



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

ORDER P-637

Appeal P-9300643

Ministry of the Attorney General



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ORDER

BACKGROUND:

The Ministry of the Attorney General (the Ministry) received a request for correction of personal information relating to the requester contained in a record of the Police Complaints Commissioner.

Following inquiries from the Ministry, the requester clarified the request as follows:

I am requesting that Mr. Lewis change his decision as stated in his letter dated November 23, 1992:

Considering all the available evidence, I do not believe that it is necessary in the public interest to order a hearing before a Board of Inquiry in this case. No further action is warranted and our file is now closed.

In its decision letter, the Ministry refused the request for correction, stating "... the information is not your personal information ...". The requester appealed this decision to the Commissioner's office.

Mediation was not successful and notice that an inquiry was being conducted to review the Ministry's decision was sent to the appellant and the Ministry. Representations were received from the appellant and the Ministry.

The record which is the subject of the correction request is an extract from a two-page decision of the Police Complaints Commissioner dated November 23, 1992, which is quoted above.

ISSUES:

The issues arising in this appeal are as follows:

- A. Whether the information requested to be corrected qualifies as "personal information" as defined in section 2(1) of the Act.
- B. If the answer to Issue A is yes, whether there are errors or omissions in the personal information which should be corrected pursuant to section 47(2)(a) of the Act.

SUBMISSIONS/CONCLUSIONS:

ISSUE A: Whether the information to be corrected qualifies as personal information as defined in section 2(1) of the Act.

In order for me to determine whether a correction to a record may be ordered, I must first determine if the record contains the personal information of the individual seeking the correction. If I find that the record for which the correction is sought does not contain personal information which relates to the individual, I am unable to order that a correction to that information be made, pursuant to section 47(2)(a) of the Act.

"Personal information" is defined in section 2(1) of the Act, in part, as:

"recorded information about an identifiable individual" ...

In its decision letter, the Ministry states: "In order to request a correction to personal information, the information at issue must be personal and private ... In your case, as previously indicated to you, the information is not your personal information."

I have carefully examined the passage for which the appellant seeks a correction, as well as the representations received from the appellant. It is my view that this passage does not contain the personal information of the appellant. Accordingly, I am unable to order that the information at issue be corrected.

Because of the manner in which I have disposed of Issue A, it is not necessary for me to address Issue B.

ORDER:

I uphold the Ministry's decision.

Original signed by: _____
Inquiry Officer

February 25, 1994 _____ Donald Hale