



## **REVIEW REPORT 239-2024**

### **Saskatoon School Division No. 13**

**February 11, 2025**

**Summary:** The Applicant submitted an access to information request to the Saskatoon School Division No. 13 (School Division). The School Division refused access to the records. It cited subsections 14(1)(a), (c), (d), (g) and 28(1) of *The Local Authority Freedom of Information and Protection of Privacy Act* (LA FOIP). The Applicant appealed to the A/Commissioner. The A/Commissioner found that subsection 28(1) of LA FOIP applied to portions of the record. He also found that the School Division did not meet the burden of proof pursuant to section 51 of LA FOIP as it did not demonstrate that subsection 14(1)(a), (c), (d) and (g) of LA FOIP apply. The A/Commissioner sent a redlined version of the records at issue to the School Division. He recommended that the School Division continue to withhold the portions of the record that are redlined and release the remainder to the Applicant within 30 days of issuance of this Report.

## **I BACKGROUND**

[1] On September 24, 2024, the Saskatoon School Division No. 13 (School Division) received the following access to information request from the Applicant:

Please provide all correspondence received/sent by Superintendent [Name] - with respect to harassment, behavioural, violence, arson concerns -- related to student [Student X] (aka [Student X] -- with alternate spellings on either name). Please redact all student names to respect privacy concerns. Jan 1, 2022 - present

[2] The School Division did not require the Applicant to pay the \$20 application fee.

[3] On September 27, 2024, the School Division responded to the Applicant's access request. The School Division indicated it was refusing the Applicant's access request pursuant to

subsection 28(1) of *The Local Authority Freedom of Information and Protection of Privacy Act* (LA FOIP). The School Division said:

Access to the records you have requested is denied pursuant to section 28(1) of The Freedom of Information and Protection of Privacy Act (the Act) [sic]. The reason for refusal of these records is that personal information cannot be disclosed without consent of the individual to whom the information relates. For your information, I have included a copy of the above-noted section of the Act.

- [4] On October 9, 2024, the Applicant requested a review by my office.
- [5] On October 31, 2024, the School Division issued another response to the Applicant regarding the access request. The School Division indicated it was refusing the Applicant access to records pursuant to subsection 14(1)(a), (c), (d) and (g) of LA FOIP in addition to subsection 28(1) of LA FOIP.
- [6] On November 5, 2024, my office notified both the School Division and the Applicant that my office would be undertaking a review.
- [7] On November 5, 2024, the Applicant contacted an Analyst at my office by telephone to convey their arguments as to why records should be released. Specifically, the Applicant's position is that there is a public interest in the records. The Applicant confirmed their position by email on the same day.
- [8] On December 4, 2024, the School Division provided my office with a copy of the records at issue.
- [9] On January 6, 2025, the School Division provided its submission to my office.

## **II RECORDS AT ISSUE**

- [10] The records at issue consist of six pages of emails as follows:

Pages	LA FOIP Exemptions applied by the School Division	Description
1 to 2	28(1), 14(1)(a), (c), (d), (g) of LA FOIP	Email
3	28(1) of LA FOIP	Email
4 to 5	28(1), 14(1)(a), (c), (d), (g) of LA FOIP	Email
6	28(1) of LA FOIP	Email

### III DISCUSSION OF THE ISSUES

#### 1. Do I have jurisdiction?

[11] The School Division qualifies as a “local authority” pursuant to subsection 2(1)(f)(xiii) of *The Local Authority Freedom of Information and Protection of Privacy Act* (LA FOIP). Therefore, I find that I have jurisdiction to undertake this review.

#### 2. Did the School Division properly apply subsection 28(1) of LA FOIP?

[12] The School Division relied on subsection 28(1) of LA FOIP to withhold all six pages of the records at issue.

[13] Subsection 28(1) of LA FOIP protects the privacy of individuals whose personal information may be contained within records responsive to an access to information request made by someone else (*Guide to LA FOIP*, Chapter 4: “Exemptions from the Right of Access”, updated October 18, 2023 [*Guide to LA FOIP*, Ch. 4], p. 252).

[14] Subsection 23(1) of LA FOIP defines “personal information”. The following provisions are relevant in this review:

**23(1)** Subject to subsections (1.1) and (2), “**personal information**” means personal information about an identifiable individual that is recorded in any form, and includes:

(a) information that relates to the race, creed, religion, colour, sex, sexual orientation, family status or marital status, disability, age, nationality, ancestry or place of origin of the individual;

(b) information that relates to the education or the criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;

(c) information that relates to health care that has been received by the individual or to the health history of the individual;

(d) any identifying number, symbol or other particular assigned to the individual;

(e) the home or business address, home or business telephone number, fingerprints or blood type of the individual;

...

(h) the views or opinions of another individual with respect to the individual;

...

(k) the name of the individual where:

(i) it appears with other personal information that relates to the individual; or

(ii) the disclosure of the name itself would reveal personal information about the individual.

[15] There is a list of examples of personal information provided at subsection 23(1) of LA FOIP; however, it is not meant to be exhaustive. This means there can be other types of information that could qualify as personal information (*Guide to LA FOIP*, Chapter 6: “Protection of Privacy”, updated February 27, 2023 [*Guide to LA FOIP*, Ch. 6], p. 39). To be personal information, there must be an identifiable individual (or the information must be able to reasonably identify the individual), and the information must be personal in nature.

[16] In its submission, the School Division argued that the records at issue contain personal information as defined by subsection 23(1)(a), (b), (c), (d), (e), and (k)(i) and (ii) of LA FOIP. Regarding specific pages of the records at issue, the School Division said:

- Pages 1 to 2 contain information that identifies a student and a health diagnosis.
- Page 3 identifies a student and contains other information about the student.
- Pages 4 to 5 identifies a student and the support they require.

[17] The School Division did not offer any argument as to why subsection 28(1) of LA FOIP would apply to page 6 of the records at issue.

[18] Based on a review, my office noted the following:

- Page 1 contains personal information such as the name of individuals, personal email addresses, information about the diagnosis of an individual, and a description an action taken by an individual. It also contains the names and email addresses of individuals and groups involved with Student X.
- Page 2 is a continuation of page 1 and contains the name of an individual and a description of an action taken by the individual.
- Page 3 identifies the name of an individual.
- Page 4 does not contain any personal information.
- Page 5 contains the names of individuals, the disclosure of which would reveal information about the individuals.
- Page 6 is an email regarding supports received by a groups of students, of which Student X is a part.

[19] Pages 1 to 3, 5 and 6 contain personal information as defined by subsection 23(1)(a), (b), (c), (e), (k)(i) and (ii) of LA FOIP. Therefore, I find that subsection 28(1) of LA FOIP applies to portions of pages 1 to 3 and 5 to 6. Before my office makes a recommendation, I will consider subsection 28(2)(n)(i) of LA FOIP below.

***Subsection 28(2)(n)(i) of LA FOIP***

[20] Subsection 28(2)(n)(i) of LA FOIP gives a local authority discretion to disclose personal information about an individual without consent for any purpose where the public interest in disclosure clearly outweighs any invasion of privacy that could result from disclosure. This provision requires the exercise of discretion by the “head” of the local authority. Disclosure can be for any purpose provided the criteria in subsection 28(2)(n)(i) of LA FOIP are met (*Guide to LA FOIP*, Ch. 6, p. 213).

[21] Subsection 28(2)(n)(i) of LA FOIP states:

**28(2)** Subject to any other Act or regulation, personal information in the possession or under the control of a local authority may be disclosed:

...

(n) for any purpose where, in the opinion of the head:

(i) the public interest in disclosure clearly outweighs any invasion of privacy that could result from the disclosure;

[22] As set out in my office's [Investigation Report 043-2023, 044-2023](#) paragraph [31] and my office's *Guide to LA FOIP*, Ch. 6 at page 213, a local authority can use the following test to determine if it has discretion to disclose pursuant to subsection 28(2)(n)(i) of LA FOIP:

1. Is the information "personal information" as defined by LA FOIP?
2. Is there a public interest in the personal information?
3. Does the public interest clearly outweigh any invasion of privacy?

[23] "Public interest" means the interest of the general public or of a group of individuals. It does not include the interest of only one individual. The criteria for assessing whether there is a public interest in information are as follows:

1. Will the records contribute to the public understanding of, or to debate on or resolution of, a matter or issue that is of concern to the public or a sector of the public, or that would be, if the public knew about it?
2. Is the applicant motivated by commercial or other private interests or purposes, or by a concern on behalf of the public, or a sector of the public?
3. If the records are about the process or functioning of the local authority, will they contribute to open, transparent, and accountable government?

(*Guide to LA FOIP*, Ch. 6, pp. 217 to 218)

[24] As set out in paragraph [35] of my office's [Investigation Report 043-2023, 044-2023](#), in determining whether the third requirement has been met, my office will consider if there is a relationship between the record and LA FOIP's central purpose of shedding light on government operations. In addition, my office's *Guide to LA FOIP*, Ch. 6 at pages 217 to

218, states that local authorities should apply the “invasion of privacy” test to determine the level of privacy risk in the disclosure. This involves a detailed review of three risk factors namely, the sensitivity of the information, the expectation of the individual to whom the information relates and the probability and degree of injury.

[25] If I find that subsection 28(2)(n)(i) of LA FOIP applies to the circumstances here, my authority is limited to a review of the Saskatoon Public's exercise of discretion. But I will not substitute my discretion for that of the head.

1. Is the information “personal information” as defined by LA FOIP?

[26] I have already found portions of the records at issue to qualify as personal information. Therefore, the first part of the three-part test is met.

2. Is there a public interest in the personal information?

[27] The Applicant had indicated to my office that they were not interested in the personal information involved. Rather, their position is that there is a public interest in the records in order to answer questions such as the following:

- Were there warning signs? Were the warning signs heeded?
- Were there safety plans in place?
- And what can we learn from this so that parents can feel ok with sending their children to school?

[28] Subsection 28(2)(n)(i) of LA FOIP only considers the disclosure of personal information where there is a public interest in the personal information. In this case, though, the Applicant asserted they are not interested in personal information. It would appear that they are interested in the actions taken by Saskatoon Public regarding the safety of students. Since the Applicant isn't interested in the disclosure of personal information but subsection 28(2)(n)(i) of LA FOIP considers the disclosure of personal information, I do not need to

consider the disclosure of personal information pursuant to subsection 28(2)(n)(i) of LA FOIP.

[29] Before I proceed further with the remainder of this Report, I note that freedom of information laws in other jurisdictions, such as

- section 25 of British Columbia's *Freedom of Information and Protection of Privacy Act* (BC FIPPA),
- section 32 of Alberta's *Freedom of Information and Protection of Privacy Act* (AB FOIP),
- section 11 of Ontario's *Freedom of Information and Protection of Privacy Act* (ON FIPPA),
- section 9 of Newfoundland's *Access to Information and Protection of Privacy Act* (NFLD ATIPP Act)

have provisions regarding the disclosure of information (not just personal information) if the information is in the public interest. Unfortunately, LA FOIP does not have a similar provision.

[30] Since the Applicant is not interested in the disclosure of personal information and since LA FOIP does not have a provision regarding the disclosure of general information (instead of personal information) in the public interest, I will not continue my analysis of the disclosure of personal information pursuant to subsection 28(2)(n)(i) of LA FOIP.

[31] My office has prepared a redlined copy of the records at issue identifying where I have found that the School Division properly applied subsection 28(1) of LA FOIP and should continue to withhold that information pursuant to subsection 28(1) of LA FOIP. Prior to making a recommendation on release, the School Division also applied subsections 14(1)(a), (c), (d) and (g) of LA FOIP alongside subsection 28(1) of LA FOIP. I will then consider if the School Division properly applied these subsections to the portions of the records where I have determined it did not properly apply subsection 28(1) of LA FOIP.



**3. Did the School Division properly apply subsections 14(1)(a), (c), (d) and (g) of LA FOIP?**

[32] The School Division applied subsection 14(1)(a), (c), (d) and (g) of LA FOIP to pages 1 to 2 and 4 to 5 to withhold these pages in full.

[33] Subsections 14(1)(a), (c), (d) and (g) of LA FOIP provide:

**14(1)** A head may refuse to give access to a record, the release of which could:

(a) prejudice, interfere with or adversely affect the detection, investigation, prevention or prosecution of an offence or the security of a centre of lawful detention;

...

(c) interfere with a lawful investigation or disclose information with respect to a lawful investigation;

(d) be injurious to the local authority in the conduct of existing or anticipated legal proceedings;

...

(g) deprive a person of a fair trial or impartial adjudication;

[34] Section 14 of LA FOIP uses the word “could” versus “could reasonably be expected to” as seen in other provisions of FOIP. The threshold for could is somewhat lower than a reasonable expectation. The requirement for could is simply that the release of the information could have the specified result. There would still have to be a basis for asserting the harm could occur. If it is fanciful or exceedingly remote, the exemption should not be invoked (*Guide to FOIP*, Ch. 4, p. 44).

[35] Subsection 14(1)(a) of LA FOIP is a discretionary harm-based exemption. It permits refusal of access in situations where release of a record could prejudice, interfere with or adversely affect the detection, investigation, prevention or prosecution of an offence or the security of a centre of lawful detention. Pages 45 to 47 of my office’s *Guide to LA FOIP*, Ch. 4, provide the following definitions regarding subsection 14(1)(a) of LA FOIP:

- “Prejudice” in this context refers to detriment to the detection, investigation, prevention or prosecution of an offence or the security of a centre of lawful detention.
- “Interfere” with includes hindering or hampering an ongoing investigation and anything that would detract from an investigator’s ability to pursue the investigation.
- “Adversely affect” in this context means to have a harmful or unfavorable impact on the detection, investigation, prevention or prosecution of an offence or the security of a centre of lawful detention.
- “Detection” is the act of discovering or revealing something that is hidden or barely perceptible, especially to solve a crime.
- “Investigation” can include police, security or administrative investigations or a combination of these. Investigation has been defined, in general terms, as a systematic process of examination, inquiry and observation.
- “Prevention” means the stopping of something, especially something bad, from happening; to hinder or impede. In the context of subsection 14(1)(a) of LA FOIP, it means the stopping of an offence.
- A “prosecution”, in this context, refers to proceedings in respect of a criminal or quasi-criminal charge laid under an enactment of Saskatchewan or Canada and may include regulatory offences that carry true penal consequences such as imprisonment or a significant fine.
- “Offence” means a violation of the law; a crime.
- “Security” means a state of safety or physical integrity. Security includes securing, ensuring safety or protecting from danger, theft or damage. Security means sufficient security.
- “Lawful detention” means any person held in custody pursuant to a valid warrant or other authorized order. It extends to individuals remanded in custody (charged but not yet tried or convicted). It does not include individuals released under bail supervision.
- “Centre of lawful detention” is a centre where persons are detained when suspected of a crime, awaiting trial, or sentencing, found to be an illegal immigrant or youthful offender, or for political reasons. It can also include a centre where persons are in custody under federal or provincial statute. In general, any person held in custody pursuant to a valid warrant or other authorized order is under lawful detention.

[36] Subsection 14(1)(c) of LA FOIP is a discretionary class-based and harm-based exemption. Meaning it contains both a class and harm-based component. It permits refusal of access in situations where the release of a record could interfere with a lawful investigation or disclose information with respect to a lawful investigation. My office uses the following two-part test to determine if subsection 14(1)(c) of LA FOIP applies:

1. Does the local authority's activity qualify as a "lawful investigation"?
2. Does one of the following exist?
  - a) Could release of the following information interfere with a lawful investigation? or
  - b) Could release disclose information with respect to a lawful investigation?

(*Guide to LA FOIP*, Ch. 4, pp. 53 to 54)

[37] Pages 53 to 54 of the *Guide to LA FOIP*, Ch. 4, provide the following definitions:

- A "lawful investigation" is an investigation that is authorized or required and permitted by law. The local authority should identify the legislation under which the investigation is occurring. The investigation can be concluded, active and ongoing or be occurring in the future. It is not limited to investigations that are conducted by a local authority. In other words, it can include investigations conducted by other organizations (e.g., a police investigation).
- "Interfere with" includes hindering or hampering an investigation and anything that would detract from an investigator's ability to pursue the investigation.
- "With respect to" are words of the widest possible scope; the phrase is probably the widest of any expression intended to convey some connection between two related subject matters.

[38] Subsection 14(1)(d) of LA FOIP is a discretionary harm-based exemption. It permits refusal of access in situations where release of a record could be injurious to the local authority in the conduct of existing or anticipated legal proceedings. My office uses the following two-part test to determine if this exemption was properly applied:

1. Do the proceedings qualify as existing or anticipated legal proceedings?

2. Could the disclosure of the record be injurious to the local authority in the conduct of the legal proceedings?

(*Guide to LA FOIP*, Ch. 4, pp. 56-57)

[39] Pages 56 and 57 of my office's *Guide to LA FOIP* provide the following definitions:

- "Legal proceedings" are any civil or criminal proceeding or inquiry in which evidence is or may be given and includes an arbitration.
- "Anticipated" means more than merely possible. To regard as probable.
- "Injury" implies damage or detriment. The exemption is designed to protect the local authority from harm in its existing or anticipated legal proceedings.

[40] Subsection 14(1)(g) of LA FOIP is a discretionary harm-based exemption. It permits refusal of access in situations where release of a record could deprive a person of a fair trial or impartial adjudication. My office uses the following three-part test to determine if subsection 14(1)(g) of LA FOIP applies to records:

1. Who is the "person" impacted by possible disclosure?
2. Is there a trial or adjudication occurring now or in the future?
3. Could disclosure of the information deprive the person of a fair trial or impartial adjudication?

(*Guide to LA FOIP*, Ch. 4, pp. 66-67)

[41] Pages 66 and 67 of the *Guide to LA FOIP*, Ch. 4 provide the following definitions:

- "Person" includes an individual, corporation or the heirs, executors, administrators or other legal representatives of a person.
- "Trial" means a formal judicial examination of evidence and determination of legal claims in an adversary proceeding.
- "Adjudication" means the legal process of resolving a dispute, the process of judicially deciding a case.

- “Deprive” means to take away or withhold something that one needs.
- “Fair trial” refers to a trial by an impartial tribunal in accordance with regular procedures; especially a criminal trial in which the defendant’s constitutional and legal rights are respected. It means a hearing by an impartial tribunal; a proceeding which hears before it condemns, which proceeds upon inquiry, and renders judgement only after consideration of evidence and facts as a whole.
- “Impartial adjudication” means a proceeding in which the parties’ legal rights are safeguarded and respected. Not favoring one side more than another; unbiased and disinterested; unswayed by personal interest.

[42] In its submission, the School Division offered the following arguments as to why subsections 14(1)(a), (c), (d) and (g) of LA FOIP applies to pages 1 to 2:

This information is refused under subsection 14(1)(a), (c), (d), and (g) of LA FOIP to protect sensitive information and uphold legal integrity. Disclosure could interfere with the ongoing criminal investigation and prosecution, compromise a lawful investigation, and harm the local authority’s position in potential legal proceedings. Furthermore, it risks prejudicing the involved individuals’ right to a fair trial or impartial adjudication. The email contains private information protected under section 28(1) of LA FOIP, and its release does not serve a compelling public interest but could instead cause harm to the investigation, legal processes, and individuals involved.

[43] Further, the School Division offered the following arguments as to why subsections 14(1)(a), (c), (d) and (g) of LA FOIP apply to pages 4 and 5:

This information is refused under subsection 14(1)(a), (c), (d), and (g) of LA FOIP to protect sensitive information and uphold legal integrity. Public disclosure of such details risks influencing public opinion, media narratives, and judicial outcomes, thereby compromising the fairness of any ongoing or future legal proceedings. Additionally, releasing this information could interfere with the integrity of the investigation and harm the local authority’s position in potential legal actions. The email contains private information protected under section 28(1) of LA FOIP, and its release does not serve a compelling public interest but could instead cause harm to the investigation, legal processes, and individuals involved.

[44] The School Division has merely cited key words from subsections 14(1)(a), (c), (d) and (g) of LA FOIP. Similar to what I have said in my office’s [Review Report 119-2018](#) at

paragraph [140], merely reciting words from the exemption is not enough to demonstrate that a harm could occur.

[45] Section 51 of LA FOIP places the burden of proof upon the School Division for establishing that access to record may or must be refused. Section 51 of LA FOIP provides:

**51** In any proceeding pursuant to this Act, the burden of establishing that access to the record applied for may or must be refused or granted is on the head concerned.

[46] One method that local authorities such as the School Division can employ to demonstrate it met its burden of proof is to refer to [Chapter 4 of my office's Guide to LA FOIP](#), which sets out the tests my office uses to determine if an exemption applies to records. My office sent a link to Chapter 4 of the *Guide to LA FOIP* to the School Division when it notified the School Division of this review. The mere recitation of words from the exemption is not enough to satisfy the tests for each exemption or to meet the burden of proof as required by section 51 of LA FOIP.

[47] I find that the School Division has not met the burden of proof pursuant to section 51 of LA FOIP as it did not demonstrate that subsections 14(1)(a), (c), (d) and (g) of LA FOIP apply to the records. As a result, I recommend that the School Division release to the Applicant within 30 days of the issuance of this Report the redlined version of the record my office has prepared for the School Division, continuing to withhold the redlined portions pursuant to subsection 28(1) of LA FOIP and releasing the remainder.

#### **4. Did the School Division comply with section 8 of LA FOIP?**

[48] The School Division withheld all pages of the responsive records in full. Section 8 of LA FOIP provides:

**8** Where a record contains information to which an applicant is refused access, the head shall give access to as much of the record as can reasonably be severed without disclosing the information to which the applicant is refused access.

[49] Page 70 of the *Guide to LA FOIP*, Chapter 3, “Access to Records”, updated May 5, 2023, states that a line-by-line review is essential to comply with the principle of severability set out in section 8 of FOIP. This provision grants an applicant a right of access to any record from which exempted material can be reasonably severed.

[50] In its submission, the School Division said:

A comprehensive search was conducted using the student’s name, and all relevant records were reviewed. While some records were deemed non-responsive to the access request, others were identified as responsive. **However, these responsive records have been withheld in their entirety.** The records in question contain personal information relating to the student, including details about support measures for learning and behavior. **Disclosing even redacted versions of these records would inherently confirm their existence and divulge sensitive personal information.** This outcome would contravene Section 28 of LA FOIP, which strictly prohibits the disclosure of personal information without appropriate consent. Consequently, the responsive records cannot be severed or released to ensure full compliance with privacy regulations under LAFOIP.

The search parameters for this request included the student’s specific name and referenced records related to “harassment, behavioral issues, violence, and arson concerns” involving the student. As a result, **it was impossible to redact the personal information in a way that would prevent it from being evident that the records pertained to the student. Even disclosing the number of records could reveal information about the student’s harassment, behavioral, violence, or arson concerns, as it would be clear that all records meet the specified criteria.**

[Emphasis added]

[51] The School Division asserted that disclosing redacted records would convey to the Applicant that there were indeed records regarding harassment, behavioral, violence, and arson concerns related to the student named by the Applicant in the access request. If this was the case, though, the School Division should have issued a response to the Applicant’s access request pursuant to subsections 7(2)(f) and 7(4) of LA FOIP. It did not. It issued a response pursuant to subsection 7(2)(d) of LA FOIP, where it confirmed the existence of records by denying the Applicant access to the records pursuant to subsection 28(1) of LA FOIP, as well as subsections 14(1)(a), (c), (d) and (g) of LA FOIP.

[52] There is no evidence that the School Division conducted a line-by-line review of the records, severing what is necessary and releasing the remainder. As such, I find that the School Division has not met its duty under section 8 of LA FOIP. I recommend that, going forward, the School Division turn its mind to complying with section 8 when processing access requests.

#### **IV FINDINGS**

[53] I find that I have jurisdiction to undertake this review.

[54] I find that subsection 28(1) of LA FOIP applies to portions of pages 1 to 3 and 5 to 6 of records at issue which qualify as personal information as defined by subsection 23(1)(a), (b), (c), (e), (k)(i) and (ii) of LA FOIP.

[55] I find that the School Division did not meet the burden of proof pursuant to section 51 as it did not demonstrate that subsections 14(1)(a), (c), (d) and (g) of LA FOIP apply.

[56] I find that the School Division has not met its duty under section 8 of LA FOIP.

#### **V RECOMMENDATIONS**

[57] I recommend that the School Division release to the Applicant within 30 days of the issuance of this Report the redlined version of the record my office has prepared for the School Division, continuing to withhold the redlined portions pursuant to subsection 28(1) of LA FOIP and releasing the remainder.

[58] I recommend that, going forward, the School Division turn its mind to complying with section 8 when processing access requests.



Dated at Regina, in the Province of Saskatchewan, this 11<sup>th</sup> day of February, 2025.

Ronald J. Kruzeniski, K.C.  
A/Saskatchewan Information and Privacy  
Commissioner