

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

By an Access to Information Request form received by Saskatchewan Government Insurance (the “Respondent”) from [REDACTED] (the “Applicant”) on February 21, 2001, the following information was requested:

“UNDER THE FREEDOM OF INFORMATION ACT
All adjusters notes; All Medical Reports
All amounts paid out to me
Inter office memos;
Any SGI Special Investigation files”

A copy of the requested file was forwarded to the Applicant by the Respondent by letter March 22, 2001, with the exception of one document. This note was described by the Respondent as follows: “note concerning an inquiry made through our corporate customer service department”.

By letter dated April 2, 2001 the Access Officer, Freedom of Information for the Respondent, Mr. K. A. Lerner, wrote the Applicant as follows:

“Your request under *The Freedom of Information and Protection of Privacy Act* received by SGI on February 21, 2001, asks for the following records on your injury file number 199227:

‘all adjusters notes; all medical reports, all amounts paid out to me, inter-office memos, any SGI Special Investigation files.’

In response to your application and in accordance with Section 168(2) of *The Automobile Accident Insurance Act* [REDACTED] Manager, SGI Bodily Injury North, sent you copies of your complete file documents on March 22, 2001, with the exception of the following document:

- a note concerning an inquiry made through our Corporate Customer Service Department.

The above note has been forwarded to me for review. The note involves consultations between employees of SGI. Documents relating to consultations between employees of a government

institution are exempt from disclosure. This is in accordance with section 17(1)(b)(i) of *The Freedom of Information and Protection of Privacy Act*. I am, accordingly, of the view that this document has been properly withheld from you by SGI.

If you wish to have this decision reviewed, you may do so within one year of this notice. To request a review you must complete a 'Request for Review' form which is available at the same location where you applied for access. Your Request for Review should be directed to:

G.L. Gerrand, Q.C.
Information and Privacy Commissioner
700 – 1914 Hamilton Street
Regina, Saskatchewan
S4P 3N6

Further correspondence on this application should be directed to me at SGI, Legal Department, 14th Floor, 2260 – 11th Avenue, Regina, Saskatchewan, S4P 0J9, telephone Number (306) 751-1221.”

A Request for Review was duly completed by the Applicant and received by me on June 28, 2001. The Request for Review relates to “documents that were held back from me”. I have obtained from the Respondent the document in question and have had an opportunity of reading it. The document is described by the Respondent as “an inquiry note”. It is dated February 17, 2000 and reflects an exchange of written communications between several individuals who are employees of the Respondent.

Section 17(1)(b)(i) of *The Freedom of Information and Protection of Privacy Act* (the “Act”) sets forth the following:

“17(1) Subject to subsection (2), a head may refuse to give access to a record that could reasonably be expected to disclose:

- (b) consultations or deliberations involving:
 - (i) officers or employees of a government institution;”

In my view the inquiry note does in fact set forth an analysis of procedures that may be followed by the Respondent in relation to the fact situation related to the claim of the Applicant, the recommendations that are advanced, and the reasons for those recommendations.

Those types of consultations and deliberations entered into by officers or employees of a government institution may be withheld from production pursuant to the provisions of Section 17 of the Act. The Respondent being of a government institution has elected to withhold the production of the inquiry note and I am of the view that this decision has been properly made.

In the circumstances, I recommend that the Respondent not produce to the Applicant the inquiry note in question.

Dated at Regina, in the Province of Saskatchewan, this _____ day of July, 2001.

GERALD L. GERRAND, Q.C.
Commissioner of Information
and Privacy for Saskatchewan

