



Information and Privacy
Commissioner/Ontario
Commissaire à l'information
et à la protection de la vie privée/Ontario

ORDER P-413

Appeal P-910100

Ontario Human Rights Commission



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ORDER

This is my Final Order disposing of one outstanding issue as referred to in Interim Order P-403, dated January 21, 1993.

In Interim Order P-403, I ordered the OHRC to reconsider its exercise of discretion under section 49(b) of the Freedom of Information and Protection of Privacy Act (the "Act") with respect to Record 1. I further ordered the OHRC to provide me with representations as to the factors considered when so doing.

In the Interim Order, I found that the OHRC had not properly exercised its discretion because, given the facts of this particular case, it had clearly not considered the fact that similar personal information contained in the typewritten complaint, was released to the appellant by the OHRC under the Act.

I have received the OHRC's representations on the reconsideration of its exercise of discretion and the reasons for same. Taking into consideration the factors referred to in the representations, I feel that the OHRC's reconsideration of the exercise of his discretion should not be altered on appeal.

ORDER:

I uphold the OHRC's decision to withhold Record 1 from disclosure under section 49(b) of the Act.

Original signed by: _____
Holly Big Canoe
Inquiry Officer

_____ February 17, 1992