

FILE NO. 93/018

**REPORT WITH RESPECT TO THE APPLICATION
FOR REVIEW OF [REDACTED] WITH RESPECT TO INFORMATION
REQUESTED FROM SASKATCHEWAN GOVERNMENT INSURANCE**

The Applicant requested disclosure by Saskatchewan Government Insurance ("SGI") of a letter written to them by a person unknown to the Applicant which resulted in SGI requesting that he submit to a medical examination and provide a report to SGI, failing which the Applicant would face possible suspension of his driver's licence.

By letter dated July 12, 1983, SGI advised the applicant that:

"The record you have requested cannot be released because it would disclose a confidential source of information related to a lawful investigation. Information of this nature is exempt from access according to Section 15(1)(f) of *The Freedom of Information and Protection of Privacy Act*."

By virtue of *The Vehicles Administration Act* c. V-2.1, SGI, as the designated administrator under that Act has, among other things, the responsibility and duty for the licencing of drivers who are eligible to obtain such licences and who meet the

established by that Act, and also has the power under the appropriate circumstances to suspend or revoke a licence (see sections 15 to 27 of *The Vehicles Administration Act*). SGI in connection with these responsibilities has the necessary investigative powers.

Upon review, I am satisfied that the letter in question is part of a lawful investigation that was made by SGI with a view to determining whether the Applicant was eligible to continue to be the holder of a driving licence, and that accordingly SGI is not obliged to disclose this letter or the name of the person who wrote the letter having regard to the provisions of Section 15(1)(f) of *The Freedom of Information and Protection of Privacy Act* which provides:

"A head may refuse to give access to a record, the release of which could:

- (f) disclose the identity of a confidential source of information, or disclose information furnished by that source with respect to a lawful investigation or a law enforcement matter...."

It appears that as part of the investigation, SGI required the Applicant to submit the medical report previously mentioned, and also to undergo a driving test. It further appears that the Applicant was, perhaps not surprisingly, irritated by this requirement. However, it should be remembered that the need for such precautions is a matter of public safety, as well as the safety and well-being of the individual concerned.

While the Applicant is understandably annoyed, the actions taken by SGI constituted a lawful investigation and its refusal to disclose the letter in question and the name of the author of the letter is justified under the Act.

Accordingly, it is my recommendation that the decision of the head to withhold disclosure of the letter be confirmed.

Dated at Regina, Saskatchewan this day of August,
1993.

**Derril G. McLeod, Q.C.,
Commissioner of Information and
Privacy for Saskatchewan**