Ministry of the Attorney General

Legal Services Branch

Ministry of Community Safety and Correctional Services

655 Bay St, Suite 501
Toronto, ON M7A 0A8

Telephone: (416) 314-3509
Fax: (416) 314-3518

Ministère du Procureur général

Direction des services juridiques

Ministère de la Sécurité communautaire et des Services correctionnels

655, rue Bay, bureau 501
Toronto ON M7A 0A8

Téléphone: (416) 314-3509
Télécopieur: (416) 314-3518

Ontario

Writer's Direct Line : (416) 326-1237

April 2, 2012

Mr. Lloyd Tapp
252 Angeline Street North
Lindsay ON K9V 4R1

Via Courier

Dear Mr. Tapp;

Re: Michael Jack v. HMQ
Tribunal File Number: 2010-07633-I

Please find enclosed the following arguably relevant documents delivered to you with respect to the above-noted matter:

a. Detachment – Personal File
b. Corporate- Personal File
c. Corporate –Administration File
d. Analysis of Probationary Constables (2009) Caseload
e. Email dated August 10, 2009 from Mike Johnston
f. C. Super. Mike Armstrong's Notes
g. Analysis of Michael Jack's caseload 2009
h. OPP orders
i. P.C. Bruce Hanna's Notes transcribed
j. Documents relating to Career and Professional Development Bureau
k. Emails dated September 22, 2009
l. Additional notes of Richard Nie
m. Additional notes of S. Filman
n. Chart showing Mr. Jack's overtime
o. DAR Standardized Roster
p. Email dated November 24, 2009
q. Additional notes from Mr. Jack's notebooks that may be arguably relevant

In response to your query regarding Mr. Jack's notebooks, these were reviewed with respect to arguable relevance to the proceedings, including the application and response. If there are specific notebook entries that Mr. Jack can recall that he thinks are relevant and that have not already been disclosed, please advise us as soon as possible.

The Ontario Provincial Police ("OPP") have had the opportunity to review your recent request for what appears to be all email correspondence from Mr. Jack's email account while he was a probationary constable. The OPP will not be producing the documents requested at this time for the reasons set out below.

1. These emails are not readily available as a server would have to be restored to obtain them.
2. The request is overbroad and amounts to a fishing expedition. There needs to be some arguable relevance between the documents being sought and the proceedings. The relevance of all these documents has not been shown.
3. In addition, such a request would be contrary to the principle of proportionality as applied in the context of documentary production. The principle of proportionality suggests that factors such as time and expense involved in production be considered in a just and expeditious determination of a proceeding.

If there are specific emails that Mr. Jack can recall that are arguably relevant with details including: date, recipient, and sender, the OPP may consider the future request.

Yours truly,

Lynette D'Souza
Counsel

Encl.
cc. Human Rights Tribunal of Ontario