

**REPORT WITH RESPECT TO THE APPLICATION
FOR REVIEW OF ██████████ IN RELATION TO INFORMATION
REQUESTED FROM SGI**

██████████ (the "Applicant") of Hudson Bay, Saskatchewan submitted to SGI (the "Respondent") an Access to Information Application form, wherein the Applicant requested:

"I am requesting the information which has been withheld in regards to my case. See attached letter."

The attached letter, dated March 26, 2001 from the Respondent to the Applicant, referred to withheld information due to the fact that it would disclose consultations and deliberations involving officers or employees of SGI. The Applicant's Access to Information Application form was undated.

By letter dated March 26, 2001, Mr. Ken Lerner, Access Officer, Freedom of Information, for the Respondent, wrote the Applicant as follows:

"Your Application for Access under *The Freedom of Information and Protection of Privacy Act*, asks for the following information:

'My Accident Aug 4th, 1996. All adjuster's files; all interoffice memos; all S.I.U. files; all medical documents including any assessments.'

In accordance with Section 8 of *The Freedom of Information and Protection of Privacy Act*, some of the information has been withheld because it would disclose consultations and deliberations involving officers or employees of SGI. This exemption is provided for in Section 17(1)(b)(i) of the Act.

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

That portion of the record cleared for access is enclosed. This includes a copy of the video surveillance tape.

Further correspondence on this application should be directed to me at SGI, Legal Department, 15th Floor, 2260 – 11th Avenue, Regina, Saskatchewan, S4P 0J9, Telephone Number (306) 751-1221.”

The Applicant filed with me a Request for Review on June 6, 2001. Upon reviewing the materials forwarded to me, I determined that I would carry out a review as requested and so advised the Respondent.

For purposes of carrying out the review, I requested the Respondent, pursuant to the provisions of Section 54(1)(a) of *The Freedom of Information and Protection of Privacy Act*, to provide to me a copy of the documentation that was withheld from the materials forwarded to the Applicant, along with the Respondent’s letter of March 26, 2001. Copies of these documents were duly forwarded to me by the Respondent and I have had an opportunity to review each of them.

The Respondent relies on Section 17(1)(b) of the Act as authority for declining to provide to the Applicant the documents in question. For purposes of this Report, I reproduce the provisions of Section 17(1)(b):

“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;
 - (ii) a member of the Executive Council; or
 - (iii) the staff of a member of the Executive Council.”

The memoranda reflect factual reviews in combination with discussions of options and recommended procedures for handling the claim. These types of documents may be withheld by the head of a government institution pursuant to Section 17(1) of the *Act*.

For the reasons outlined above, I recommend that the Respondent not release to the Applicant the documents in question.

Dated at Regina, in the Province of Saskatchewan, this 3rd day of July, 2001.

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