly or directly, cited correspondence. Specifically, this submission incorporates by reference the substantive content and chronological history of the antecedent exchanges with the Ministry of the Solicitor General ("SOLGEN") Freedom of Information and Protection of Privacy ("FIPPA") Office, which are collectively defined herein as the "PRSG-2025-03601 Correspondence" (attached hereto, ad abundantiam cautelam).

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- access.privacy@ontario.ca
- Tel: 416-327-1600
- Toll-free: 1-800-668-9933

Regards,

Natasha

Customer Care Representative | ServiceOntario

ServiceOntario Account

Ministry of Public and Business Service Delivery and Procurement

888-745-8888

416-212-8888

ServiceOntarioAccount@ontario.ca

While I did not directly contact her, my email somehow reached her by referral. As I have already contacted the FIPPA privacy manager with the SOLGEN and MAG, but FIPPA is not applicable to records in the Ontario Archives, I can see the sae value in her guidance.

I. Mandate for Correspondence and Referral Ab Initio

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The aforementioned referral compels the presumption that records documenting administrative or prosecutorial actions of enduring legal significance may have transitioned from the operational custody of the SOLGEN to the dedicated archival repository of the Crown, pursuant to the established "Doctrine of Perpetual Administrative Custody" ("The Custody Doctrine": The administrative principle stipulating that government records of lasting value, even if initially sought from an operational ministry, transition to the Archives of Ontario and do not simply cease to exist).

II. Substantive Purview of the Request and Prior Search Lacunae

The objective of this request is to procure access to records pertaining to my person, which were previously deemed non-existent following a demonstrably circumscribed search methodology executed by the SOLGEN. The premise advanced herein is that the records, due to their profound jurisprudential and administrative import, have transcended the SOLGEN's immediate, operational control and are now securely lodged within the Archives of Ontario as the ultimate custodian of the Crown's documentary history.

The precise documents sought are those which predate and precipitate the commencement of criminal proceedings, and which are categorically excluded from any exclusive police repository, thus furnishing the definitive nexus to the archival collection:

1. Judicial Processes Documentation: The draft and signed Criminal Code Form 4 Indictments, and all ancillary records, memoranda, or sign-off sheets relating to the evidentiary sufficiency analysis and public interest assessment conducted by the delegated agents (Crown Attorneys) of the SOLGEN in their capacity as the functional "Attorney General" for the purpose of preferring an indictment.
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The legal mandate for this inquiry is established by the provisions of the Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. F.31 ("FIPPA"), which governs the right of access to records within the custody or control of provincial institutions. I submit that the Archives of Ontario, in its capacity as the designated custodian of provincial records, retains an unwavering custodial obligation concerning documents that evidence a fundamental exercise of Crown power, such as the preferring of an indictment even when it was discovered likely some 14 to 16 months as to have been a step taken that lacked merit.

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 (a) an institution as defined in this Act or in the Municipal Freedom of Information and Protection of Privacy Act; or
 (b) a health information custodian as defined in the Personal Health Information Protection Act, 2004. 2005, c. 28, Sched. F, s. 8 (1).

While I appreciate that the SOLGEN and MAG are institutions under FIPPA and the TPS would be an institution under MFIPPA, I note the following. The exclusion established by Section 65(1) does not apply to the records I am requesting in that the records I seek (Criminal Code Form 4 Indictments, Centre of Forensic Sciences Records, etc.) are inherently the official, working documents created by the Ministry of the Solicitor General ("SOLGEN") and the Crown Attorney's office; and SOLGEN and the Crown Attorney's office are unequivocally "institutions" as defined by FIPPA (specifically referenced in subsection 65(1)(a)). The same would be applicable to the TPS. As I have already paid FIPPA fees to MAG and SOLGEN, I trust that covers the same.

Therefore, even if those records have been transferred to the Archives of Ontario, they remain subject to the access provisions of FIPPA, and the Archives must process my request to the same standard as the originating ministry. This fact further reinforces the legal standing of my detailed request.

I respectfully request that the Archivist of Ontario, or the designated Information and Privacy Unit, formally confirm the scope of search and the necessary administrative procedure required to initiate an investigation into the existence and location of these fundamental records within the provincial archival collection.

I enclose copies of my identification for ease of reference.

Respectful consideration is herewith rendered by,
 /s/Mr. Kevin A. McLean (BA, JD, CIM)
 Mr. Kevin A. McLean (BA, JD, CIM) (he/him)

--

My best regards to you,

Kevin A. McLean (B.A., J.D., CIM)
Chartered Investment Manager
E (personal and confidential): mrkevinalexandermcleanbajdcim@gmail.com

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Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com>

Fri, Oct 17, 2025 at 4:14 PM

To: AO ASA <reference@ontario.ca>

Cc: Access Privacy <access.privacy@ontario.ca>

CONFIDENTIAL CORRESPONDENCE: REVISED ACCESS INQUIRY

Date: October 17, 2025 (or current date)

To: Ms. Chloe Montpetit (she/her), Reference Archivist | Archives of Ontario

I. ACKNOWLEDGMENT AND COMMITMENT TO COOPERATION

I express my sincere gratitude for your electronic correspondence and **confirm the provision of requisite identification documentation for official verification purposes**. This communication immediately follows the expression of my appreciation to Ms. Natasha for her confirmation that the subject request has been duly lodged with the *Archives of Ontario*.

Please be assured that I shall endeavour to maintain a position of comprehensive and meticulous engagement within our collaborative access partnership, acting at all times *in bona fide*.

II. ANALYSIS OF THE TORONTO POLICE SERVICE'S INVOLVEMENT

The rationale for the inclusion of the Toronto Police Service (TPS) in this matter remains somewhat opaque; nevertheless, it warrants a formal elucidation.

The foundational principle governing the arrest procedure, as codified in subsection 29(1) of the *Criminal Code*, necessitates that a peace officer executing an arrest warrant must possess a copy of the said warrant and must produce it upon request. The TPS peace officer failed to comply with both of these statutory duties. *Ergo*, the TPS demonstrably lacked both the requisite **custody** and **control** over the instrumental record in question.

Further complicating the matter is the subsequent production of a document identified as a specious or fabricated *Criminal Code* Form 2 Information and a spurious Intake Court Endorsement [*sic*]. **I have enclosed a duplicate of this "False Information Package" to empirically demonstrate the utter lack of authentic value in the records previously tendered, which substantively justifies the continuance of this laborious and resource-intensive mission to secure the authentic records.** I also note that the falsified *Criminal Code* Form 2 Information purports to originate from a court officer (specifically, Court Officer (Toronto Region) Mrs. Frugoni-Rojas), who provides professional services to the Ontario Court of Justice (OCJ) and the Superior Court of Justice (SCJ) in Toronto, Ontario. In light of these circumstances, the element pertaining to the TPS constitutes an extraneous consideration, or, *ad hoc*, a **red herring**.

II.A. EMPIRICAL CORROBORATION OF SPURIOUS DOCUMENTATION

Subsequent investigations into the provenance of the alleged judicial instruments have yielded substantive evidence substantiating their purported illegitimacy. I can confirm that the Brampton Courthouse of the Ontario Court of Justice (OCJ) possesses **no record** of any arrest warrant having ever been issued by Justice of the Peace Jiri. Furthermore, the Ministry of the Attorney General (MAG) provided a post-docket court list which confirms, unequivocally, that Justice of the Peace Jiri was not in attendance on the date in question, September 23, 2024.

The conclusive lack of judicial issuance, coupled with the judicial officer's non-attendance, reinforces the assertion that the documentation produced in the accompanying "False Information Package" is materially and procedurally defective.

III. DOCUMENTATION DISCREPANCIES AND MINISTERIAL CUSTODY

I acknowledge the courts' general exemption from the application of the *Freedom of Information and Protection of Privacy Act* (*FIPPA*). However, intelligence procured from my authorized transcriptionists indicates, *inter alia*, the existence of a *Criminal Code* Form 4 "Indictment," rather than a *Criminal Code* Form 2 Information.

Customarily, such an instrument would constitute a record within the control of either the Ministry of the Attorney General (MAG) or, by definition, the Solicitor General (SOLGEN), pursuant to the execution requirements stipulated in section 2 of the *Criminal Code* and the Form 4 schema thereunder.

Given that the MAG has been unable to produce a copy of the aforementioned instrument through an antecedent access request, a corresponding request was submitted to the SOLGEN. In light of the salutary referral conveyed by Ms. Natasha, it appears plausible that the SOLGEN may have executed the instrument but did not retain an authentic duplicate thereof.

Consequentially, **Tribunals Ontario**, having possessed a demonstrably relevant role in the *locus in quo*, is not classified as an "Institution" under *FIPPA*, yet it may satisfy the definition of a "person" or "organization" that may have effected the placement of the subject records.

IV. ANALYSIS OF THE *FIPPA* SECTION 65(1) EXEMPTION

The analytical nexus pivots upon the express language of subsection 65(1) of *FIPPA*, which is reproduced hereunder for precise consideration:

Application of Act

65 (1) This Act does not apply to records placed in the archives of an educational institution or the Archives of Ontario by or on behalf of a person or organization other than,

(a) an institution as defined in this Act or in the Municipal Freedom of Information and Protection of Privacy Act; or

(b) a health information custodian as defined in the Personal Health Information Protection Act, 2004.

As the TPS, MAG, and SOLGEN are unequivocally deemed Institutions under *FIPPA* and the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, had any of these bodies placed the records in the *Archives of Ontario*, *FIPPA* would remain fully applicable.

Crucially, the statutory language dictates that the applicability of *FIPPA* turns entirely upon the identity of the entity that “placed” the records, or on whose behalf the placement was executed. If the actual (*de facto*) *Criminal Code* Form 2 and/or *Criminal Code* Form 4 Indictment were deposited by a person or organization other than an Institution, or on behalf of a person or organization other than an *MFIPPA* or *FIPPA* Institution, then *FIPPA* would be rendered wholly inapplicable to those specific records, irrespective of the requesting body (TPS, MAG, SOLGEN, or any other Institution).

Furthermore, having been apprised of the position advanced by counsel for the MAG (lawyer licensee Mr. Sinnadurai) that the relevant courthouse would not retain a copy of a signed arrest warrant—a submission that runs counter to the fundamental legal tenets of the open court principle—this nevertheless becomes an academic point (*obiter dictum*) for our present purposes. The central finding remains that a non-Institution, or an agent acting on behalf of a non-Institution, may have effectuated the placement of the records at issue with the *Archives of Ontario*, thereby making *FIPPA* inapplicable under the explicit terms of the statute.

Therefore, the sagacious nature of the unsolicited referral from Ms. Natasha of Recordkeeping, Access and Privacy Advisory Services is made self-evident.

V. DISPOSAL OF PERSONAL INFORMATION AND CUSTODY ELIMINATION

I note the reappearance of the *Archives of Ontario* within the regulation entitled “Disposal of Personal Information” (*R.R.O. 1990, Reg. 459*), which states:

2. (1) An institution, other than an educational institution, may dispose of personal information only by transferring it to the Archives or by destroying it.

It is axiomatic that the designated heads of the aforementioned bodies, including those exempt from *FIPPA* such as the *OCJ* and *SCJ*, are constitutionally precluded from destroying documentation that is potentially subject to superior constitutional mandates, such as the *Canadian Charter of Rights and Freedoms*. Accordingly, the permissible “disposal” must be interpreted as the transfer of said documents to the Archives.

While customary retention schedules are acknowledged, those schedules cannot logically **supersede** the clear language of *FIPPA*, which establishes no temporal prerequisite for an Institution to transfer records to the *Archives of Ontario*. Such a transfer serves to eliminate the element of **custody and control** by the originating Institution, or at least provides a strong basis for the legal argument regarding the same.

A fortiori, if a person or organization other than a *FIPPA* or *MFIPPA* Institution “placed” the records there, subsection 65(1) of *FIPPA* eliminates the *Act*’s applicability altogether.

VI. CONCLUDING STIPULATIONS AND TEMPORAL PARAMETERS

Consequently, I am seeking **archival records** which, given this unique factual matrix, are those of demonstrable historical significance and, crucially, ones never formally proceeded upon or produced by the three aforementioned Institutions.

In light of the refined facts, the temporal parameters for this exhaustive search should be presumptively delineated as **August and September two thousand and twenty-four (2024)**, while maintaining the current broader scope to obviate the omission of any relevant documents.

I shall be prepared to supplement this submission with further information and documents to assist your office. I thank you kindly for your swift response on a Friday and look forward to continuing this constructive collaborative effort.

For the maintenance of continuity and in anticipation of any necessary cross-Ministerial inquiries that may arise from the email threads, I have copied the Recordkeeping, Access and Privacy Advisory Services | Strategic Policy Division | Ministry of Public and Business Service Delivery and Procurement | Ontario Public Service on this correspondence.

If I can be of further assistance, please let me know.

Sincerely,

/s/Mr. Kevin A. McLean (BA, JD, CIM)

Mr. Kevin A. McLean (BA, JD, CIM)

Enclosures:

1. Identification; and
2. False Information Package (which has led to the search for the true, accurate and complete records even where FIPPA (section 65(1)) has operational value)
3. Charat of 43 errors in the False Information Package and why the metadata (application: GrapeCity.PDF for Documents) demonstrates why the FIP was manipulated and why those errors occurred.

[Quoted text hidden]

4 attachments



G Drivers License of Mr. Kevin A McLean DOB March 25 1983.pdf
1344K



Kevin A McLean - Canadian Passport - 2023 - 10 Year validity.pdf
142K



Information Package 4810 998 24 48129169-00 (4).pdf
329K



Chart-FIP and GrapeCity-demonstrating 43 errors in FIP-For Archives Ontario-search for authentic records-17-Oct-25.pdf
169K

Tab 6



Kevin McLean <mrkevinaalexandermcleanbajdcim@gmail.com>

Kind request - referral by Natasha - Customer Care Representative - ServiceOntario

Kevin McLean <mrkevinaalexandermcleanbajdcim@gmail.com>

Thu, Oct 30, 2025 at 4:51 PM

To: "Spencer, Jacqueline (MPBSDP)" <Jacqueline.Spencer@ontario.ca>

No apologies necessary Honourable Ms. Spencer. I am grateful for your response as I appreciate your esteemed role in high demand as I fully grasped the nature of the unsolicited referral from Natasha of the Ministry of the Public Services and Business Delivery and Procurement to the Archives of Ontario. It also allowed me time to fully grasp why it occurred and the timing of the same. Thank you in advance for your search into the requested records and consideration of my request to delegate certain records of archival value and subject to a direction to potentially be transferred (if not already placed with the AO or transferred therein). I appreciate the vastness of your operation and the time it takes to search for the same and issue a decision, and I solely seek compliance with the Archives and Recordkeeping Act. Thank you kindly and wishing you a good rest of your week if you do not correspond before.

On Thu, Oct 30, 2025 at 3:04 PM Spencer, Jacqueline (MPBSDP) <Jacqueline.Spencer@ontario.ca> wrote:

Mr. McLean,

I am acknowledging receipt of your email. My apologies for the delay in responding, I have been in all-day meetings yesterday and today.

I am currently reviewing the concerns you raised. Either I or a member of my leadership team will follow up with a response shortly.

Thank you for your patience.

Jacqueline Spencer

Archivist of Ontario | Assistant Deputy Minister | Archives Division

Ministry of Public and Business Service Delivery and Procurement | Ontario Public Service

416-319-0959 | Jacqueline.Spencer@ontario.ca



Taking pride in strengthening Ontario, its places, and its people.

Please note: As part of providing [accessible customer service](#), if you have any accommodation needs, require communication supports, or alternate formats please let me know.

From: Kevin McLean <mrkevinalexandermcleanbajdcim@gmail.com>

Sent: October 29, 2025 4:58 PM

To: Reference <reference@ontario.ca>; Spencer, Jacqueline (MPBSDP) <Jacqueline.Spencer@ontario.ca>;

Access Privacy <Access.Privacy@ontario.ca>

Subject: Re: Kind request - referral by Natasha - Customer Care Representative - ServiceOntario

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Formal Requisition and Courtesy Re-Clarification of Archival Search Scope

To the Esteemed Archivist of Ontario,

I. Objection to Preceding Disposition and Demand for Expedited Determination

I submit this communication to formally object to the preceding **disposition** which, upon careful review, appears to exhibit a fundamental misconception regarding the requisite scope of the records initially solicited. The premise underlying your prior communication—that the investigative purview of this request is constrained **exclusively** to materials constituting "court records" or documentation demonstrably within the exclusive *custodia et control* of the judiciary—is patently **inapposite** and non-responsive to the totality of the subject matter.

Given the **exigency** of this matter, I demand that a comprehensively revised and compliant determination be rendered **forthwith**, no later than the close of business tomorrow.

II. Extrapolation of Custodial Principles and Jurisdictional Lacuna

It is instructive to recall the previous **stipulation** from a representative of the Ministry of the Attorney General (MAG), namely Mr. Sinnadurai, who advised that executed **arrest warrants** are not retained by the courts, thereby necessitating their procurement from the responsible law enforcement agency. Furthermore, a functionary from the Superior Court of Justice (SCJ) Recording Management Office previously affirmed that certain *ex parte in camera* hearing(s) were conducted within **Chambers**, were not officially transcribed, and were, *ergo*, never **docketed**.

This demonstrable reality elucidates the concept of a **jurisdictional lacuna** that exists *ultra vires* the conventional purview of records "on the books."

III. The Principle of Custodial Transition

Notwithstanding my reservation regarding the *prima facie* compliance of the aforementioned judicial conduct—which remains the subject of independent, internal, and external investigation—the underlying facts mandate a critical **extrapolation** of the principles governing custody and control. *A fortiori*, if the records in question do not constitute 'court records' *per se*, they must necessarily have been, at some juncture, within the purview of a law enforcement agency, the Ministry of the Attorney General (MAG), or the Ministry of the Solicitor General (SOLGEN/OPP).

This chain of custody dictates that the records may have **transitioned** from a designated Institution under the *Freedom of Information and Protection of Privacy Act (FIPPA)* or the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, or from a non-designated entity, prior to their eventual **accession and deposit** within the Archives of Ontario.

IV. Definitive Scope of Requested Documentation

It must be distinctly comprehended that the **ambit** of my present request is not merely restricted to materials potentially classifiable as judicial records. The request is designed to fully **encompass** all extant documentation falling outside the narrow definition of court records, including, *inter alia*, the specific **investigative materials** previously solicited under separate *FIPPA* requests directed toward the SOLGEN.

The request definitively extends to all records which, notwithstanding their creation by a designated *FIPPA* or *MFIPPA* Institution—or, indeed, an organization not subject to these statutes—were subsequently **deposited** (*de facto* or *de jure*) into the custody of the Archives of Ontario. To be precise, I seek the entire **corpus** of documentation relating to my person.

V. Formal Observation and Concluding Requisition

I formally observe that no preceding communication has constituted a categorical denial of the existence of the documents so requested.

I convey my availability to attend the appropriate administrative premises this Friday for the purpose of commencing the **review and examination** of the relevant materials.

I formally **requisition** that the Archivist of Ontario personally oversee the conduct of a **diligently thorough and good faith search**, and subsequently ensure that a substantive and compliant determination is expediently provided.

On Wed, Oct 29, 2025 at 3:35 PM AO ASA <reference@ontario.ca> wrote:

Hello Kevin,

Thanks for your email.

I've reviewed your request for records submitted and responded to by my colleague. Unfortunately, the Archives of Ontario does not hold court records for the year you're seeking. Ontario Supreme Court criminal case files, scheduled under record series R29, are retained for 20 years by the creator Ministry before being transferred to our custody.

I can help you with a different matter, but unfortunately we have no further information to provide on this request.

Best,

Joel Dickau

Senior Archivist, Archives of Ontario

From: Kevin McLean

Sent: Wednesday, October 29, 2025 2:25 PM

To: Reference ; Access Privacy ; Spencer, Jacqueline (MPBSDP) ; chloe.montpetit@ontario.ca

Subject: Re: Kind request - referral by Natasha - Customer Care Representative - ServiceOntario

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Dear Archivist of Ontario (attention: Ms. Spencer):

I confirm that my email with attachments was delivered above but I received a bounce-back from Ms. Montpetit so she has been removed from the email thread. Kindly provide your response to the above in accordance with the law as this is now quite outstanding.

On Wed, Oct 29, 2025 at 12:59?PM Kevin McLean wrote:

Date: October 29, 2025

Classification: Private and Confidential

Sending method: Via Electronic Transmission

Creation method: Dictated with Voice Recognition Software (reservation of rights to correct any grammar, syntax, important qualifiers or improper double negatives)

To:

The Information and Privacy Unit

Attention: Reference Archivist

Archives of Ontario

134 Ian Macdonald Boulevard

Toronto, Ontario, M7A 2C5

Email: reference@ontario.ca

Cc: Ms. Jacqueline Spencer, Head Archivist of Ontario

Cc: Chloe Montpetit

Subject I: Request for Access to Records of a personal information nature based upon the referral from the Ministry of Business and Public Procurement

Subject II: Formal Request for Access to records placed by a person or organization that were neither an Institution under FIPPA or MFIPPA (the "Subjects")

Dear Sirs/Mesdames/Other Gender-Neutral Pronouns:

This correspondence is formally directed toward the consideration of the aforementioned Subjects. Appreciation is

herewith extended for the prospective allocation of resources and attention to this matter, as the finite yet valuable nature of institutional capacity has been taken into judicious account during the extensive legal and factual research culminating in this submission. All definitions previously established in the indirect or direct communications cited are adopted for the present purposes (the "Correspondence").

Analysis of Access Entitlement: The Mandate for a Definitive Determination (*Ratio Decidendi*)

This communication serves as a formal reiteration, establishing the imperative mandate for the Archives of Ontario (the "Repository") to render a definitive and conclusive administrative determination concerning the totality of the records requested within the ambit of the Subjects.

It is noted that a fiduciary obligation of good faith (*bona fides*) is incumbent upon the Repository in its interactions with the public and the applicant. This obligation necessitates not merely acknowledgment of receipt, but the subsequent adjudication of the claim by either granting access or formally applying a statutory exemption to the identified archival material. The prolonged duration of this exchange, as documented in the appended materials, transcends the conventional parameters of reasonable administrative processing time.

Statutory Foundational Principles

It is discerned that the fundamental purposes of the Archives and Recordkeeping Act (the "ARA"), as articulated in Section 1, encompass:

- (a) the ensuring of the proper management, custody, and preservation of the public records of Ontario in a useable format for the collective benefit of current and future generations;
- (b) the fostering of governmental accountability and transparency, concurrently supporting effective administration through the facilitation of commendable public body recordkeeping practices; and
- (c) the encouragement of public utility of the archival records of the Province of Ontario as an essential resource for historical interpretation.

The synergistic operation of these three principles mandates that the Repository's internal protocols concerning access must be reconciled with the overarching goals of accountability and public utility. An indeterminate status of an access request serves as an effective impediment to the fulfillment of these core legislative intentions.

Applicability and Exclusions (*Obiter Dicta on Lex Generalis*)

Furthermore, Section 3(1) of the ARA stipulates that the operation of extant laws or privileges governing the protection of privacy or access to information concerning records held by public and legislative bodies is not curtailed by the ARA. Given that a person or entity not designated as an Institution under FIPPA or MFIPPA is not construed as a public or legislative body, it is posited that the application of this subsection to records originating from such non-institutional sources is rendered inapplicable. This conclusion is reached through the meticulous application of the interpretive canon *expressio unius est exclusio alterius*, suggesting that the express mention of public and legislative bodies inherently excludes other entities from the direct scope of this specific preservation clause. Therefore, the processing of records originating from a third-party organization, whose status falls outside the restrictive definition of an Institution, requires scrupulous adherence to the access provisions delineated in ARA Section 22.

The Mandate of the Archivist of Ontario (*Imperium*)

The rationale undergirding the inclusion of Ms. Spencer is predicated upon the mandatory obligations vested in the office of the Archivist of Ontario.

- Section 8(1) requires that an Archivist of Ontario be appointed by the Lieutenant Governor in Council.
- Section 8(2) dictates that the Archivist shall administer the Archives of Ontario and shall execute the powers and duties assigned under the ARA. The term "shall" must be construed as bearing an obligatory, rather than a permissive, signification, establishing a non-derogable duty to ensure statutory compliance within the Repository's operational ambit.

Moreover, in the exercise of these powers and duties, Section 8(4) establishes that, notwithstanding any other Act or privilege, the Archivist shall have access to any public record, and Section 8(5) places an obligation upon public bodies and their personnel to grant such access. This legislative grant of ubiquitous access authority underscores the paramountcy of the Archivist's role in securing public records, which concomitantly implies an equally paramount duty to facilitate lawful access thereto. The ultimate responsibility for any lacuna in the administrative process of fulfilling the statutory access entitlement, therefore, inheres in this office.

The Prohibition Against Spoliation (*Nemo Tenetur Se Ipsum Accusare*)

It is germane to note the absolute prohibition stipulated in Section 15(1) against the destruction, damage, alteration, removal from custody, concealment, or rendering illegible of a public record. This provision serves as a fundamental safeguard of the integrity of the archival holdings, ensuring the evidentiary value of the documents remains untainted (*res integra*). The implication is that records, once deemed public and consigned to the Repository, must be managed with the utmost degree of professional and statutory integrity, a principle that extends to the prompt and appropriate adjudication of access requests to prevent any perceived subversion of the archival mandate.

The Management of Private Records (*Ex Contractu*) and the Doctrine of Custody

In relation to records originating from non-public bodies, Section 17(1) permits the Archivist to enter into an agreement with any non-institutional person or entity concerning their recordkeeping. The ensuing agreements, as set forth in Section 17(2), may provide for the preservation of, and the conditions for access to, such private records of archival value. This framework establishes that records, regardless of their origin, transition into the custody of the Repository, triggering the application of the ARA and its access provisions.

The judicial interpretation in *Ontario Criminal Code Review Board v. Hale et al* (1999, ONCA) ("Hale") is instrumental here, wherein the concept of "control" was found to signify the capability to mandate the production of a record.

While the ARA speaks specifically to custody in the context of the Repository, the principle from Hale reinforces that the physical possession and legal authority to administer access—which the Archivist holds via the custody mandate—places an inescapable legal burden upon the Repository to adjudicate the access request definitively. The Repository possesses the requisite dominion over the records to issue a conclusive administrative action, irrespective of whether the records are deemed public or private under the ARA.

The Public Right to Examine Records (*Ius Publicum*) and Restrictions by Law

The right of access to records of archival value is statutorily established in Section 22 of the ARA:

- Section 22(1) grants every person the right to examine a public record of archival value, subject to restrictions imposed by law.

- Section 22(2) grants every person the right to examine a private record of archival value, subject to restrictions imposed by law or by agreement between the Archivist and the donor.

The phrase "subject to restrictions imposed by law" necessitates a specific and actionable identification of the restricting statutory provision. An administrative reference guide, while informative, is not law and, per se, cannot constitute the sole restriction under this section. The failure to cite the precise, applicable section of the Act (or other legislation) that requires or permits the refusal of access, coupled with the reasonableness of applying that provision to the specific records identified in the Correspondence, renders the absence of a decision procedurally defective.

The Repository is compelled to delineate the exact legal mechanism being invoked, thereby providing a clear locus standi for any subsequent review of the determination.

The Statutory Framework for Refusal of Access and Deemed Refusal

The mandatory basis for the refusal of access, as set forth in Section 22(4)(a) of the ARA, dictates that the Archivist shall refuse to produce a record if the refusal is required by the Freedom of Information and Protection of Privacy Act (the "Act") or any other Act.

Conversely, the discretionary grounds for refusal, delineated in Section 22(4)(b), allow the Archivist to refuse production if:

- (i) the refusal is permitted by the Act or any other Act, or
- (ii) the record is excluded from the application of the Act by Section 65 of that Act.

It is advanced that the sought-after records are not, ipso facto, excluded from the application of FIPPA as it relates to the Repository, which must be viewed as an Institution when exercising its mandatory and discretionary refusal powers under the ARA. Should the Repository, acting in good faith (*bona fides*), posit that certain records are subject to permissive refusal under the Act or another statute, a precise, written articulation of such grounds is necessitated. Furthermore, while the Repository may not strictly be subject to the deemed refusal provisions contained within the Act, the overarching principles of administrative fairness and transparency require that the Repository act with due dispatch. The current situation is characterized by the absence of a formal refusal, having been addressed solely by an ancillary reference to an Archives of Ontario Guide. Considering the diverse range of records potentially held—encompassing both public and private records pursuant to various agreements—such a generalized guidance document is deemed inadequate for the specific legal and factual complexities herein, representing a deficient application of rudimentary statutory interpretation principles to the *facta probanda*.

The Imperative for Decision

The Repository, operating as an agency of the Crown, is inextricably bound by the strictures of the Act. Entitlement to a conclusive administrative response is not merely an expression of courtesy; it constitutes a mandatory statutory obligation predicated upon the foundational principles of administrative law. The Correspondence, encompassing the detailed submissions within:

- Attachment 1 (Email thread number one - McLean with AO.pdf): Documenting the initial submission and the necessity of initiating a search for the authentic, complete records.
- Attachment 2 (Email thread number two - McLean with AO.pdf): Confirming the satisfactory provision of requisite identification documentation and discussing the pertinent date range of the records.
- Attachment 3 (Email thread number three - McLean with AGO.pdf): Delineating the specific file identifiers and the formal invocation of the statutory access mandate.

...demonstrates a prolonged engagement which now renders a final determination necessary. The non-existence of a formal decision—which must explicitly define the extent of records located, the nature of any utilized statutory exemptions, or a definitive declaration of the non-existence of records (*de non apparentibus et de non existentibus eadem est ratio*)—constitutes an ongoing failure to fulfil the mandatory legislative requirements of the Act.

Consequently, the issuance of this definitive administrative action is imperative to enable the pursuit of available recourse before the Information and Privacy Commissioner of Ontario, should that step become warranted, thereby safeguarding the applicant's substantive and procedural rights under the relevant statutes.

Timeliness and Modality of Access

It is herewith observed that the ARA does not stipulate a mandatory or definite statutory period for the adjudication of access requests; consequently, the expectation of a prompt and timely determination is advanced, consistent with the foundational principles of efficient public administration and due diligence. In the event that access is granted to any portion of the requested records deemed to be of a personal information nature, formal notification of a suitable time for in-person attendance and examination is required. Alternatively, and where technically and legally feasible, arrangements for the secure electronic transmission of said records are solicited, provided such modality conforms to extant security protocols and preserves the integrity of the material.

The Prudential Inclusion of the Archivist of Ontario: Institutional Accountability

The Rationale for Notifying the Head of the Institution

The Archivist of Ontario (Ms. Jacqueline Spencer) has been formally appended to this electronic transmission out of an abundance of caution and for reasons pertaining to institutional oversight and the necessity for administrative transparency.

As the most senior official of the Archives of Ontario, Ms. Spencer's appointment on November 7, 2024, confers the ultimate administrative authority and responsibility for ensuring the Repository's comprehensive adherence to its statutory and policy obligations regarding access and privacy. This authority encompasses the delegation of duties and the supervision of all decision-making processes related to the disclosure or refusal of archival records. The involvement of the Archivist is therefore not a circumvention of the established unit structure, but a logical and necessary elevation of a matter that has reached a state of administrative impasse.

Ministerial and Institutional Risk Mitigation

The position of Archivist of Ontario inherently carries a high degree of Ministerial oversight responsibility. The failure to issue a conclusive determination on a formal request for access may be interpreted as a potential institutional dereliction of a statutory duty, thereby introducing an avoidable risk of administrative sanction or litigation. This situation necessitates the Archivist's personal notification to enable the most senior administrative echelon to undertake a comprehensive review of the case file and provide the requisite guidance to the subordinate staff for the immediate and proper disposition of the request. This procedural step functions as a form of institutional risk mitigation, preventing the escalation of a localized administrative delay into a matter of broader governmental accountability.

Conclusion and Reservation of Rights

This instrument is proffered as a professional courtesy and is executed out of an abundance of caution, the objective being the accurate and veracious depiction and referencing of documents for current and prospective utilization. It is sincerely anticipated that this correspondence, incorporating the extrapolated legal principles, will serve as the necessary catalyst for the immediate issuance of the required definitive decision pursuant to the Act. The current administrative inertia, if prolonged further, will necessitate the procedural presumption of a failure to comply with the overarching statutory mandates governing access to information held by Crown agencies.

While I am not guaranteed access to the requested records I am entitled to a definitive response on now a forthwith basis.

Naturally, a reference to a guide is not a specific response to a specific request which was by referral.

The right to utilize this correspondence for any lawful purpose, including but not limited to, the initiation of a formal complaint or appeal to the Information and Privacy Commissioner of Ontario, is formally reserved.

Yours most appreciatively and gratefully,

/s/Mr. Kevin A. McLean (BA, JD, CIM)

Mr. Kevin A. McLean (BA, JD, CIM) (he/him)

Enclosures:

Three distinct email threads:

1. Email thread number one - McLean with AO.pdf
2. Email thread number two - McLean with AO.pdf
3. Email thread number three - McLean with AGO.pdf

On Mon, Oct 27, 2025 at 8:17?AM Kevin McLean wrote:

CLASSIFICATION: PRIVATE AND CONFIDENTIAL

October 27, 2025

Sending Method: Via Electronic Transmission

Creation Method: Dictated with Voice Recognition Software (reservation of rights to correct any grammar, syntax, important qualifiers, or improper double negatives)

To:

Ms. Chloe Montpetit (she/her)

Reference Archivist

Archives of Ontario

AND TO:

Access Privacy

Ontario Ministry of the Attorney General

Subject I: Comprehensive Review and Substantiation of Legal and Factual Assertions Regarding Public Access to Records that are excluded from FIPPA by the placing by an organization or person than an Institution under FIPPA or MFIPPA

Subject II: Clarification on the Determinative Scope of Institutional Placement of Records Pursuant to the

Jurisdictional Ambit of the Freedom of Information and Protection of Privacy Act Subject III: kindly either provide a refusal to my access or a time for my attendance to view the same by end of business day

(the "Subjects")

Dear Sirs/Mesdames/Other Gender-Neutral Pronouns:

I cordially write regarding the above Subjects of this epistolary communication. I thank you in advance for your time and consideration of this correspondence and its attachments (by reference or inclusion), which comprehensively articulate the legal and factual postulations herein. I appreciate your finite yet valuable resources which is why I have taken immense time to research the legal issues herein and apply them to the facts herein.

I adopt all definitions from previously, indirectly or directly, cited correspondence, including specifically the definitions and designations contained within the appended electronic transmission titled "Gmail - Kind request - referral by Natasha - Customer Care Representative - ServiceOntario.pdf" (hereafter referred to as the "Initial Referral"). Furthermore, I incorporate the complete legal and factual assertions contained within the aforementioned electronic transmission as the "Contextual Analysis" by reference.

I. Affirmation of Precedent Factual and Legal Positions: The Doctrine of Tacit Acknowledgment

The substantive content of this missive is predicated upon the demonstrable absence of a definitive repudiation concerning the factual and legal postulations previously advanced by my office through the aforementioned Initial Referral. The lack of a formal, reasoned denial serves, *prima facie*, to corroborate the cogency of the submissions presented, thereby shifting the burden of rebuttal onto the responding institution. This protracted absence of a formal, reasoned repudiation of the central premise—namely, the location and transfer history of the information assets—constitutes, in effect, a tacit acknowledgment of the factual premise.

The principle of deemed admission (*confessio facti*), though typically applied in procedural contexts, illuminates the evidential weight of official silence in administrative matters. When an Institution, possessed of superior knowledge regarding the disposition and custodial chain of its public records, deliberately abnegates its responsibility to refute a detailed assertion, the logical and legal extrapolation is that the assertion is factually unassailable. This inertia on the part of the responding entity compels the irresistible inference that the Archives of Ontario ("AO") has, in fact, engaged in the non-traditional placement of these information assets as initially postulated, leading directly to the jurisdictional anomaly that warrants this immediate clarification.

II. The Vexata Quaestio of Extrajurisdictional Record Placement

The crux of the matter, the "Vexed Question" (*Vexata Quaestio*), pertains to the institutional placement of certain records. I respectfully seek written affirmation that the AO has not asserted or denied that it positioned a "public record" (as defined by the Archives and Recordkeeping Act, 2006) with an entity or individual that does not qualify as an "Institution" under the Freedom of Information and Protection of Privacy Act (FIPPA) or the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

This confirmation is germane to the fundamental legal principle that "no one gives what he doesn't have" (*nemo dat quod non habet*). The transfer of a public record to a non-statutory entity is a legal nullity for the purposes of FIPPA access. An entity cannot confer FIPPA or MFIPPA status, and thus the attendant obligations and exclusions, upon a third-party repository unless that repository already satisfies the statutory criteria of an "Institution." The placement of a record outside the statutory ambit of FIPPA or MFIPPA Institutions, even per the operation of the transfer and forwarding provisions contained within FIPPA, would consequently appear to invalidate the applicability of these legislative instruments, thereby creating a profound jurisdictional lacuna.

It is axiomatic and self-evident that a record contemporaneously relevant to an ongoing "prosecution" cannot simultaneously reside within the permanent holdings of the Archives of Ontario, as its accession to the AO is predicated upon the determination of its established "historical value" and the cessation of its active operational utility. This inherent dichotomy between a document retaining its operational status within a current legal proceeding and its definitive classification as an inactive, historical artifact for archival retention is antithetical. The moment a record is vested in the AO, it is administratively presumed to have exhausted its operational life, possessing historical locus rather than evidentiary locus.

The Attorney General's ostensible omission to transfer or forward the access request to the Solicitor General ("SOLGEN"), an omission encompassing agencies such as the Ontario Provincial Police ("OPP") or the Toronto Police Service ("TPS", an MFIPPA Institution), resulted in the SOLGEN's representation that it possessed no records subject to the original FIPPA requisition ("nil return"). This extraneous circumstance, combined with the SOLGEN's nil return, strongly suggests that the record's location, and the subsequent inapplicability of the FIPPA regime, was a result of this extra-statutory placement by a preceding custodian. This circumstantial evidence renders the AO's custodial history absolutely imperative for the resolution of this access request.

III. Legislative and Jurisprudential Context: The Narrow Scope of Exclusion

The statutory framework governing the preservation and accessibility of public records in this jurisdiction is articulated primarily within the Archives and Recordkeeping Act, 2006. This legislation establishes the requisite criteria for determining records of archival value and serves as the legislative foundation for democratic accountability, mandating not only the preservation of information assets but also their promulgation for historical research and public scrutiny. This objective of maximized transparency must inform the interpretation of any restrictive provisions under FIPPA.

Furthermore, I propose that the exclusion contained within Section 65(5.2) of the Freedom of Information and Protection of Privacy Act is demonstrably confined to excluding a "non-individual requestor" (i.e., a general requestor) from its purview. This specific legislative design is engineered to ensure the inviolable right of an accused individual to a "fair trial" (*audi alteram partem*). The underlying constitutional imperative is the protection of the s. 7 Charter right to life, liberty, and security of the person, which is fundamentally interconnected with the right of an accused to make full answer and defence and secure a constitutionally compliant fair trial. To interpret Section 65(5.2) as an instrument to frustrate the direct access rights of the individual who is the subject of the prosecution-related records would represent an unconscionable derogation from the Charter protections, effectively allowing an administrative provision to subvert a constitutional guarantee. The intent of the legislature in enacting this provision was to preserve the integrity of the prosecutorial process from extraneous discovery by third parties, not to interdict the individual's right to their own personal information.

I respectfully reserve the right to introduce and rely upon "Relevant Jurisprudence" (hereafter referred to as the name

of the case) at a subsequent juncture to further illuminate the precise application of statutory exemptions and the decentralization of information assets.

IV. Conclusion and Assertion of Right to Access

I provide this letter as a courtesy and out of an abundance of caution to ensure that documents are truly, accurately and honestly depicted and referenced for current or future purposes, thereby eliminating any potential for subsequent factual or legal equivocation. This is an exercise in meticulous legal and factual fidelity and administrative decorum.

Naturally, there would not have been a referral from Natasha and her Ministry if there was no substantive merit to the Archives of Ontario having custody and/or control of the records sought. Moreover, the sustained lack of a categorical denial is entirely consistent with the records having been placed within the Archives of Ontario by an entity or person other than an MFIPPA or FIPPA Institution, thereby triggering the exclusion articulated in Subject I. I note that the Archives of Ontario possesses the statutory prerogative to refuse access to records where a permissible exception under FIPPA is applicable, which, by self-evident reason and given my status as the subject of the records, could not exist herein. Consequently, the entirety of Section 65 of FIPPA has no applicability herein by virtue of any of its provisions.

Simply put, the statutory regime governing the preservation and promulgation of public records, specifically the Archives and Recordkeeping Act, 2006, is devoid of any provision that would sanction the attenuated response of merely directing a requestor to a general, non-specific research guide based on what conventionally or standardly are in the custody and control of the Archives of Ontario. Rather, it imposes a mandatory obligation to either provide an affirmative confirmation of an attendance time for the expeditious inspection of a copy of the record or to issue a formal determination of non-disclosure pursuant to a specified and enumerated exemption under FIPPA.

As there is no thirty-day statutory timeframe applicable within this precise administrative context, I mandatorily request that your definitive response be remitted no later than the close of business this day, in accordance with Subject III. Kindly confirm at what time I can attend to inspect some or all of the records requested and in what form, and/or provide the specific position of your refusal to some or all of the records and the explicit reasons why. Please be absolutely specific as to the exact provisions: the specific section(s) of FIPPA being relied upon, whether the exclusion is mandatory or permissive, and/or whether the refusal is predicated upon jurisdictional grounds of which I assert there are none. This level of detail is imperative to facilitate the efficient exercise of my rights should I need to pursue further administrative or judicial review.

I reserve the right to rely on this correspondence for any lawful purpose.

Thank you.

Yours most appreciatively and gratefully,

/s/Mr. Kevin A. McLean (BA, JD, CIM)

Mr. Kevin A. McLean (BA, JD, CIM) (he/him)

On Tue, Oct 21, 2025 at 4:46?PM Kevin McLean wrote:

Private and Confidential

Via Electronic Transmission

October 21, 2025

Creation Method: Dictated with Voice Recognition Software (reservation of rights to correct any grammar, syntax, important qualifiers, or improper double negatives)

To: Ms. Chloe Montpetit (she/her)

Reference Archivist | Archives of Ontario

reference@ontario.ca

Subject I: Revised Correspondence Regarding Comprehensive Information Assets and Documents Retrieval Pursuant to Public Access Frameworks

Subject II: Challenge to the Determinative Authority of Research Guide 233, Criminal Justice Records (March 2023 Update) and Clarification on the Scope of the Records Requisition (Police Case ID: 457197) (the "Subjects")

Dear Sirs/Mesdames/Other Gender-Neutral Pronouns:

I cordially write regarding the above Subjects of this correspondence. I thank you in advance for your time and consideration of this correspondence and its attachments (by reference or inclusion), specifically: Gmail - Kind request - referral by Natasha - Customer Care Representative - ServiceOntario.pdf and research_guide_233_criminal_justice.pdf. I appreciate your finite yet valuable resources which is why I have taken immense time to research the legal issues herein and apply them to the facts herein.

I adopt all definitions from previously, indirectly or directly, cited correspondence.

I. Delineation of Legal Principle: The Directory Nature of the Guide

I acknowledge receipt of your electronic communication and express gratitude for your delineation of pertinent research modalities. However, I must respectfully posit that the document referenced, the Research Guide 233, Criminal Justice Records ("The Guide") updated in March 2023, constitutes merely a heuristic advisory instrument and is devoid of the legislative and mandatory force of a statute or regulation. Its character, therefore, is solely directory, not determinative, of the rights of access prescribed by the relevant legislative instruments. To rely solely on "The Guide" as a basis for non-custody or non-disclosure without reference to the substantive provisions of the Archives and Recordkeeping Act, 2020 or the appropriate access to information legislation represents a legal lacuna.

II. Scrutiny of Records Scope and Custodial Ambiguities

II.A. Extent of Requested Information Assets

It is essential to re-emphasize that the purview of my antecedent requisition for records, information, and information assets ("The Requested Assets") comprehensively transcends the narrow confines of conventional criminal court files or ancillary judicial documentation. The scope encompasses all forms of recorded information and assets, without limitation to their custodial origin or physical format.

The ambit of the present requisition explicitly incorporates records originating from the Ontario Provincial Police ("OPP") and is identified by Police Case ID: 457197. My initial extrapolation suggests that these information assets are not definitively excluded per se by the specific provisions enumerated on page 3 of 18 under the rubric "Records not at the Archives" within "The Guide."

II.B. Non-Institutional Placement and Temporal Proscription

While The Guide primarily addresses the conventional transfer of documentation from institutional custodians, I must offer the following syllogistic extrapolation:

The capacity for information assets to be lawfully remitted to the Archives of Ontario ("The Archives") by a person or organization other than an Institution as defined within the Freedom of Information and Protection of Privacy Act ("FIPPA") or the Municipal Freedom of Information and Protection of Privacy Act ("MFIPPA") remains a viable legal possibility and is not statutorily constrained by any explicit temporal proscription enacted by the Legislature. Ergo, the absence of a record within the standard institutional transfer mechanism does not operate as an irrefutable presumption of its non-existence within "The Archives" holdings.

It bears objective articulation that I have never been adjudicated as guilty of a criminal offence and, consequently, have not endured any period of incarceration, save for a brief, albeit significant, four-hour custodial experience on October 2, 2024. This factual predicate is highly material to the disposition of access, given the potential for the records to exist outside the typical institutional custody pathways.

II.C. The Distinction Between Indictments and Court Files

Your assertion concerning the non-custody of criminal court files or related records for 2024 is acknowledged. However, this necessitates a crucial legal distinction: the difference between an e-filed Indictment and a substantively docketed court file number.

I hold reasonable grounds to believe that an Indictment was electronically filed by a police service subsequent to authorization by an authorized signatory (potentially representing the Solicitor General ("SOLGEN"), the Attorney General of Ontario ("AGO"), the Attorney General of Canada ("AGC"), and/or other duly authorized signatories). Such a document may, by operative effect, never have been formally accorded a court file number as typically referenced on a Transcript Order Form, and thus would not constitute a related court record in the most restrictive sense.

The existing response is therefore deficient in its failure to comprehensively cover information assets which were placed in "The Archives" that were:

1. Filed or laid documents, such as an Indictment, that never eventuated into an allocated court file number; and
2. Records that were placed by a non-FIPPA/MFIPPA Institution or a person or organization other than an Institution.

III. Concluding Demand for Substantive Clarification

Given the legal impediments and interpretative ambiguities exposed by the reliance upon "The Guide," I formally and courteously reiterate my demand for a definitive, substantive response pertaining to "The Requested Assets" rather than a mere reiteration of a research guide, which is demonstrably too attenuated and restrictive in its scope to constitute a complete answer to my expansive requisition.

I repeat and rely upon the above.

I provide this letter as a courtesy and out of an abundance of caution to ensure that documents are truly, accurately and honestly depicted and referenced for current or future purposes. I reserve the right to rely on this correspondence for any lawful purpose.

Thank you kindly in advance for your time and consideration, and providing a definitive response after conducting a thorough search with the same in the spirit of an "access partnership". I wish to make abundantly clear that I do not castigate or make any allegation against the Archives of Ontario because of the language of the Legislature and the response of the, inter alia, SOLGEN that it could not find any responsive records along with that of the MAG which would be impossible as a matter of law unless FIPPA did not apply. The only exception would be that of section 65(1) which clearly states the following:

Application of Act

65 (1) This Act does not apply to records placed in the archives of an educational institution or the Archives of Ontario by or on behalf of a person or organization other than,

- (a) an institution as defined in this Act or in the Municipal Freedom of Information and Protection of Privacy Act; or
- (b) a health information custodian as defined in the Personal Health Information Protection Act, 2004. 2005, c. 28, Sched. F, s. 8 (1).

I stand by my position and belief a person or organization other than an MFIPPA or FIPPA Institution placed the same in the Archives of Ontario as per the referral by Natasha of the aforementioned Ministerial unit. As we know, the Information Package which included a Form 2 Information and an Intake Court Endorsement [Sic] was false. As such, there had to be an actual and legitimate Form 2 or Form 4 under the Criminal Code that was filed and laid and a corresponding arrest warrant. Obviously had the MAG placed the same in the Archives of Ontario, then FIPPA would apply. The same would be applicable to that of the SOLGEN (which includes the OPP) and the TPS. However, if a person or organization other than those Institutions "placed" the same with the Archives of Ontario, then that

would mean, specifically not on behalf of an Institution under FIPPA or MFIPPA or a person that is not an Institution under FIPPA, then it is placed in the Archives of Ontario and then FIPPA does not apply. I can confirm that no court file was ever created with the SCJ Criminal Law Office at SCJ 361 University Avenue, Toronto, Ontario. Thank you.

Yours most appreciatively and gratefully,
/s/Mr. Kevin A. McLean (BA, JD, CIM)
Mr. Kevin A. McLean (BA, JD, CIM) (he/him)

On Mon, Oct 20, 2025 at 6:56?PM Kevin McLean wrote:
Good Day in return Chloe, thanks for the information. I shall take a look at what you have sent. Thank you.

On Mon, Oct 20, 2025 at 2:20?PM AO ASA wrote:
Good morning Kevin,
The Archives of Ontario does not hold any criminal court files or related records for the year 2024.
For more information on the criminal justice records held at the Archives of Ontario, please see the following guide:
[research_guide_233_criminal_justice.pdf](#).
Regards,
Chloe Montpetit (she/her)
Reference Archivist | Archives of Ontario
Please inform me if you need an alternate format or other accommodation to access this email or attachments.

From: Kevin McLean
Sent: Friday, October 17, 2025 4:15 PM
To: Reference
Cc: Access Privacy
Subject: Re: Kind request - referral by Natasha - Customer Care Representative - ServiceOntario

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

CONFIDENTIAL CORRESPONDENCE: REVISED ACCESS INQUIRY

Date: October 17, 2025 (or current date)

To: Ms. Chloe Montpetit (she/her), Reference Archivist | Archives of Ontario

I. ACKNOWLEDGMENT AND COMMITMENT TO COOPERATION

I express my sincere gratitude for your electronic correspondence and confirm the provision of requisite identification documentation for official verification purposes. This communication immediately follows the expression of my appreciation to Ms. Natasha for her confirmation that the subject request has been duly lodged with the Archives of Ontario.

Please be assured that I shall endeavour to maintain a position of comprehensive and meticulous engagement within our collaborative access partnership, acting at all times in bona fide.

II. ANALYSIS OF THE TORONTO POLICE SERVICE'S INVOLVEMENT

The rationale for the inclusion of the Toronto Police Service (TPS) in this matter remains somewhat opaque; nevertheless, it warrants a formal elucidation.

The foundational principle governing the arrest procedure, as codified in subsection 29(1) of the Criminal Code, necessitates that a peace officer executing an arrest warrant must possess a copy of the said warrant and must produce it upon request. The TPS peace officer failed to comply with both of these statutory duties. Ergo, the TPS demonstrably lacked both the requisite custody and control over the instrumental record in question. Further complicating the matter is the subsequent production of a document identified as a specious or fabricated Criminal Code Form 2 Information and a spurious Intake Court Endorsement [sic]. I have enclosed a duplicate of this "False Information Package" to empirically demonstrate the utter lack of authentic value in the records previously tendered, which substantively justifies the continuance of this laborious and resource-intensive mission to secure the authentic records. I also note that the falsified Criminal Code Form 2 Information purports to originate from a court officer (specifically, Court Officer (Toronto Region) Mrs. Frugoni-Rojas), who provides professional services to the Ontario Court of Justice (OCJ) and the Superior Court of Justice (SCJ) in Toronto, Ontario. In light of these circumstances, the element pertaining to the TPS constitutes an extraneous consideration, or, ad hoc, a red herring.

II.A. EMPIRICAL CORROBORATION OF SPURIOUS DOCUMENTATION

Subsequent investigations into the provenance of the alleged judicial instruments have yielded substantive evidence substantiating their purported illegitimacy. I can confirm that the Brampton Courthouse of the Ontario Court of Justice (OCJ) possesses no record of any arrest warrant having ever been issued by Justice of the Peace Jiri. Furthermore, the Ministry of the Attorney General (MAG) provided a post-docket court list which confirms, unequivocally, that Justice of the Peace Jiri was not in attendance on the date in question, September 23, 2024.

The conclusive lack of judicial issuance, coupled with the judicial officer's non-attendance, reinforces the assertion that the documentation produced in the accompanying "False Information Package" is materially and procedurally defective.

III. DOCUMENTATION DISCREPANCIES AND MINISTERIAL CUSTODY

I acknowledge the courts' general exemption from the application of the Freedom of Information and Protection of

Privacy Act (FIPPA). However, intelligence procured from my authorized transcriptionists indicates, inter alia, the existence of a Criminal Code Form 4 “Indictment,” rather than a Criminal Code Form 2 Information.

Customarily, such an instrument would constitute a record within the control of either the Ministry of the Attorney General (MAG) or, by definition, the Solicitor General (SOLGEN), pursuant to the execution requirements stipulated in section 2 of the Criminal Code and the Form 4 schema thereunder.

Given that the MAG has been unable to produce a copy of the aforementioned instrument through an antecedent access request, a corresponding request was submitted to the SOLGEN. In light of the salutary referral conveyed by Ms. Natasha, it appears plausible that the SOLGEN may have executed the instrument but did not retain an authentic duplicate thereof.

Consequently, Tribunals Ontario, having possessed a demonstrably relevant role in the locus in quo, is not classified as an “Institution” under FIPPA, yet it may satisfy the definition of a “person” or “organization” that may have effected the placement of the subject records.

IV. ANALYSIS OF THE FIPPA SECTION 65(1) EXEMPTION

The analytical nexus pivots upon the express language of subsection 65(1) of FIPPA, which is reproduced hereunder for precise consideration:

Application of Act

65 (1) This Act does not apply to records placed in the archives of an educational institution or the Archives of Ontario by or on behalf of a person or organization other than,

(a) an institution as defined in this Act or in the Municipal Freedom of Information and Protection of Privacy Act; or

(b) a health information custodian as defined in the Personal Health Information Protection Act, 2004.

As the TPS, MAG, and SOLGEN are unequivocally deemed Institutions under FIPPA and the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), had any of these bodies placed the records in the Archives of Ontario, FIPPA would remain fully applicable.

Crucially, the statutory language dictates that the applicability of FIPPA turns entirely upon the identity of the entity that “placed” the records, or on whose behalf the placement was executed. If the actual (de facto) Criminal Code Form 2 and/or Criminal Code Form 4 Indictment were deposited by a person or organization other than an Institution, or on behalf of a person or organization other than an MFIPPA or FIPPA Institution, then FIPPA would be rendered wholly inapplicable to those specific records, irrespective of the requesting body (TPS, MAG, SOLGEN, or any other Institution).

Furthermore, having been apprised of the position advanced by counsel for the MAG (lawyer licensee Mr. Sinnadurai) that the relevant courthouse would not retain a copy of a signed arrest warrant—a submission that runs counter to the fundamental legal tenets of the open court principle—this nevertheless becomes an academic point (obiter dictum) for our present purposes. The central finding remains that a non-Institution, or an agent acting on behalf of a non-Institution, may have effectuated the placement of the records at issue with the Archives of Ontario, thereby making FIPPA inapplicable under the explicit terms of the statute.

Therefore, the sagacious nature of the unsolicited referral from Ms. Natasha of Recordkeeping, Access and Privacy Advisory Services is made self-evident.

V. DISPOSAL OF PERSONAL INFORMATION AND CUSTODY ELIMINATION

I note the reappearance of the Archives of Ontario within the regulation entitled “Disposal of Personal Information” (R.R.O. 1990, Reg. 459), which states:

2. (1) An institution, other than an educational institution, may dispose of personal information only by transferring it to the Archives or by destroying it.

It is axiomatic that the designated heads of the aforementioned bodies, including those exempt from FIPPA such as the OCJ and SCJ, are constitutionally precluded from destroying documentation that is potentially subject to superior constitutional mandates, such as the Canadian Charter of Rights and Freedoms. Accordingly, the permissible “disposal” must be interpreted as the transfer of said documents to the Archives.

While customary retention schedules are acknowledged, those schedules cannot logically supersede the clear language of FIPPA, which establishes no temporal prerequisite for an Institution to transfer records to the Archives of Ontario. Such a transfer serves to eliminate the element of custody and control by the originating Institution, or at least provides a strong basis for the legal argument regarding the same.

A fortiori, if a person or organization other than a FIPPA or MFIPPA Institution “placed” the records there, subsection 65(1) of FIPPA eliminates the Act’s applicability altogether.

VI. CONCLUDING STIPULATIONS AND TEMPORAL PARAMETERS

Consequently, I am seeking archival records which, given this unique factual matrix, are those of demonstrable historical significance and, crucially, ones never formally proceeded upon or produced by the three aforementioned Institutions.

In light of the refined facts, the temporal parameters for this exhaustive search should be presumptively delineated as August and September two thousand and twenty-four (2024), while maintaining the current broader scope to obviate the omission of any relevant documents.

I shall be prepared to supplement this submission with further information and documents to assist your office. I thank you kindly for your swift response on a Friday and look forward to continuing this constructive collaborative effort.

For the maintenance of continuity and in anticipation of any necessary cross-Ministerial inquiries that may arise from the email threads, I have copied the Recordkeeping, Access and Privacy Advisory Services | Strategic Policy Division | Ministry of Public and Business Service Delivery and Procurement | Ontario Public Service on this correspondence.

If I can be of further assistance, please let me know.

Sincerely,

/s/Mr. Kevin A. McLean (BA, JD, CIM)

Mr. Kevin A. McLean (BA, JD, CIM)

Enclosures:

1. Identification; and
2. False Information Package (which has led to the search for the true, accurate and complete records even where FIPPA (section 65(1)) has operational value)
3. Charat of 43 errors in the False Information Package and why the metadata (application: GrapeCity.PDF for Documents) demonstrates why the FIP was manipulated and why those errors occurred.

On Fri, Oct 17, 2025 at 3:00?PM AO ASA wrote:

Good morning Kevin,

Thank you for contacting the Archives of Ontario.

What is the date range of the records you are interested in?

Note that the Archives of Ontario holds older records related to criminal justice (1990s and earlier, depending on the location).

The Archives of Ontario does not hold records pertaining to the Toronto Police Service. For more information on how to submit an FOI Request to TPS, click here: [Freedom of Information Request- Toronto Police Service](#).

Regards,

Chloe Montpetit (she/her)

Reference Archivist | Archives of Ontario

Please inform me if you need an alternate format or other accommodation to access this email or attachments.

From: Kevin McLean

Sent: Wednesday, October 15, 2025 3:20 PM

To: Access Privacy ; Reference

Subject: Re: Kind request - referral by Natasha - Customer Care Representative - ServiceOntario

CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Dear Ontario Archives: would you kindly confirm receipt of the above? Thank you.

On Tue, Oct 14, 2025 at 8:22?PM Kevin McLean wrote:

Date: October 14, 2025

Classification: Private and Confidential

Sending method: Via Electronic Transmission

Creation method: Dictated with Voice Recognition Software (reservation of rights to correct any grammar, syntax, important qualifiers, or improper double negatives)

To:

The Information and Privacy Unit

Attention: Reference Archivist

Archives of Ontario

134 Ian Macdonald Boulevard

Toronto, Ontario, M7A 2C5

Email: reference@ontario.ca

Subject I: Request for Access to Personal Records Pertaining to Prosecutorial Decision-Making and Ancillary Custody Pursuant to Statutory Mandate

Subject II: Formal Request for Access to Archival Records in the Custody of the Crown concerning File PRSG-2025-03601 and my MAG Access Request (The "Correspondence": "Subjects", "Foci", or "Themes").

Introduction and Adoption of Definitions

I cordially write regarding the above Subjects of this correspondence. I thank you in advance for your time and consideration of this correspondence and its attachments (by reference or inclusion). I appreciate your finite yet valuable resources which is why I have taken immense time to research the legal issues herein and apply them to the facts herein.

I adopt all definitions from previously, indirectly or directly, cited correspondence. Specifically, this submission

incorporates by reference the substantive content and chronological history of the antecedent exchanges with the Ministry of the Solicitor General ("SOLGEN") Freedom of Information and Protection of Privacy ("FIPPA") Office, which are collectively defined herein as the "PRSG-2025-03601 Correspondence" (attached hereto, ad abundantiam cautelam).

Please see attached with respect to the emails where I was referred by Natasha, with thanks, to you.

Her emails is reproduced for ease of reference:

Good afternoon Kevin,

Your email has reached ServiceOntario Account, which provides referrals for business-related government programs and services; along with support to the ServiceOntario Account Website.

If you need assistance, please call the Freedom of Information and Privacy (FOIP) coordinator at the organization you want information from. For Ministry FOI Coordinators, a listing can be found on Info-Go.

You can also contact the Information, Privacy and Archives Division of the Ministry of Public and Business Service Delivery and Procurement by email or by phone at:

- access.privacy@ontario.ca
- Tel: 416-327-1600
- Toll-free: 1-800-668-9933

Regards,

Natasha
 Customer Care Representative | ServiceOntario
 ServiceOntario Account
 Ministry of Public and Business Service Delivery and Procurement
 888-745-8888
 416-212-8888
ServiceOntarioAccount@ontario.ca

While I did not directly contact her, my email somehow reached her by referral. As I have already contacted the FIPPA privacy manager with the SOLGEN and MAG, but FIPPA is not applicable to records in the Ontario Archives, I can see the sae value in her guidance.

I. Mandate for Correspondence and Referral Ab Initio

This present electronic transmission is necessitated by the recent administrative exigencies encountered during the prosecution of the aforementioned access request. The initiation of this specialized inquiry is predicated upon the sagacious counsel tendered by Natasha ("Customer Care Representative" at ServiceOntario), who, through electronic communiqué, proffered the judicious recommendation to redirect the purview of my records inquiry towards the Information, Privacy and Archives Division.

The aforementioned referral compels the presumption that records documenting administrative or prosecutorial actions of enduring legal significance may have transitioned from the operational custody of the SOLGEN to the dedicated archival repository of the Crown, pursuant to the established "Doctrine of Perpetual Administrative Custody" ("The Custody Doctrine": The administrative principle stipulating that government records of lasting value, even if initially sought from an operational ministry, transition to the Archives of Ontario and do not simply cease to exist).

II. Substantive Purview of the Request and Prior Search Lacunae

The objective of this request is to procure access to records pertaining to my person, which were previously deemed non-existent following a demonstrably circumscribed search methodology executed by the SOLGEN. The premise advanced herein is that the records, due to their profound jurisprudential and administrative import, have transcended the SOLGEN's immediate, operational control and are now securely lodged within the Archives of Ontario as the ultimate custodian of the Crown's documentary history.

The precise documents sought are those which predate and precipitate the commencement of criminal proceedings, and which are categorically excluded from any exclusive police repository, thus furnishing the definitive nexus to the archival collection:

1. Judicial Processes Documentation: The draft and signed Criminal Code Form 4 Indictments, and all ancillary records, memoranda, or sign-off sheets relating to the evidentiary sufficiency analysis and public interest assessment conducted by the delegated agents (Crown Attorneys) of the SOLGEN in their capacity as the functional "Attorney General" for the purpose of preferring an indictment.
2. Specialized Records: The comprehensive holdings pertaining to my file from specialized ministerial sub-entities, including but not limited to the Centre of Forensic Sciences Records and Private Security and Investigative Services Records, the inherent nature of which necessitates a custodial transition to a long-term administrative record repository.

III. Legal Premise for Archival Custody and Ratio Decidendi

The legal mandate for this inquiry is established by the provisions of the Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. F.31 ("FIPPA"), which governs the right of access to records within the custody or control of provincial institutions. I submit that the Archives of Ontario, in its capacity as the designated custodian of provincial records, retains an unwavering custodial obligation concerning documents that evidence a fundamental exercise of Crown power, such as the preferring of an indictment even when it was discovered likely some 14 to 16 months as to have been a step taken that lacked merit.

This position is reinforced by the jurisprudential findings various cases wherein jurisprudence affirming the custodial obligation of the Crown to maintain and transition records that document fundamental governmental actions), which establishes the indefeasible right of the public and individuals to access records chronicling such substantive exercises of State authority, irrespective of the records' subsequent administrative domicile. The substantive disposition of the prior request—namely, the claim of non-existence—is herewith rendered untenable until such time as an exhaustive archival search is effectuated.

While I appreciate that it would be unique for the Archivists of Ontario to receive such records like a Criminal Code Form 4 Indictment or an arrest warrant that was not proceeded upon, it is not unprecedented or unreasonable as per section 65 of FIPPA:

Application of Act

65 (1) This Act does not apply to records placed in the archives of an educational institution or the Archives of Ontario by or on behalf of a person or organization other than,
 (a) an institution as defined in this Act or in the Municipal Freedom of Information and Protection of Privacy Act; or
 (b) a health information custodian as defined in the Personal Health Information Protection Act, 2004. 2005, c. 28, Sched. F, s. 8 (1).

While I appreciate that the SOLGEN and MAG are institutions under FIPPA and the TPS would be an institution under MFIPPA, I note the following. The exclusion established by Section 65(1) does not apply to the records I am requesting in that the records I seek (Criminal Code Form 4 Indictments, Centre of Forensic Sciences Records, etc.) are inherently the official, working documents created by the Ministry of the Solicitor General ("SOLGEN") and the Crown Attorney's office; and SOLGEN and the Crown Attorney's office are unequivocally "institutions" as defined by FIPPA (specifically referenced in subsection 65(1)(a)). The same would be applicable to the TPS. As I have already paid FIPPA fees to MAG and SOLGEN, I trust that covers the same.

Therefore, even if those records have been transferred to the Archives of Ontario, they remain subject to the access provisions of FIPPA, and the Archives must process my request to the same standard as the originating ministry.

This fact further reinforces the legal standing of my detailed request

I respectfully request that the Archivist of Ontario, or the designated Information and Privacy Unit, formally confirm the scope of search and the necessary administrative procedure required to initiate an investigation into the existence and location of these fundamental records within the provincial archival collection.

I enclose copies of my identification for ease of reference.

Respectful consideration is herewith rendered by,
 /s/Mr. Kevin A. McLean (BA, JD, CIM)
 Mr. Kevin A. McLean (BA, JD, CIM) (he/him)

--

My best regards to you,

Kevin A. McLean (B.A., J.D., CIM)
 Chartered Investment Manager
 E (personal and confidential): mrkevinalexandermcleanbajdcim@gmail.com

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2. Due to being an accident, this email may be dictated in part or full with voice recognition software. Kindly excuse any errors for grammar, syntax or spelling.

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TAB 7

Analysis of "False Information Package"

Discrepancies and GrapeCity Metadata

This chart-based analysis separates the specific, enumerated errors found in the five-page "False Information Package" (Schedule A) from the known technical deficiencies of the document production software, GrapeCity Documents for PDF (Schedule B).

Schedule A: Specific Errors and Inconsistencies in the False Information Package

Schedule A meticulously details 29 specific internal and external errors, format deviations, and inconsistencies found in the five-page document when compared to the standardized six-page "Valid CCO Information Standard Form Package."

Error Category	Specific Deficiency Point	Location in False Information Package	Comparison / Implication
Page & Footer Inconsistencies	Footer is demonstrably different	Pages 1 & 5 vs. Page 2 of 5	Inconsistent footers across the document.
	Footer fails to include a single space	Footer (rev. 10/20)	Error in the form designation ("C-e" instead of "C e").
	Illegibility in "save toner mode"	Only footer on Page 2 of 5 remains legible	Evidence of potentially "missing text and false documentation."
	Erroneous footer	Page 3 of 5	Reproduction of the header from Page 1 of 5.
Formatting & Input Errors	Erroneously includes two commas after "NFA [sic]"	Page 1 of 5 (Address line)	Incorrect formatting where the Accused's address was entered.
	"NFA" (No Fixed Address) is included	Page 1 of 5	Inconsistent with the reference to the Applicant's driver's license number on Page 5.
	Superfluous numeral "(1)"	Page 1 of 1	Incorrectly precedes the Accused's name.
	Incorrect placement of date of birth	Page 1 of 1	Standard format mandates "address" preceding "date of birth."

	Date of birth is rendered in incorrect format	Page 1 of 1	Fails to adhere to the required format of '(day/jour) (month/mois) year/année)'.
	Omission of '[Accused/Accusé]' format	Document content	Required "Last Name, First Name" and (nom, prénom) is conspicuously absent.
	Phrase "end of charges/counts" used	Document content	An improper input, not a component of the Valid CCO Information Standard Form Package.
Legal & Jurisdiction Deviations	Inclusion of "Count 1"	Document content	Implies the existence of "other counts," inconsistent with the document's content and Criminal Code s. 788.
	Improper header	Page 2 of 5	Displays "R. v. McLean, Kevin" with a Toronto Police Service (TPS) occurrence number identical to the Undertaking Form 10.
	Jurat improperly located and legally impermissible	Page 2 of 5	Appears on a separate page from the text to which it pertains.
	False Case Identification Number	Page 3 of 5, "Police Case ID:457197"	Uses six digits instead of the required seven (7) digits preceded by a year string.
	"Intake Court Endorsement" terminology used	Page 3 of 5	Family law standard terminology; used as a "deliberate diversion" from the jurisdictional authority of a Superior Court of Justice judge.
	Omission of the city for the authorizing judge	Document content	Supports the inference of diversion from Superior Court of Justice or Divisional Court authority.
	Grammatical/Spelling Errors	Page 3 of 5, "This Information is Accepted [sic] on its face"	Indicative of a court officer, not a TPS detective.

Language & Translation Errors	Incorrect accent orientation	Page 2 of 5 (digitally signed phrase)	Uses 'accents graves' instead of requisite 'accents aigus,' suggesting manipulation.
	Unrequired French translation inclusion	Page 3 of 5 (under dating and location)	Inclusion of French translation was not required for the Ontario-only location.
	Omission of "jour" and "de"	Page 3 of 5 (TPS transcriber error)	Unauthorized transcriber error after the "23" for "day of."
	Incorrect French preposition	Page 3 of 5 (TPS transcriber error)	"Fait à/au:" used when it should have been "Fait à (au):".
	Incorrect City/Province text	Document content	Should read "Dated At City of Toronto" followed by "...in the Province of Ontario."
Digital Signature & Manipulation	Incorrect bolding and period inclusion in digitally signed phrase	Page 3 of 5	Suggests TPS manipulation, despite correct 'accents aigus.'
	Improper placement of digitally signed phrase	Page 3 of 5	Located in the middle of the page, not in the footer.
Missing Content & Structure	Page 3 of 5 inclusion	Document content	Not a constituent part of the Valid CCO Information Standard Form Package.
	Absence of page 4 of 6	Document content	Consistent with the involvement of a Superior Court Judge/Divisional Court Judge completing a Form 7 "Warrant for Arrest" or warrant under s. 487, or Crown Election.
	Auto-bookmarking issues	Document bookmarks	Bookmarks (Front Page, Adjournment Page, Last Page) lead to the conclusion that various pages were not the same as the False Information Package.

Schedule B: Metadata and Known Deficiencies of Document Producer

Schedule B identifies the PDF producer used to generate the document and details the common, reported deficiencies associated with that software, which potentially corroborate the errors noted in Schedule A.

GrapeCity Issue Category	Specific Deficiency/Reported Problem	Implication in Context
Software Identification	Application & Producer: Grape.City.Documents.PDF-6.0.2.0	Confirms the use of this specific programmatic .NET library, which is <i>not</i> a standard end-user tool like Adobe Acrobat.
Memory Issues	Significant increases in memory consumption; reported "Insufficient memory" exceptions after updates.	Could lead to unstable generation/saving, potentially causing data loss or corruption during document creation.
PDF Handling/Corruption	Throws exceptions when printing, loading, or saving; errors like "Document catalog not found" and "Item already has an owner."	Indicates the library can produce corrupted documents, especially when linearizing existing PDFs.
Footer Rendering Defects	Incorrect placement (varying offsets, appearing in the header); Unexpected content (e.g., "about:blank"); Failure to Render (when both header/footer are defined).	Directly corroborates the footer and header-as-footer errors noted in Schedule A (e.g., inconsistent footers, erroneous footer reproduction on Page 3).
Security Limitations	Inherits limitations from the PDF specification regarding encryption algorithms and key length, despite supporting AES-256.	Relevant if the document was password-protected or secured.
Developer Focus	The library is primarily a tool for developers to integrate PDF functionality programmatically.	Highlights that the document was created via an automated, back-end process rather than simple manual input via standard court software, which is crucial to the investigation of manipulation.

This detailed breakdown separates the specific factual errors in the court document (Schedule A) from the systemic, technical flaws of the software used to create it (Schedule B).

☒ IPV (Intimate Partner Violence / *Violence contre un partenaire intime*) ☐ Replacement Information / *Dénonciation de remplacement*
☐ S (Impaired driving with substances / *Conduite avec capacités affaiblies par des substances*) ☐ V (Vessel / *Bateau*)

Arrest Date: _____ **15 month Flag:** _____ **18 month Flag:** _____
Date d'arrestation *Alerte à 15 mois (ddmmyy / jjmmaa)* *Alerte à 18 mois (ddmmyy / jjmmaa)*
Sworn Date: 230924 **15 month Flag:** 241225 **18 month Flag:** 250326
Date d'assermentation *Alerte à 15 mois (ddmmyy / jjmmaa)* *Alerte à 18 mois (ddmmyy / jjmmaa)*

4810 998 24 48129169

Information Number / N° de la dénonciation

NOTICE: Orders concerning this court Information relating to publication bans, non-disclosure/communication and French-language rights, are available on a separate page and **must** be followed.

AVIS: Les ordonnances liées à la présente dénonciation en ce qui a trait aux interdictions de publication, à la non-divulgaration ou à la non-communication et aux droits linguistiques des francophones figurent sur une page distincte. Ces ordonnances **doivent** être respectées.

Form 2 Information / Formule 2 Dénonciation

Sections 506, 508.1 and 788 of the Criminal Code / *Articles 506, 508.1 et 788 du Code criminel*

CANADA
 PROVINCE OF ONTARIO
 PROVINCE DE L'ONTARIO
TORONTO
 (Region / *Région*)

Information of: **Christyn Frugoni-Rojas**

Dénonciation de :

of **THE CITY OF TORONTO**

de

Court Officer

(occupation / *profession*)

hereinafter called the informant / *ci-après appelé(e) le dénonciateur*

The informant says that he/she believes on reasonable grounds that

Le dénonciateur déclare qu'il a des motifs raisonnables de croire que

(1) **MCLEAN, Kevin**
 NFA, , ON

DOB: 25 Mar. 1983

COUNT 1

Kevin MCLEAN

on or about the 22nd day of September in the year 2024 at the City of Toronto in the Toronto Region did, without lawful authority and knowing that another person, namely Nicole ARTOPOULOS, was harassed or recklessly as to whether that person was harassed, engage in repeatedly communicating with, either directly or indirectly, that person, and cause the said Nicole ARTOPOULOS to reasonably fear for personal safety, contrary to Section 264, subsection (2), clause (b) of the Criminal Code of Canada.

----- **End of Charges/Counts** -----

Declaration of Informant / Déclaration du dénonciateur

I declare that all matters contained in the Information are true to my knowledge and belief, pursuant to s. 508.1(2) of the *Criminal Code*.

Je soussigné(e) déclare tous les renseignements contenus dans la présente dénonciation sont, à ma connaissance, véridiques, en vertu de par. 508.1(2) du Code criminel.

Dated at **CITY of TORONTO** in the Province of Ontario, this **23rd** day of **SEPTEMBER**, 20 **24**
Fait à(au) *dans la province d'Ontario, ce* *jour de*

Declared / Déclaré	
Christyn Frugoni- Rojas CL (M)	Digitally signed by Christyn Frugoni- Rojas CL (M) Date: 2024.09.23 11:48:25 -04'00'

Digital Signature of Informant / Signature numérique du dénonciateur

Intake Court Endorsement

This Information is Accepted on its face.

Kevin MCLEAN:
Warrant In The First: Issue

Dated in the Province of Ontario, this 23rd day of September 2024.
Fait à/au dans la province de l'Ontario, ce 23 septembre 2024.



Justice of the Peace
Ontario Court
of Justice

Digitally signed by
George Jiri
Date:2024.09.23
12:59:50 -04'00'

This document has been digitally signed. / Ce document a été signé numériquement.

Arrest Date: _____	15 month Flag: _____	18 month Flag: _____
Date d'arrestation	Alerte à 15 mois (ddmmyy / jjmmaa)	Alerte à 18 mois (ddmmyy / jjmmaa)
Sworn Date: 230924	15 month Flag: 241225	18 month Flag: 250326
Date d'assermentation	Alerte à 15 mois (ddmmyy / jjmmaa)	Alerte à 18 mois (ddmmyy / jjmmaa)

4810 998 24 48129169

Information Number / N° de la dénonciation

☐ **Accused notified court under s. 530(3)**
Tribunal avisé par l'accusé en vertu de l'art. 530(3)

☐ **Designation Filed**
Désignation déposée

☐ **Interpreter Required**
Interprète requis

Date Date	Accused Accusé	Adjournment Date Date d'ajournement	Adjournment Details Détails sur l'ajournement	Designation Désignation	Counsel As Agent Avocat mandataire	Fails to appear Omet de comparaître	Bench Warrant Mandat d'arrêt	Discretion Discretion	Certificate of Default Certificat de défaut
03 Oct 2024	MCLEAN, KEVIN	13 Nov 2024	Toronto-OCJ-T-10 Armoury St - 204 @ 2:00 PM, FA, VI, ACP - Warrant in the First Executed						
13 Nov 2024	MCLEAN, KEVIN	18 Dec 2024	Toronto-OCJ-T-10 Armoury St - 204 @ 2:00 PM, ST, VI, ACP - - DISC BW			X	X	X	
18 Dec 2024	MCLEAN, KEVIN	19 Mar 2025	Toronto-OCJ-T-10 Armoury St - 204 @ 2:00 PM, ST, VI, ACP - -11b waived - - DISC BW Rescinded						
19 Mar 2025	MCLEAN, KEVIN	16 Apr 2025	Toronto-OCJ-T-10 Armoury St - 204 @ 2:00 PM, ST, VI, APN - - DISC BW			X	X	X	
16 Apr 2025	MCLEAN, KEVIN	14 May 2025	Toronto-OCJ-T-10 Armoury St - 204 @ 2:00 PM, ST, VI, ACP - - DISC BW Rescinded						
14 May 2025	MCLEAN, KEVIN	11 Jun 2025	Toronto-OCJ-T-10 Armoury St - 702 @ 2:00 PM, ST, VI, ACP						

Date Date	Clerk Greffier	Crown Couronne	For the Accused Pour l'accusé	Justice's Initials Initiales du juge
03 Oct 2024	Henriquez, Michael	NA	NP, NA, NOR	DJ
13 Nov 2024	Nurali, Saira	Pashang, Sia	NP, NP (Acc appeared in triage), NRC	TC
18 Dec 2024	Barna, Elizabeth	Dimiskovska, Andrea	AA, AA, VI, Self-Rep , NRC	JG
19 Mar 2025	Weisemberg, Iara	Laws, Jennifer	NP, NRC	JR
16 Apr 2025	Berhane, Aron	Dimiskovska, Andrea	AA, Self-Rep, NRC	BS
14 May 2025	Booth, Catherine	Laws, Jennifer	AA, Self-Rep, NRC	BS

☐ **At Bail Review date**
À la révision de l'ordonnance
de détention, datée du

☐ **Original Order
Confirmed**
Ordonnance originale
Confirmée

☐ **New Order
Made**
Nouvelle
ordonnance
rendue

☐ **Gladue Report
Requested**
Rapport Gladue
demandé

(date / date)

Information No. / N° de la dénonciation				
Return Date / Date à laquelle le document est rapporté , 20				
INFORMATION Against / DÉNONCIATION visant MCLEAN, Kevin Address / Adresse NFA , ON				
CHARGE / ACCUSATION HARASSMENT BY REPEATED COMMUNICATION WITH PERSON				
Refer to front page for further counts / Reportez-vous à la première page pour plus de chefs.				
FOR ADMINISTRATIVE PURPOSES ONLY À DES FINS ADMINISTRATIVES SEULEMENT				
☐ Summons Sommaton ☐ Show Cause Audience de justification ☒ Warrant 1 st Mandat en 1 ^{re} instance				
☐ Replacement Information / Dénonciation de remplacement				
☐ Reportable M.V. Offence (H.T.A. 199) Infraction V.M. à déclarer (Code de la route 199)		C.V.O.R. No (Commercial Vehicles Only) Numéro C.I.U.V.U. (véhicules utilitaires seulement)		
Sex Sexe M	Birth Date / Date de naissance Day / Jour 25	Month / Mois 03	Year / Année 1983	Was defendant owner? La partie défenderesse était-elle propriétaire? ☐ Yes / Oui ☐ No / Non
Driver's Licence Number / Numéro du permis de conduire M16514331830325				
Plate No. / Numéro de plaque		☐ Involves a Collision Infraction reliée à un accident		
Informant Dénonciateur Christyn Frugoni-Rojas				
Deemed Sworn /Affirmed Date SEP 23rd, 24 Réputée être déclarée sous serment/affirmée solennellement le		Date of Arrest Date de l'arrestation		
Officer / Agent de police KOLANKOWSKI, MI		No. / N° 82239		
Police Agency / Service de police TORONTO POLICE SERVIC		Div. / Dist. 14 DIVISION		
Occurrence Number / N° d'incident 24-2082035				
Courtroom / Salle d'audience				
At / À(Au) OCJT #204 IPV SOUTH 10 ARMOURY ST, TORONTO ON M7A 0B9				

Information No. / N° de la dénonciation				
Return Date / Date à laquelle le document est rapporté , 20				
INFORMATION Against / DÉNONCIATION visant Address / Adresse				
CHARGE / ACCUSATION				
Refer to front page for further counts / Reportez-vous à la première page pour plus de chefs.				
FOR ADMINISTRATIVE PURPOSES ONLY À DES FINS ADMINISTRATIVES SEULEMENT				
☐ Summons Sommaton ☐ Show Cause Audience de justification ☐ Warrant 1 st Mandat en 1 ^{re} instance				
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Sex Sexe	Birth Date / Date de naissance Day / Jour	Month / Mois	Year / Année	Was defendant owner? La partie défenderesse était-elle propriétaire? ☐ Yes / Oui ☐ No / Non
Driver's Licence Number / Numéro du permis de conduire				
Plate No. / Numéro de plaque		☐ Involves a Collision Infraction reliée à un accident		
Informant Dénonciateur				
Deemed Sworn /Affirmed Date Réputée être déclarée sous serment/affirmée solennellement le		Date of Arrest Date de l'arrestation		
Officer / Agent de police		No. / N°		
Police Agency / Service de police		Div. / Dist.		
Occurrence Number / N° d'incident				
Courtroom / Salle d'audience				
At / À(Au)				

Information No. / N° de la dénonciation				
Return Date / Date à laquelle le document est rapporté , 20				
INFORMATION Against / DÉNONCIATION visant Address / Adresse				
CHARGE / ACCUSATION				
Refer to front page for further counts / Reportez-vous à la première page pour plus de chefs.				
FOR ADMINISTRATIVE PURPOSES ONLY À DES FINS ADMINISTRATIVES SEULEMENT				
☐ Summons Sommaton ☐ Show Cause Audience de justification ☐ Warrant 1 st Mandat en 1 ^{re} instance				
☐ Replacement Information / Dénonciation de remplacement				
☐ Reportable M.V. Offence (H.T.A. 199) Infraction V.M. à déclarer (Code de la route 199)		C.V.O.R. No (Commercial Vehicles Only) Numéro C.I.U.V.U. (véhicules utilitaires seulement)		
Sex Sexe	Birth Date / Date de naissance Day / Jour	Month / Mois	Year / Année	Was defendant owner? La partie défenderesse était-elle propriétaire? ☐ Yes / Oui ☐ No / Non
Driver's Licence Number / Numéro du permis de conduire				
Plate No. / Numéro de plaque		☐ Involves a Collision Infraction reliée à un accident		
Informant Dénonciateur				
Deemed Sworn /Affirmed Date Réputée être déclarée sous serment/affirmée solennellement le		Date of Arrest Date de l'arrestation		
Officer / Agent de police		No. / N°		
Police Agency / Service de police		Div. / Dist.		
Occurrence Number / N° d'incident				
Courtroom / Salle d'audience				
At / À(Au)				