

Information and Privacy Commissioner,
Ontario, Canada



Commissaire à l'information et à la protection de la vie privée,
Ontario, Canada

ORDER PO-3345

Appeal PA13-39

Ministry of Children and Youth Services

May 29, 2014

Summary: The appellant made a request to the Ministry of Children and Youth Services for access to a report regarding the Prince Edward County Children's Aid Society following allegations of sexual abuse of children in CAS foster homes. The ministry granted partial access to a 56-page report, with portions withheld on the basis of the mandatory personal privacy exemption at section 21(1) of the *Freedom of Information and Protection of Privacy Act*. The appellant filed an appeal from this decision. In this order, the adjudicator finds that although none of the withheld portions contains individuals' names, most of the information qualifies as personal information as its disclosure could reasonably be expected to reveal information about identifiable individuals. For this information, the adjudicator finds the mandatory exemption at section 21(1) applies and the public interest override at section 23 does not apply. She therefore upholds the ministry's decision to withhold personal information in the report. The adjudicator orders disclosure of other information that does not qualify as personal information, which cannot be exempt under the personal privacy exemption at section 21(1).

Statutes Considered: *Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. F.31, as amended, ss. 2(1) (definition of "personal information"), 21, 23.

OVERVIEW:

[1] The appellant made a multi-part access request to the Ministry of Children and Youth Services (the ministry) under the *Freedom of Information and Protection of Privacy Act* (the *Act*) that included the following information:

... any and all records of any kind in regards to the [ministry] having "drafted a number of reforms" and having "probed" the Prince Edward County CAS [Children's Aid Society] as recently reported in the media ...

[2] The appellant provided a link to a newspaper article about sexual abuse incidents involving foster parents connected to the Prince Edward County CAS, which included references to the ministry probe and reforms mentioned in his request.

[3] The ministry initially issued a fee estimate decision, which the appellant appealed to this office. Appeal PA12-309 was opened to address that matter. During mediation of that appeal, the appellant narrowed the scope of his request to seek the following:

Related to the ministry having "drafted a number of reforms" and having "probed" the Prince Edward County CAS as recently reported in the media, I am requesting a copy of the specific ministry report containing those "reforms."

[4] The ministry issued a revised fee estimate decision based on the narrowed request, and Appeal PA12-309 was resolved on that basis. The ministry subsequently issued a decision on access in response to the narrowed request. In its decision, the ministry granted partial access to a ministry report, with portions withheld pursuant to the mandatory personal privacy exemption at section 21 of the *Act*.

[5] The appellant appealed the ministry's decision and Appeal PA13-39 was opened. At mediation, the appellant took the position that there is a public interest in disclosure of the withheld information. As a result, the application of section 23 of the *Act* was added as an issue in this appeal.

[6] As the parties were unable to resolve the appeal through mediation, it was transferred to the adjudication stage for a written inquiry under the *Act*. As part of my inquiry, I initially sought representations from the ministry, which I shared with the appellant. I then sought, and received, the appellant's representations on the issues.

[7] In the discussion that follows, I find the personal privacy exemption in section 21(1) of the *Act* applies to exempt some of the withheld information in the report. The public interest override at section 23 does not apply. I order the disclosure of other information that does not constitute personal information within the meaning of the *Act*.

INFORMATION AT ISSUE:

[8] The information at issue is contained in the withheld portions of a ministry report entitled "Children's Aid Society of the County of Prince Edward – Foster Care Program and Services Operational Review Final Report – December 2011/January 2012."

[9] The withheld portions appear at pages 8, 10, 11, 14, 18, 19, 21, 38, 44 and 47 of the report. None of these portions identifies individuals by name.

ISSUES:

- A. Does the information at issue contain "personal information" as defined in section 2(1)?
- B. If so, does the mandatory exemption at section 21(1) apply to the information?
- C. Is there a compelling public interest in disclosure of the withheld information that clearly outweighs the purpose of the section 21 exemption?

DISCUSSION:

A. Does the information at issue contain "personal information" as defined in section 2(1) of the *Act*?

[10] In order to determine whether the exemption at section 21(1) of the *Act* applies, it is first necessary to decide whether the information at issue constitutes "personal information" as defined in the *Act*. That term is defined in section 2(1) as follows:

"personal information" means recorded information about an identifiable individual, including,

- (a) information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual,
- (b) information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,
- (c) any identifying number, symbol or other particular assigned to the individual,
- (d) the address, telephone number, fingerprints or blood type of the individual,
- (e) the personal opinions or views of the individual except if they relate to another individual,

- (f) correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence,
- (g) the views or opinions of another individual about the individual, and
- (h) the individual's name where it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

[11] The list of examples of personal information under section 2(1) is not exhaustive. Therefore, information that does not fall under paragraphs (a) to (h) may still qualify as personal information.¹

[12] To qualify as personal information, the information must be about the individual in a personal capacity. As a general rule, information associated with an individual in a professional, official or business capacity will not be considered to be "about" the individual.²

[13] Even if information relates to an individual in a professional, official or business capacity, it may still qualify as personal information if the information reveals something of a personal nature about the individual.³

[14] To qualify as personal information, it must be reasonable to expect that an individual may be identified if the information is disclosed.⁴

Representations

[15] The ministry takes the position that all the withheld portions contain personal information within the meaning of the *Act* because, although they do not contain names, it is reasonable to expect individuals to be identified if the information were disclosed. In particular, the ministry submits that when the withheld information is combined with information from other available sources, or provided to those familiar with the particular circumstances or events contained in the record, there is a

¹ Order 11.

² Orders P-257, P-427, P-1412, P-1621, R-980015, MO-1550-F and PO-2225.

³ Orders P-1409, R-980015, PO-2225 and MO-2344.

⁴ Order PO-1880, upheld on judicial review in *Ontario (Attorney General) v. Pascoe*, [2002] O.J. No. 4300 (C.A.).

reasonable expectation that the individuals to whom the information relates can be identified.

[16] The ministry makes specific representations on each of the withheld portions of the report, which I summarize here:

- Pages 8 and 10: the withheld information could reveal the identities of specific foster parents who were subject to criminal investigations, and fits within paragraph (b) of the definition of personal information in section 2(1) of the *Act*;
- Pages 11 and 14: the withheld information contains details of alleged sexual abuse that could identify the victims of the abuse, and also falls within paragraph (b) of the definition of personal information;
- Pages 18, 19 and 21: the withheld information contains details of abuse allegations that could reveal the identity of specific victims and individuals charged with the abuse, and also falls within paragraph (b) of the definition of personal information;
- Page 38: the withheld information contains specific information about the circumstances of two foster families, which could reveal the identities of those families;
- Pages 44 and 47: the withheld information could reveal the identities of Crown wards, and fits within paragraph (a) of the definition of personal information.

[17] The ministry describes why it believes the above information could be used to identify the individuals involved. The ministry explains that most of the withheld information relates to individuals involved in criminal investigations of a number of foster homes in Prince Edward County. Several foster families have been charged and were named in the local media. The ministry indicates that these matters relate to allegations of abuse stretching over more than a decade, involving foster families who were well-known in the community and who continue to reside in Prince Edward County. The ministry reports that many of the alleged victims remained Crown wards in this small community, and that some victims testified during the trials, which were the subject of extensive local and provincial media coverage.

[18] In the ministry's submission, other information in the record may also lead to identification of individuals because it relates to individuals within a small subset of similarly classified individuals. Some of it reveals the particular circumstances of two foster families (of a total of 37 in Prince Edward County). Some relates to a small subset of Crown wards (of a total of 28 whose files were reviewed), and reveals

personal information related to race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status.

[19] In response, the appellant states that he has no way of determining whether the withheld information qualifies as personal information, and if so, whether the mandatory exemption at section 21(1) applies to it. At the same time, the appellant concedes he does not want access to information that specifically names the children who were victims of sexual abuse, which he agrees must remain confidential.

[20] The appellant focuses most of his representations on the reasons why he believes the public interest override should apply to information withheld under section 21(1), and I will address his arguments on that matter at Issue C of my order, below. Before I do so however, I must first decide whether the information at issue in this appeal qualifies as personal information within the meaning of the *Act*.

Analysis

[21] As indicated, none of the withheld portions of the report contains the names of any individuals. The withheld information consists of numbers (for example, the number of investigations into allegations of sexual abuse), descriptions of sexual abuse allegations and other details about current and former foster children and youth and foster parents compiled during the ministry's review of the Prince Edward County CAS foster care program and services.

[22] A number of past orders of this office have considered whether information about unnamed individuals qualifies as information about identifiable individuals, and thus as personal information within the meaning of the *Act*. These orders recognize that the question of whether it is reasonable to expect that an individual can be identified from information involves a consideration of a number of circumstances including, for example, the information in the record, the size of the group to which the individual belongs, and what information is already available in the public domain or known to those familiar with the particular circumstances or events contained in the record.⁵ In every case, the decision on this question is based on its own facts.

[23] In support of its claim that the withheld information can be connected to identifiable individuals, the ministry states that there has been extensive media coverage of the incidents described in the report. The newspaper articles cited by the appellant in his access request and in his representations substantiate that information about sexual abuse incidents and allegations involving individuals connected to the Prince Edward County CAS, including the names of some former foster parents charged or convicted in relation to these allegations, is in the public domain.

⁵ See, for example, Orders P-230, MO-1708, MO-1472-F, PO-2614, PO-3189.

[24] The ministry also states that there are only 37 foster families in the region covered by the report. In addition, portions of the report that have already been disclosed indicate there were 66 children in the care of the CAS, including 34 children and youth in CAS foster homes and “kin in care homes”, at the time of the review.

[25] In assessing whether the withheld information constitutes personal information, I have considered whether the information is about identifiable individuals, even if not named, taking into account the information in the public domain and the circumstances described by the ministry, including the small number of foster families, parents and children in Prince Edward County. For the reasons that follow, I find that some of the withheld information qualifies as personal information within the meaning of the *Act*, but that other information does not.

[26] I find the information withheld on pages 8 and 21 of the report does not qualify as personal information. The redacted information on page 8 consists of the number of investigations by the CAS and the Ontario Provincial Police into certain allegations and identifies a type of allegation. The redacted information on page 21 identifies the number of homes for which sexual abuse allegations were made in 2010. I have not been provided with evidence of how the withheld information can reasonably lead to the identification of the foster parents or children involved, as asserted by the ministry.

[27] The ministry states that some individuals have been named in the media or have appeared at trials in relation to incidents considered in the report, and thus their identities as accused or as victims are already known to the community. It is not sufficient for the ministry to assert that there is information in the public domain that relates to individuals whose information is contained in the report – there must be evidence to support a claim that information in the public domain could be used to lead to the identification of unnamed individuals discussed in the report.⁶ In this case I have not been provided with evidence to support a finding that disclosure of the withheld information on pages 8 and 21 could reasonably lead to the identification of specific individuals, and it is not obvious from the record how that identification could be made.

[28] As I find this information does not qualify as personal information within the meaning of the *Act*, section 21(1) cannot apply to exempt it from disclosure. As no other exemption has been claimed for this information, I will order it to be disclosed to the appellant.

[29] By contrast, I find that disclosure of the remaining information (at pages 10, 11, 14, 18, 19, 38, 44 and 47 of the report) could reasonably be expected to identify specific individuals, and reveal other information about them. It thus qualifies as personal information within the meaning of the *Act*.

⁶ *Ontario (Ministry of Correctional Services) v. Goodis*, 89 O.R. (3d) 457 (Div. Ct.).

[30] The information sought to be withheld on pages 10, 11, 14, 18 and 19 consists of detailed descriptions of allegations made against certain foster homes and individuals, including dates. Unlike the description I found not to qualify as personal information on page 8 of the report, the information on these pages goes beyond a recitation of public charges or allegations. It reveals information that may not already be publicly known and that could reasonably be expected, either alone or in combination with information in the public domain, to identify or reveal information about specific individuals alleged to have committed or experienced abuse.

[31] The information sought to be withheld on page 38 of the report contains details about two specific foster families that I find could reasonably lead to their identification, and meets the definition of personal information for the purposes of the *Act*.

[32] The information sought to be withheld on pages 44 and 47 relates to a subset of the 28 Crown wards whose files were reviewed, who are of native heritage. Given the small number in this subset, I find that disclosure of this information could reasonably lead to their identification and reveal other information about them.

[33] In summary, I have found that all the withheld information, with the exception of the information appearing at pages 8 and 21 of the report, qualifies as personal information within the meaning of the *Act*. I will now determine whether the mandatory exemption at section 21(1) applies to the personal information appearing at pages 10, 11, 14, 18, 19, 38, 44 and 47.

B. Does the mandatory exemption at section 21(1) apply to the information?

[34] Where a requester seeks personal information of another individual, section 21(1) prohibits an institution from releasing this information unless one of the exceptions in paragraphs (a) to (f) of section 21(1) applies. In the circumstances, the only exception that might apply is paragraph (f), which permits disclosure only if such disclosure would not be an unjustified invasion of personal privacy.

[35] The *Act* sets out factors and presumptions at sections 21(2), (3) and (4) that help in determining whether disclosure would or would not be an unjustified invasion of privacy under section 21(1)(f).

[36] If any of paragraphs (a) to (h) of section 21(3) apply, disclosure of the information is presumed to be an unjustified invasion of personal privacy under section 21. Once established, a presumed unjustified invasion of personal privacy under section 21(3) can only be overcome if section 21(4) or the "public interest override" at section 23 applies.⁷

⁷ *John Doe v. Ontario (Information and Privacy Commissioner)* (1993), 13 O.R. (3d) 767 (Div.Ct.).

[37] If no section 21(3) presumption applies, section 21(2) lists various factors that may be relevant in determining whether disclosure of personal information would constitute an unjustified invasion of personal privacy.⁸ In order to find that disclosure does not constitute an unjustified invasion of personal privacy, one or more factors and/or circumstances favouring disclosure in section 21(2) must be present. In the absence of such a finding, the exception in section 21(1)(f) is not established and the mandatory section 21(1) exemption applies.⁹

[38] The list of factors under section 21(2) is not exhaustive. The institution must also consider any circumstances that are relevant, even if they are not listed under section 21(2).¹⁰

Representations

[39] The ministry submits that disclosure of the information contained on pages 44 and 47 is presumed to constitute an unjustified invasion of personal privacy under section 21(3)(h) of the *Act*, as the information would indicate an individual's racial or ethnic origin, sexual orientation or religious or political beliefs or associations.

[40] The ministry submits that various factors under section 21(2) support its decision not to disclose the withheld portions on the other pages of the report. In particular, the ministry submits that the factor at paragraph (a), which contemplates disclosure for the purpose of public scrutiny of government activities, does not apply as the personal information in question is not relevant to this purpose and the disclosure of the information "will not add anything essential to public discussion of those issues."

[41] The ministry also relies on the factor at paragraph (f) of section 21(2), which weighs against disclosure where the personal information is highly sensitive. The ministry submits that this factor applies because the information relates to the sexual abuse of minors, and could, if disclosed, reveal the identity of victims given the small size of the community in which the incidents occurred.

[42] Although the appellant states at the outset of his representations that he believes the withheld information does not "reach the threshold of violating *FIPPA's* section 21 personal privacy guarantee," he makes no substantive submissions on this issue.

Analysis

[43] On my review of the parties' submissions and the personal information at issue in this appeal, I agree that disclosure of the information appearing at pages 44 and 47 is

⁸ Order P-239.

⁹ Orders PO-2267 and PO-2733.

¹⁰ Order P-99.

presumed to constitute an unjustified invasion of personal privacy under section 21(3)(h) of the *Act*, as the information indicates certain individuals' racial or ethnic origins. As none of the exceptions to the presumption contained in section 21(4) applies, the information on these pages is exempt from disclosure under section 21(1) of the *Act*.

[44] I also agree that the mandatory exemption at section 21(1) applies to the personal information appearing at pages 10, 11, 14, 18, 19 and 38. I accept that the personal information on these pages is highly sensitive, as it relates to allegations and incidents of sexual abuse of minors. The factor at section 21(2)(f) of the *Act* accordingly applies and weighs strongly against disclosure. I also agree with the ministry that the factor at section 21(2)(a) does not apply in the circumstances of this appeal. The bulk of the ministry's report of its review of the Prince Edward County CAS has been disclosed to the appellant, with severances only of details that could serve to identify individuals. The released portions of the report, along with information in the public domain concerning the allegations and incidents that prompted the ministry's review, provide the appellant with sufficient information to meet the public scrutiny purposes contemplated by this factor. As none of the other factors favouring disclosure applies to the information, I find that its disclosure would be an unjustified invasion of the personal privacy of the individuals to whom it relates, and it is exempt under section 21(1) of the *Act*.

[45] I will now consider whether, in spite of the application of the mandatory personal privacy exemption to the information, there is a public interest in its disclosure.

C. Is there a compelling public interest in disclosure of the withheld information that clearly outweighs the purpose of the section 21 exemption?

[46] The appellant claims there is a public interest in disclosure of the withheld information that overrides the purpose of the section 21 exemption.

[47] Section 23 states:

An exemption from disclosure of a record under sections 13, 15, 17, 18, 20, **21** and 21.1 does not apply where a compelling public interest in the disclosure of the record clearly outweighs the purpose of the exemption.
[emphasis added]

[48] For section 23 to apply, two requirements must be met. First, there must be a compelling public interest in disclosure of the withheld information. Second, this interest must clearly outweigh the purpose of the exemption.

[49] In considering whether there is a “public interest” in disclosure of the record, the first question to ask is whether there is a relationship between the record and the *Act's* central purpose of shedding light on the operations of government.¹¹ Previous orders have stated that in order to find a compelling public interest in disclosure, the information in the record must serve the purpose of informing or enlightening the citizenry about the activities of their government or its agencies, adding in some way to the information the public has to make effective use of the means of expressing public opinion or to make political choices.¹²

[50] A public interest does not exist where the interests being advanced are essentially private in nature.¹³ Where a private interest in disclosure raises issues of more general application, a public interest may be found to exist.¹⁴

[51] The word “compelling” has been defined in previous orders as “rousing strong interest or attention.”¹⁵

[52] Any public interest in *non*-disclosure that may exist also must be considered.¹⁶ A public interest in the non-disclosure of the record may bring the public interest in disclosure below the threshold of “compelling.”¹⁷

[53] A compelling public interest has been found to exist where, for example:

- the records relate to the economic impact of Quebec separation¹⁸
- the integrity of the criminal justice system has been called into question¹⁹
- public safety issues relating to the operation of nuclear facilities have been raised²⁰

¹¹ Orders P-984 and PO-2607.

¹² Orders P-984 and PO-2556.

¹³ Orders P-12, P-347 and P-1439.

¹⁴ Order MO-1564.

¹⁵ Order P-984.

¹⁶ *Ontario Hydro v. Mitchinson*, [1996] O.J. No. 4636 (Div. Ct.).

¹⁷ Orders PO-2072-F, PO-2098-R and PO-3197.

¹⁸ Order P-1398, upheld on judicial review in *Ontario (Ministry of Finance) v. Ontario (Information and Privacy Commissioner)*, [1999] O.J. No. 484 (C.A.).

¹⁹ Order PO-1779.

²⁰ Order P-1190, upheld on judicial review in *Ontario Hydro v. Ontario (Information and Privacy Commissioner)*, [1996] O.J. No. 4636 (Div. Ct.), leave to appeal refused [1997] O.J. No. 694 (C.A.), Order PO-1805.

- disclosure would shed light on the safe operation of petrochemical facilities²¹ or the province's ability to prepare for a nuclear emergency²²
- the records contain information about contributions to municipal election campaigns.²³

[54] A compelling public interest has been found *not* to exist where, for example:

- another public process or forum has been established to address public interest considerations²⁴
- a significant amount of information has already been disclosed and this is adequate to address any public interest considerations²⁵
- a court process provides an alternative disclosure mechanism, and the reason for the request is to obtain records for a civil or criminal proceeding²⁶
- there has already been wide public coverage or debate of the issue, and the records would not shed further light on the matter²⁷
- the records do not respond to the applicable public interest raised by appellant.²⁸

[55] The existence of a compelling public interest is not sufficient to trigger disclosure under section 23. This interest must also clearly outweigh the purpose of the established exemption claim in the specific circumstances. An important consideration in balancing a compelling public interest in disclosure against the purpose of the exemption is the extent to which denying access to the information is consistent with the purpose of the exemption.²⁹

²¹ Order P-1175.

²² Order P-901.

²³ *Gombu v. Ontario (Assistant Information and Privacy Commissioner)* (2002), 59 O.R. (3d) 773.

²⁴ Orders P-123/124, P-391 and M-539.

²⁵ Orders P-532, P-568, PO-2626, PO-2472 and PO-2614.

²⁶ Orders M-249 and M-317.

²⁷ Order P-613.

²⁸ Orders MO-1994 and PO-2607.

²⁹ Order P-1398, upheld on judicial review in *Ontario (Ministry of Finance) v. Ontario (Information and Privacy Commissioner)*, [1999] O.J. No. 488 (C.A.).

Representations

[56] The ministry submits that the public interest override does not apply in the circumstances of this appeal, as disclosure of the information at issue would not serve to further inform the public or contribute to public discussion or greater public scrutiny in the matters of concern to the appellant. The ministry also notes that the protection of personal privacy is one of the fundamental purposes of the *Act*, as recognized at section 1(b).

[57] The bulk of the appellant's representations are devoted to his public interest arguments. He describes the copy of the report he received from the ministry as a "heavily redacted report" that "shows the agency was rife with significant internal conflicts, recklessly placing vulnerable children in homes that were not properly screened [...]," and the ministry as a "cesspool with a severe history of perpetrating offences against the people of this province." The appellant makes many statements of this nature about the ministry and about the Ontario child protection scheme in general throughout his representations.

[58] Of relevance to the issue in this appeal is the appellant's assertion that disclosure of the withheld information will reveal the ministry's "child protection litigation fraud [*sic*]," of which he believes the redactions that are the subject of this appeal are an example. He submits that their disclosure "will contribute to the pursuit of justice" for those families that have been victimized by this system. The appellant notes that in Ontario, front-line child protection authorities like the CAS are not subject to access-to-information legislation, and he argues that this "brutally unfair and indescribably deleterious condition strongly establishes the [public interest override] argument in this case." He also refers to past access requests he has made to the ministry and suggests that the ministry's handling of these past requests establishes that it has an interest in denying him access to records "because of the intensity of the work we've been doing to expose the province of [Ontario's] child protection litigation fraud [*sic*]."

Analysis

[59] It is apparent from the appellant's representations that he has a deep interest in the child protection system in Ontario and in the ministry's role in that system. In lengthy representations on what he identifies as a pervasive problem of abuse, corruption and other criminal activity in the system, the appellant appears to draw a connection between the incidents reviewed in the ministry's report and what he describes as its abuse of authority in denying access to information, including the information severed from the report.

[60] On my review of the parties' representations and the material before me, I do not find any support for the appellant's claims of abuse of authority or other improper purposes of the ministry in withholding certain portions of the report, or about a public

interest in disclosure of the limited and specific severances that are at issue in this appeal.

[61] First, I accept that there is a public interest in knowing how the ministry has addressed serious allegations of harm involving children and youth in the care of ministry-licensed and funded foster care programs. Even if I were to accept that this interest rises to the level of a compelling public interest, however, I find the public interest in these matters has been met without requiring the disclosure of the personal information at issue here.

[62] The ministry has disclosed to the appellant the bulk of the 56-page report of its review of allegations of sexual abuse of children in Prince Edward County CAS foster homes. The information that I found to be properly exempt from the report consists of the personal information of foster families, parents, children and youth. Disclosure of this information would not serve to shed any more light on the ministry's review than is provided through the portions of the report that have already been released and are available through other sources, to enable the kind of public scrutiny sought by the appellant.

[63] I also find that withholding this information serves the important purposes of protecting the personal privacy of these individuals, some of whom are children and youth alleged to be victims of abuse, in relation to information that is of a highly sensitive nature or whose disclosure is presumed to constitute an unjustified invasion of privacy.

[64] Finally, I do not accept the appellant's claims that disclosure of the withheld information will reveal misconduct on the part of the ministry or otherwise contribute to the pursuit of justice. Without evidence of how disclosure of this particular information would achieve these results, I find the appellant's bare assertions unconvincing.

[65] As I find the public interest override does not apply in the circumstances of this appeal, I uphold the ministry's decision to withhold the portions of the report I found properly exempt under section 21(1).

ORDER:

1. I order the ministry to disclose the withheld portions on pages 8 and 21 of the report by providing the appellant with a copy of these pages **on or before June 30, 2014.**
2. I uphold the ministry's decision to withhold the remaining portions of the report from disclosure.

3. I reserve the right to require the ministry to provide me with proof of compliance with order provision 1.

Original signed by: _____
Sherry Liang
Senior Adjudicator

_____ May 29, 2014