



Order F25-25

THOMPSON RIVERS UNIVERSITY

David S. Adams
Adjudicator

March 26, 2025

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Summary: Under the *Freedom of Information and Protection of Privacy Act* (FIPPA), an applicant requested that Thompson Rivers University (TRU) provide her with access to records about a complaint made against her. TRU provided the applicant with the responsive records but withheld some information in them under ss. 13(1) (advice or recommendations), 14 (solicitor-client privilege), and 22(1) (unreasonable invasion of third-party personal privacy) of FIPPA. The adjudicator found that TRU was authorized to withhold all of the information in dispute under s. 14 and authorized or required to withhold most of the information it withheld under ss. 13(1) and 22(1). The adjudicator ordered TRU to disclose the information it was not authorized or required to withhold under ss. 13(1) and 22(1).

Statutes Considered: *Freedom of Information and Protection of Privacy Act*, RSBC 1996 c 165, ss. 13(1), 13(2)(a), 13(2)(g), 13(2)(n), 13(3), 14, 22(1), 22(2)(c), 22(2)(e), 22(2)(f), 22(3)(a), 22(3)(d), 22(3)(i), 22(4)(b), 22(4)(e), 22(4)(i), 22(5)

INTRODUCTION

[1] The applicant in this case is a former student at Thompson Rivers University (TRU). She requested that TRU provide her with access, under the *Freedom of Information and Protection of Privacy Act* (FIPPA), to information related to a complaint another student made against her (the Complaint).

[2] TRU initially provided her with 377 pages of records (the Original Records) with some information in them severed under ss. 13(1) (advice or recommendations), 15(1) (disclosure harmful to law enforcement), and 22(1) (unreasonable invasion of third-party personal privacy) of FIPPA. TRU later identified an additional 85 pages of records (the Supplemental Records) as responsive to the applicant's request but withheld those records in their entirety under s. 14 (solicitor-client privilege). The applicant requested that the Office of the Information and Privacy Commissioner (OIPC) review TRU's decision to

withhold information. Mediation by the OIPC did not resolve the outstanding issues and the matter proceeded to inquiry.

[3] During the inquiry, TRU partially reconsidered its severing decisions and released additional information in the Supplemental Records to the applicant. However, it decided to withhold some information in the Supplemental Records under ss. 13(1), 14, and 22(1).

[4] Both parties provided submissions and evidence in this inquiry. The applicant made a wide-ranging submission on various points, some of which are outside the scope of this inquiry (e.g., the merits of the Complaint and the fairness of the process TRU used in deciding it). She also provided a collection of documents, including her correspondence with TRU and with the BC Ombudsperson. While I have reviewed all of these materials, I will refer only to the parts of them that I have found necessary to consider in order to decide the issues in dispute.

Preliminary matter – TRU's withdrawal of reliance on s. 15(1)(l)

[5] TRU initially withheld a small amount of information in the Original Records under s. 15(1)(l) (disclosure harmful to the security of a property or system) of FIPPA. TRU provided an affidavit from its privacy officer (the Privacy Officer) who deposes that TRU is no longer relying on s. 15 in this inquiry.¹ TRU also made no submissions about s. 15.

[6] Some information in the Original Records² is marked as being withheld under s. 15 alone. Since TRU is no longer relying on this section, or any other section of FIPPA, to withhold this information, it must disclose this information to the applicant in accordance with my order at paragraph 118 below.

ISSUES AND BURDEN OF PROOF

[7] The issues I must decide in this inquiry are:

1. Whether TRU may refuse to disclose information under s. 13(1);
2. Whether TRU may refuse to disclose information under s. 14; and
3. Whether TRU must refuse to disclose information under s. 22(1).

[8] Under s. 57(1) of FIPPA, TRU bears the burden of proving that the applicant has no right of access to the information it withheld under ss. 13(1) and

¹ Affidavit of Privacy Officer at para 10.

² At pages 181-182, 203, and 338.

14. Meanwhile, s. 57(2) provides that the burden is on the applicant to prove that the disclosure of any personal information TRU withheld would not be an unreasonable invasion of a third party's personal privacy under s. 22(1).³ TRU, however, has the initial burden of proving that the information it has withheld under s. 22(1) is personal information.⁴

DISCUSSION

Background

[9] TRU is a university based in Kamloops. The applicant is a former student at TRU. In 2021, another student (the Complainant) filed a complaint about the applicant under TRU's *Respectful Workplace and Harassment Prevention Policy* (the Policy).

[10] TRU hired an external lawyer (the External Lawyer) to investigate the Complaint (the Investigation). The External Lawyer interviewed the Complainant, the applicant, and others, and produced a report for TRU which concluded that the applicant had breached the Policy. On the basis of this report, TRU reprimanded the applicant.

Information at issue

[11] The responsive records total 462 pages and consist mainly of emails, Facebook screenshots, text messages, and interview notes from the Investigation. The records also include the External Lawyer's statement of account. TRU withheld information on approximately 228 pages of records.

Solicitor-client privilege – s. 14

[12] Section 14 of FIPPA allows a public body to refuse to disclose information that is subject to solicitor-client privilege. The term "solicitor-client privilege" in s. 14 encompasses both legal advice privilege and litigation privilege.⁵

[13] TRU withheld a one-page record under s. 14.⁶ TRU describes the withheld record as a confidential email communication between TRU's in-house legal counsel (the Legal Counsel) and a senior TRU manager, in which the Legal

³ Schedule 1 of FIPPA says that a "third party" in relation to a request for access to a record or for correction of personal information means any person, group of persons or organization other than the person who made the request, or a public body.

⁴ Order 03-41, 2003 CanLII 49220 (BC IPC) at paras 9-11.

⁵ *College of Physicians of BC v. British Columbia (Information and Privacy Commissioner)*, 2002 BCCA 665 [College] at para 26.

⁶ Page 17 of the Supplemental Records.

Counsel was providing legal advice.⁷ I infer from this that TRU is relying on the legal advice privilege branch of s. 14 to withhold the record.

Evidentiary basis for solicitor-client privilege

[14] TRU did not provide the record it withheld under s. 14 for my review. When read together, ss. 44(1)(b) and 44(2.1) of FIPPA allow me, as the Commissioner's delegate, to order the production of records over which a public body has claimed solicitor-client privilege. However, because of the importance of solicitor-client privilege to the integrity of the legal system, I will do so only when production is necessary to fairly decide the question of privilege, such as when there is doubt that privilege has been properly applied or when the evidence is inconclusive.⁸

[15] To support its claim of privilege, TRU relies on affidavit evidence from the Privacy Officer, who is a lawyer and says she has personally reviewed the withheld record. She describes its nature, the parties to the communication, and her view of the purpose of the communication.⁹ I give some weight to the Privacy Officer's judgment because she is a practicing lawyer with a professional obligation to ensure privilege is properly claimed.¹⁰ I am satisfied that this affidavit is a sufficient basis on which to decide TRU's claim of privilege, and that it is not necessary for me to order production of the withheld record.

Legal advice privilege – submissions and analysis

[16] Legal advice privilege applies to communications between a solicitor and their client that entail the seeking or giving of legal advice and that are intended by the parties to be confidential.¹¹ Legal advice privilege promotes full and frank disclosure between solicitor and client, thereby promoting "effective legal advice, personal autonomy (the individual's ability to control access to personal information and retain confidences), access to justice and the efficacy of the adversarial process".¹²

[17] Not every communication between a solicitor and client is privileged.¹³ For instance, information shared with in-house counsel who is acting as a business or policy advisor rather than as legal counsel will not attract the privilege. In order to determine whether in-house counsel is acting in a professional legal capacity

⁷ TRU's initial submission at paras 80-82.

⁸ *Goodis v. Ontario (Ministry of Correctional Services)*, 2006 SCC 31 at para 15; Order F19-21, 2019 BCIPC 23 (CanLII) at para 61.

⁹ Affidavit of Privacy Officer at paras 19-20.

¹⁰ *British Columbia (Minister of Finance) v. British Columbia (Information and Privacy Commissioner)*, 2021 BCSC 266 (CanLII) at para 86.

¹¹ *Solosky v. The Queen*, 1979 CanLII 9 (SCC), [1980] 1 SCR 821 at 837.

¹² *College*, *supra* note 5 at para 30.

¹³ *Ibid* at 829.

at the time of the communication, it is necessary to consider general evidence of the nature of the relationship, the subject matter of the advice, and the circumstances in which the advice is sought or rendered.¹⁴

[18] TRU says that the withheld record is a confidential communication between the Legal Counsel and his client, TRU, made for the purpose of providing legal advice.¹⁵ The Privacy Officer deposes that she has reviewed the withheld record and that it consists of an email between the Legal Counsel and a TRU executive. She says it is a confidential communication in which the Legal Counsel was providing legal advice to TRU with respect to the Complaint. She adds that the Legal Counsel expressly marked the email as privileged and confidential.¹⁶

[19] The applicant suggests that the Legal Counsel could have been acting as a business or policy advisor in his communication, or that his role was limited to “affirming decisions” already made by TRU, since TRU had decided in advance how it was going to proceed with the Complaint.¹⁷

[20] For the reasons that follow, I am satisfied that legal advice privilege applies. First, I find that the Legal Counsel and TRU were in a solicitor-client relationship. I am readily able to infer from the Privacy Officer’s evidence (which I accept) that such a relationship, in which the Legal Counsel provided legal advice to TRU, existed.

[21] Second, based on the Privacy Officer’s evidence, I am satisfied that the withheld record is a communication between the Legal Counsel and TRU made for the purpose of providing legal advice. The Privacy Officer is a lawyer who has reviewed the withheld record, so I find her evidence on whether the Legal Counsel was providing legal advice persuasive. In my view, her evidence establishes that the Legal Counsel was acting in a professional legal capacity by providing legal advice to TRU in connection with the Complaint, as opposed to acting as a business or policy advisor.

[22] Finally, I am satisfied that the communication was intended to be confidential. I accept the Privacy Officer’s evidence that the communication was marked privileged and confidential, and there is no evidence before me that the communication was shared with anyone outside the solicitor-client relationship.

¹⁴ *Keefer Laundry Ltd v. Pellerin Milnor Corp. et al.*, 2006 BCSC 1180 at paras 63-64 and the cases cited therein; Order F24-49, 2024 BCIPC 57 (CanLII) at para 36.

¹⁵ TRU’s initial submission at paras 80-82.

¹⁶ Affidavit of Privacy Officer at paras 19-20.

¹⁷ Applicant’s response submission at paras 61-62 and 70.

[23] To summarize, I find that the withheld record is a confidential communication between a solicitor and client that entails the giving of legal advice.

Crime-fraud exclusion

[24] The applicant says that TRU took “a series of actions” against her which amounted to “academic fraud” and that TRU received legal advice with the intention of committing this fraud.¹⁸ She says, therefore, that the crime-fraud exclusion may apply to limit the scope of privilege.

[25] The crime-fraud exclusion, sometimes known as the “crime-fraud exception” or the “future crimes and fraud exception”, is a doctrine that holds that communications between a solicitor and client made with a view to facilitating the commission of a crime cannot be privileged.¹⁹ The policy rationale for the exclusion is that the facilitation of wrongful conduct is not within the scope of a lawyer’s professional duties.²⁰

[26] In order to invoke the crime-fraud exclusion, an applicant must make out a *prima facie* case. It is insufficient only to assert that the lawyer’s advice was sought for an unlawful purpose. There must be clear and convincing evidence to give colour to the allegation that the client communicated with the lawyer with the intention of committing an unlawful act. Where a *prima facie* case is made out, the decision-maker must then review the withheld records themselves in order to determine whether privilege has been properly claimed.²¹

[27] TRU says that the applicant has not made out a *prima facie* case that TRU sought legal advice to facilitate the commission of a crime.²²

[28] Having considered the applicant’s submission, I am not persuaded that a *prima facie* case has been made out. It is my understanding that the term “academic fraud” refers to a situation where a student attempts to gain an unfair academic advantage, not to some kind of fraudulent activity taken by an academic institution as the applicant seems to be saying. The applicant makes many accusations of procedural unfairness in TRU’s handling of the Complaint, but I am unable to conclude from these that there is a reasonable possibility that TRU’s communication with the Legal Counsel was made to advance a criminal or fraudulent purpose. Considering all this, I find that the crime-fraud exclusion does not apply.

¹⁸ Applicant’s response submission at paras 63-67 and 69-70.

¹⁹ *Descoteaux et al. v. Mierzwinski*, 1982 CanLII 22 (SCC), [1982] 1 SCR 860 at 893.

²⁰ *Huang v. Silvercorp Metals Inc.*, 2017 BCSC 795 at para 174 and the cases cited therein.

²¹ *McDermott v. McDermott*, 2013 BCSC 534 at paras 77-78 and the cases cited therein.

²² TRU’s reply submission at para 33.

Conclusion on s. 14

[29] I find that TRU has established that this one-page record is protected by legal advice privilege. TRU may therefore refuse to disclose it under s. 14.

Advice or recommendations – s. 13

[30] Section 13(1) of FIPPA allows a public body to refuse to disclose information that would reveal advice or recommendations developed by or for a public body or a minister. The purpose of s. 13(1) is to encourage the free and frank flow of advice and recommendations, and to prevent the harm that would occur if the public body's deliberative process were exposed to public scrutiny.²³ It applies not only where disclosure of the information would reveal advice or recommendations, but also where the information would permit accurate inferences about advice or recommendations.²⁴

[31] TRU has withheld portions of emails and draft documents under s. 13(1).

[32] The first step in the s. 13 analysis is to consider whether the information at issue would reveal advice or recommendations under s. 13(1). The next step is to consider whether any of the provisions of ss. 13(2) or (3) apply, and if they do, the information cannot be withheld under s. 13(1).

Advice or recommendations – s. 13(1)

[33] The words “advice” and “recommendations” have distinct meanings. The term “recommendations” includes information that relates to a suggested course of action that will ultimately be accepted or rejected by the person receiving the recommendation.²⁵ “Advice” has a broader meaning, and usually involves a communication by a person whose advice has been sought, to the recipient of the advice, about which courses of action are preferred or desirable.²⁶ The term “advice” also includes opinions that involve the exercise of judgment and skill to weigh the significance of matters of fact on which a public body must make a decision about future action.²⁷

[34] Previous OIPC orders have found that s. 13(1) does not apply to:

²³ *Insurance Corporation of British Columbia v. Automotive Retailers Association*, 2013 BCSC 2025 [ICBC] at paras 52 and 65.

²⁴ Order F17-19, 2017 BCIPC 20 (CanLII) at para 19.

²⁵ *John Doe v. Ontario (Finance)*, 2014 SCC 36, [2014] 2 SCR 3 at paras 23-24.

²⁶ Order 01-15, 2001 CanLII 21569 (BC IPC) at para 22.

²⁷ *College*, *supra* note 5 at para 113.

- Requests for advice or recommendations, even if the request reveals the scope of the advice or recommendations sought.²⁸
- Information that has already been disclosed to an applicant.²⁹
- The communication of information of a factual nature, the clarification of facts, and explanations of what a person has done or will do.³⁰

[35] Additionally, s. 13(1) does not apply to draft documents merely because they are drafts. The test is the same for both draft and final documents: would disclosure reveal advice or recommendations within the meaning of s. 13(1)?³¹

Parties' positions

[36] TRU says that the portions of information it withheld under s. 13(1) are parts of an “ongoing internal dialogue” within TRU about how to address the Complaint, the Investigation, the applicant’s conduct, the delivery of educational services to the applicant and others, and the interpretation of TRU’s policies.³²

[37] The applicant disputes that s. 13(1) applies. She asserts that TRU quickly decided how it was going to proceed in the Complaint and that it therefore had no further need to seek advice, and that as a result the withheld information is merely factual.³³ She hypothesizes that some of the withheld information may consist of instructions to TRU staff concerning decisions already made, or mere requests for advice, rather than advice or recommendations.³⁴

[38] In reply, TRU denies that it decided on a course of action about the Complaint from the outset. It says its response to the Complaint and the Investigation evolved in real time based on new information and developments.³⁵

Analysis and conclusions on s. 13(1)

[39] On my review of the information TRU withheld under s. 13(1), I can see that it consists mostly of portions of emails in which the authors are discussing how to proceed with various aspects of the Complaint and related matters. Some of the emails are from one TRU employee to another, and others are between TRU employees and the External Lawyer. There are also several drafts of a letter

²⁸ Order F17-39, 2017 BCIPC 43 (CanLII) at para 37; Order F23-13, 2023 BCIPC 15 (CanLII) at para 27.

²⁹ Order F20-32, 2020 BCIPC 38 (CanLII) at para 36.

³⁰ See, e.g., Order F23-13, *supra* note 28 at para 27.

³¹ Order F21-41, 2021 BCIPC 49 (CanLII) at para 33, citing Order 00-27, 2000 CanLII 14392 (BC IPC).

³² TRU’s initial submission at paras 71-72.

³³ Applicant’s response submission at paras 39, 42, 45, 49, 53, 55, and 57.

³⁴ *Ibid* at paras 45 and 49.

³⁵ TRU’s reply submission at paras 20-23.

from the applicant's department chair to the applicant. I can see from the applicant's evidence that a final version of this letter was sent to her.

[40] I find that much of the information withheld from the emails involves the authors weighing the significance of facts or advising on a course of action. I am satisfied that disclosure of this information would reveal advice or recommendations developed by or for TRU.

[41] However, I find that the balance of the information in the emails withheld under s. 13(1) would not reveal advice or recommendations developed by or for TRU for the following reasons:

- The withheld information is only about what individuals plan to do, or only relates mere facts;³⁶
- The withheld information is a request for advice;³⁷
- The withheld information has already been disclosed to the applicant on other pages of the responsive records, so disclosure would not "reveal" any advice or recommendations under s. 13(1).³⁸

[42] As for the drafts of the letter, I can see that the letter underwent several changes as it was transmitted among TRU employees. I can also see that various TRU employees commented on the draft, suggesting changes. I find that the comments and tracked changes on the drafts are themselves advice or recommendations. I also find that where information in the draft is highlighted and is the subject of a comment, disclosure would permit accurate inferences about the contents of the comment and thus advice or recommendations.³⁹

[43] However, I am not satisfied that the balance of the withheld information in the drafts would reveal advice or recommendations. Based on the materials before me, and having carefully considered the withheld information and TRU's submissions, I do not think it is possible to infer the content of advice or recommendations from the changes themselves. While it may in some cases be possible to make such inferences by comparing versions of a letter, the author of a draft may also make changes of their own accord without receiving advice to do so.⁴⁰

³⁶ For example, at page 193 and 314 of the Original Records; at pages 9-10, 12, 13-14, 15, and 62-67 of the Supplemental Records.

³⁷ For example, at pages 358, 362, 365, and 373 of the Original Records; at pages 9-10 and 63 of the Supplemental Records.

³⁸ For example, most of the information withheld on page 9 of the Supplemental Records and some of the information withheld on pages 361 and 370 of the Original Records was disclosed elsewhere in the responsive records.

³⁹ For a similar finding, see Order F24-88, 2024 BCIPC 100 (CanLII) at para 79.

⁴⁰ For a similar finding, see Order F24-17, 2024 BCIPC 23 (CanLII) at paras 69-70.

Information that a public body must not refuse to disclose – s. 13(2)

[44] The next step in the s. 13 analysis is to consider whether the information I found would reveal advice or recommendations falls into any of the categories in ss. 13(2) or (3). TRU says that no provision of s. 13(2) applies.⁴¹ The applicant says that ss. 13(2)(a), (g), and/or (n) may apply.⁴²

Factual material – s. 13(2)(a)

[45] Section 13(2)(a) says that a public body must not refuse to disclose “any factual material”.

[46] The applicant says that some or all of the withheld information may be factual material because it consists of background information rather than advice or recommendations.⁴³ TRU says that any factual information is intertwined with and integral to the advice or recommendations, so that no reasonable separation is possible and s. 13(2)(a) does not apply.⁴⁴

[47] The BC Supreme Court has interpreted “factual material” to mean source materials or background facts in isolation which are not necessary to an expert’s advice.⁴⁵ I do not find any of the information that I found would reveal advice or recommendations is factual material within the meaning of s. 13(2)(a). While there are passages that contain background facts,⁴⁶ I find that the background facts are integral to the advice given, so that s. 13(2)(a) does not apply.

Report on efficiency or performance of public body – s. 13(2)(g)

[48] Section 13(2)(g) provides that a public body must not refuse to disclose a final report or final audit on the performance or efficiency of a public body or on any of its programs or activities. The applicant does not explain how this section might apply to any of the withheld information, and I am unable to find that any of it is a final report or audit of any kind. I therefore find that s. 13(2)(g) does not apply.

Decision affecting rights of the applicant – s. 13(2)(n)

[49] Section 13(2)(n) says that a public body must not withhold a decision, including reasons, that is made in the exercise of a discretionary power or an adjudicative function and that affects the rights of the applicant.

⁴¹ TRU’s initial submission at para 73.

⁴² Applicant’s response submission at para 45.

⁴³ *Ibid.*

⁴⁴ TRU’s initial submission at para 73; TRU’s reply submission at paras 25-26.

⁴⁵ *Provincial Health Services Authority v. British Columbia (Information and Privacy Commissioner)*, 2013 BCSC 2322 at para 94.

⁴⁶ For example, page 327 of the Original Records.

[50] The applicant says that the Complaint was decided against her and led to a professional suitability review, and that she was deprived of the opportunity to be heard in these processes, which were unfair. She says, therefore, that she should have access to the withheld information.⁴⁷

[51] TRU says in reply that none of the withheld information contains a decision made about the applicant. It says s. 13(2)(n) applies only to a decision and its reasons, not the analysis and advice that led to the decision.⁴⁸

[52] Previous orders have established that s. 13(2)(n) applies only to a record of a decision and the underlying reasons for that decision, not to all records related in any way to a decision.⁴⁹ On my review of the withheld information, while I can see that there are discussions about how to proceed with the Complaint and the Investigation, none of those discussions contain a decision or reasons within the meaning of s. 13(2)(n).

Information in a record that has been in existence for 10 or more years – s. 13(3)

[53] Section 13(3) provides that s. 13(1) does not apply to information in a record that has been in existence for 10 or more years. Since the withheld information dates from 2021 at the earliest, I find that s. 13(3) does not apply.

Conclusion on s. 13(1)

[54] I have found that some, but not all, of the information withheld under s. 13(1) would reveal advice or recommendations developed by or for TRU. I have found that no provisions of ss. 13(2) or (3) apply. TRU may therefore withhold the information I found would reveal advice or recommendations developed by or for it.

Unreasonable invasion of third-party privacy – s. 22

[55] Section 22(1) of FIPPA provides that a public body must refuse to disclose personal information whose disclosure would be an unreasonable invasion of a third party's personal privacy. Previous orders have established the analytical approach for s. 22(1), which I will apply:

This section only applies to "personal information" as defined by FIPPA. Section 22(4) lists circumstances where s. 22 does not apply because disclosure would

⁴⁷ Applicant's response submission at paras 45 and 50.

⁴⁸ TRU's reply submission at paras 25 and 27.

⁴⁹ See, e.g., Order F07-17, 2007 CanLII 35478 (BC IPC) at para 37; Order F24-31, 2024 BCIPC 38 (CanLII) at para 62.

not be an unreasonable invasion of personal privacy. If s. 22(4) does not apply, s. 22(3) specifies information for which disclosure is presumed to be an unreasonable invasion of a third party's personal privacy. However, this presumption can be rebutted. Whether s. 22(3) applies or not, the public body must consider all relevant circumstances, including those listed in s. 22(2), to determine whether disclosing the personal information would be an unreasonable invasion of a third party's personal privacy.⁵⁰

[56] TRU withheld the following types of information under s. 22(1):

- names of email authors and recipients;
- information contained in emails and text messages;
- some items in the External Lawyer's statement of account;
- witness statements collected in the Investigation; and
- screenshots of Facebook posts and discussions below the posts.

[57] TRU withheld some information under both ss. 13(1) and 22(1). Where I have found s. 13(1) applies, I will not analyze the same information again under s. 22(1).⁵¹

Personal information – s. 22(1)

[58] The first step in the s. 22 analysis is to determine whether the withheld information is personal information. Both "personal information" and "contact information" are defined in Schedule 1 of FIPPA:

"personal information" means recorded information about an identifiable individual other than contact information;

"contact information" means information to enable an individual at a place of business to be contacted and includes the name, position or title, business telephone number, business address, business email or business fax number of the individual;

[59] As I noted above, TRU has the burden of proving that the information it withheld under s. 22(1) is personal information. TRU submits that the information it withheld under s. 22(1) is personal information because it consists of the names, opinions, communications, and actions of identifiable individuals.⁵² The applicant says the withheld information is likely to be solely her personal information, and not the personal information of third parties.⁵³

⁵⁰ Order F15-03, 2015 BCIPC 3 (CanLII) at para 58.

⁵¹ For example, at pages 221, 314, 354-356, and 371-372 of the Original Records.

⁵² TRU's initial submission at paras 37-42.

⁵³ Applicant's response submission at para 73.

[60] I find that a small amount of the withheld information is not personal information because it is contact information. Specifically, I find that two phone numbers associated with a TRU employee are contact information.⁵⁴ In the emails in which these phone numbers appear, the author expressly invites the recipient to use the numbers to discuss business. There is no indication that the numbers were given on an *ad hoc* or urgent basis. I therefore find that the purpose of these phone numbers is to enable an individual to be contacted at a place of business, and that they are therefore contact information to which s. 22(1) does not apply.⁵⁵

[61] I find that the balance of the information TRU withheld under s. 22(1) is personal information because it is about identifiable individuals and is not contact information. Much of it is the joint personal information of the applicant and of one or more third parties because it consists of what third parties said about the applicant, or what the applicant said about third parties.

Not an unreasonable invasion of privacy – s. 22(4)

[62] Section 22(4) sets out circumstances where disclosure of a third party's personal information would not be an unreasonable invasion of the third party's privacy. TRU says that none of the s. 22(4) circumstances apply to any of the withheld information.⁵⁶ The applicant suggests that ss. 22(4)(b), (e), and/or (i) may apply.⁵⁷

Compelling circumstances affecting health or safety – s. 22(4)(b)

[63] Section 22(4)(b) says that disclosure of personal information would not be an unreasonable invasion of privacy where there are compelling circumstances affecting anyone's health or safety and notice of the disclosure is mailed to the involved third party.

[64] The applicant says that s. 22(4)(b) may apply because the Complaint and the Investigation have affected her physical and psychological health.⁵⁸ TRU says that s. 22(4)(b) may apply only where a public body has decided to disclose information, and does not apply where a public body has refused to disclose information.⁵⁹

[65] Previous orders have consistently held that s. 22(4)(b) is a relevant consideration in the context of a complaint about the public body's decision to

⁵⁴ At pages 105, 165, 307, and 309-10 of the Original Records.

⁵⁵ See, e.g., Order F21-16, 2021 BCIPC 21 (CanLII) at para 35; Order F23-43, 2023 BCIPC 51 (CanLII) at para 60.

⁵⁶ TRU's initial submission at para 43.

⁵⁷ Applicant's response submission at paras 74 and 78.

⁵⁸ *Ibid* at para 78.

⁵⁹ TRU's reply submission at para 16.

disclose personal information. It is not relevant or applicable in a request for review of a public body's decision to *refuse* to disclose information.⁶⁰ In this case, TRU has applied s. 22(1) to refuse to disclose information to the applicant and I can readily infer from its submissions that no notices of disclosure have been mailed to the third parties whose information is at issue. I therefore find that s. 22(4)(b) does not apply to any of the withheld information.

Position, functions, or remuneration – s. 22(4)(e)

[66] Section 22(4)(e) says that disclosure of personal information would not be an unreasonable invasion of privacy where the information is about a third party's position, functions, or remuneration as an officer or employee of a public body.

[67] Previous orders have found that s. 22(4)(e) applies to information that relates to a public body employee's job duties in the normal course of work-related duties, including objective, factual information about what the individual said or did in the course of discharging their job duties. However, whether s. 22(4)(e) applies depends on the context in which the information at issue appears. For instance, when the information at issue appears in a context that reveals more than just the third party's name, job title, duties, functions, remuneration, position, or what they did in the normal course of their work, then s. 22(4)(e) does not apply.⁶¹

[68] The applicant suggests that s. 22(4)(e) may apply to objective, factual statements about what TRU employees did in the course of discharging their duties.⁶² TRU does not make a submission specifically on s. 22(4)(e).

[69] I find that s. 22(4)(e) applies to a small amount of withheld information.

[70] First, I find that s. 22(4)(e) applies to the External Lawyer's signature, which has been withheld in some places⁶³ and disclosed in others.⁶⁴ Schedule 1 of FIPPA defines "employee" to include a service provider. It defines a "service provider" as a person retained under a contract to perform services for a public body. TRU's evidence and submissions say that it retained the External Lawyer to conduct the Investigation.⁶⁵ On this basis, I find that the External Lawyer was retained under a contract to provide services to TRU, and was therefore a "service provider" and an "employee" for the purposes of FIPPA. I also find that the conduct of the Investigation was part of the External Lawyer's normal job

⁶⁰ Order F19-02, 2019 BCIPC 2 (CanLII) at paras 27-28; Order F20-37, 2020 BCIPC 43 (CanLII) at para 92.

⁶¹ Order F23-28, 2023 BCIPC 32 (CanLII) at paras 41-42.

⁶² Applicant's response submission at paras 74 and 76.

⁶³ At pages 25 and 30 of the Original Records.

⁶⁴ At pages 77 and 80 of the Supplemental Records.

⁶⁵ Affidavit of Privacy Officer at para 6; TRU's initial submission at para 14.

duties.⁶⁶ Previous orders have found that s. 22(4)(e) applies to the signatures of public body employees provided in the normal course of their duties.⁶⁷ Consistent with previous orders, I find that s. 22(4)(e) applies to the External Lawyer's signature.

[71] Second, I find that s. 22(4)(e) applies to information that describes what one or more TRU faculty members said about the applicant in the normal course of their job duties, and the amount of time they spent talking to the External Lawyer about the Investigation.⁶⁸ Section 22(4)(e) has consistently been held to apply to such objective, factual information.⁶⁹ I find that disclosure of this information would not be an unreasonable invasion of those faculty members' personal privacy, and TRU is not required to withhold it under s. 22(1).

[72] Finally, some of the withheld information is about what TRU employees said during their discussions with each other about the Investigation. However, this information reveals more than just what TRU employees said in the course of discharging their job duties – it also reveals information about TRU students who participated in the Investigation. I find that s. 22(4)(e) does not apply to this information.

Degree, diploma, or certificate – s. 22(4)(i)

[73] Section 22(4)(i) provides that a disclosure of personal information would not be an unreasonable invasion of privacy where:

(i) the disclosure, in respect of

...

(ii) a degree, a diploma or a certificate,

reveals any of the following with respect to the applicable item in subparagraph (ii):

(iii) the name of the third party to whom the item applies;

(iv) what the item grants or confers on the third party or authorizes the third party to do;

(v) the status of the item;

(vi) the date the item was conferred or granted;

⁶⁶ See, e.g., Order F24-83, 2024 BCIPC 95 (CanLII) at paras 29-34.

⁶⁷ See, e.g., Order F24-66, 2024 BCIPC 76 (CanLII) at para 73.

⁶⁸ Namely, some of the information on page 117 of the Original Records, and page 79 of the Supplemental Records.

⁶⁹ Order 01-53, 2001 CanLII 21607 (BC IPC) at para 40.

(vii) the period of time the item is valid;

(viii) the date the item expires[.]

[74] The applicant says that because the withheld information relates to decisions TRU made about her degree, and because TRU pre-judged “the direction [her] degree was going to take”, s. 22(4)(i)(ii) should apply.⁷⁰

[75] In order for s. 22(4)(i)(ii) to apply, the information must be about a degree, diploma, or certificate, and must reveal the type of information listed in s. 22(4)(i)(iii) through (viii).⁷¹ I can see that the withheld information relates to things that happened in the course of the applicant’s degree program and the degree programs of third parties. However, the information is not about the degree itself, nor does it reveal any of the items set out in subparagraphs (iii) through (viii). I therefore find that s. 22(4)(i) does not apply.

[76] Having reviewed the withheld information in light of the other circumstances set out in s. 22(4), I find that none of those circumstances apply.

Presumed unreasonable invasion of privacy – s. 22(3)

[77] The next step in the analysis is to consider whether any of the presumptions set out in s. 22(3) apply. If one or more does, disclosure will be presumed to be an unreasonable invasion of a third party’s privacy. TRU says that ss. 22(3)(a), (d), and (i) apply to the withheld information;⁷² the applicant disputes that ss. 22(3)(d) or 22(3)(i) apply.⁷³

Third party’s medical information – s. 22(3)(a)

[78] Section 22(3)(a) provides that a disclosure of a third party’s personal information is presumed to be an unreasonable invasion of privacy where the information relates to a medical, psychiatric or psychological history, diagnosis, condition, treatment, or evaluation.

[79] TRU says that some of the withheld information is about the effect of the applicant’s conduct on the emotional and mental health of third parties, so that s. 22(3)(a) applies.⁷⁴ The applicant does not make a submission specifically about s. 22(3)(a).

⁷⁰ Applicant’s response submission at para 78.

⁷¹ Order F23-13, *supra* note 28 at para 73.

⁷² TRU’s initial submission at paras 44-53.

⁷³ Applicant’s response submission at paras 74 and 79.

⁷⁴ TRU’s initial submission at para 52.

[80] I can see that a small amount of the withheld information relates to a third party's medical history, and I am satisfied that s. 22(3)(a) applies to it. I cannot say more without revealing the information itself.

Third party's employment or educational history – s. 22(3)(d)

[81] Section 22(3)(d) provides that disclosure of information that relates to a third party's employment, occupational, or educational history is presumed to be an unreasonable invasion of the third party's personal privacy.

[82] TRU says that much of the withheld information is the personal information of TRU students. It says that the information relates to their "courses, academic activities and concerns, degrees, and their interactions with [TRU] about such matters", and therefore to their educational history. It also says that an investigation under the Policy is analogous to a workplace investigation, so that statements by and about the third parties relating to the Investigation are subject to the s. 22(3)(d) presumption.⁷⁵

[83] The applicant suggests that s. 22(4)(e), rather than s. 22(3)(d), may apply to some of the withheld information because it may consist of objective, factual statements about what TRU employees said and did in the course of their job duties.⁷⁶

[84] I found above that s. 22(4)(e) applies to a small amount of withheld information. However, for the reasons provided above, I am not persuaded that s. 22(4)(e) applies to any of the remaining personal information in dispute.

[85] Previous orders have found that information is about a third party's educational history where it pertains to the time they were enrolled at an educational institution and reveals details about their academic activities and experiences and their interactions with the institution's personnel.⁷⁷ Most of the withheld information is about the courses that third parties took, their academic concerns, and their interactions with TRU faculty and staff and the External Lawyer. It consists of messages authored by them, portions of emails about them, and their names in connection with the Complaint and the Investigation. I find that this information would, if disclosed, reveal their educational history, and that its disclosure is presumptively an unreasonable invasion of their privacy.

[86] I also find that a small amount of the withheld information relates to TRU employees' leave.⁷⁸ Past orders have found that this kind of information

⁷⁵ TRU's initial submission at paras 45-51.

⁷⁶ Applicant's response submission at para 74.

⁷⁷ Order F23-60, 2023 BCIPC 70 (CanLII) at para 26; Order F20-06, 2020 BCIPC 7 (CanLII) at para 36.

⁷⁸ At pages 117 and 371-372 of the Original Records.

constitutes a third party's employment history.⁷⁹ I agree and make the same finding here.

[87] Some of the remaining personal information in dispute appears to be about individuals who are not TRU students or employees.⁸⁰ I find that s. 22(3)(d) does not apply to this information because it is not about those individuals' educational or employment history.

Third party's racial or ethnic origin – s. 22(3)(i)

[88] TRU says that a small amount of the withheld information is about the racial or ethnic origins of third parties.⁸¹ The applicant says that s. 22(3)(i) does not apply because she knows the racial or ethnic origins of the other participants in the Complaint and the Investigation.⁸² Without revealing the precise nature of this information, I can say that I agree with TRU's submission and find that s. 22(3)(i) applies to a small amount of withheld information.

[89] I do not find that any other s. 22(3) presumptions apply.

Relevant factors – s. 22(2)

[90] The final step in the s. 22 analysis is to consider all relevant factors, including those set out in s. 22(2), and to consider whether any applicable presumptions against disclosure have been rebutted. The parties raise ss. 22(2)(c), (e), and (f), as well as factors not listed in s. 22(2).

Relevant to fair determination of applicant's rights – s. 22(2)(c)

[91] Section 22(2)(c) requires a public body to consider whether withheld personal information is relevant to a fair determination of the applicant's rights. The applicant says that s. 22(2)(c) applies to favour disclosure of the withheld information because she was not given a fair hearing in the Complaint.⁸³ In reply, TRU says that the applicant does not refer to any ongoing or contemplated proceedings to which the withheld information might be relevant.⁸⁴

[92] Previous orders have held that an essential element required to engage s. 22(2)(c) is that the right in question must relate to a proceeding that is underway

⁷⁹ See, e.g., Order F15-13, 2015 BCIPC 13 (CanLII) at para 37.

⁸⁰ For example, at pages 58-74 of the Original Records. This information appears in screenshots of Facebook posts supplied by the applicant.

⁸¹ TRU's initial submission at para 53.

⁸² Applicant's response submission at para 79.

⁸³ *Ibid* at para 82.

⁸⁴ TRU's reply submission at paras 11-12.

or contemplated.⁸⁵ The applicant's submissions are focused on the fairness of the Complaint and the Investigation, which have concluded. The applicant does not point to any proceedings that are underway or contemplated. I therefore find that s. 22(2)(c) does not apply.

Unfair exposure to harm – s. 22(2)(e)

[93] Section 22(2)(e) requires a public body to consider whether disclosure of personal information will unfairly expose a third party to financial or other harm. TRU says that s. 22(2)(e) applies and weighs against disclosure because the third parties whose personal information was withheld would be “exposed to renewed stress or anxiety” if the information were disclosed.⁸⁶ The applicant does not make a submission specifically about s. 22(2)(e).

[94] Previous orders have established that “other harm” can include mental harm, in the form of serious mental distress or anguish, but that embarrassment or upset is not enough to engage s. 22(2)(e).⁸⁷ At least one order has found that heightened stress and anxiety may amount to serious mental distress,⁸⁸ and I agree with this approach. However, in that order, the circumstances were somewhat different. In that case, the withheld personal information was very similar to the information the applicant had used to make disparaging public statements about the mental health of third parties. The adjudicator was therefore persuaded that disclosure would expose the third parties to “further heightened stress, anxiety, and fears for personal safety”.⁸⁹ Here, however, while I can see from the Original Records that the applicant has made some public statements about the events that led to the Complaint (without specifically naming the third parties), there is no evidence before me that she has made the kind of specific, demeaning public statements about third parties that would expose them to heightened stress or anxiety if the withheld information were disclosed. Without more, I do not find that s. 22(2)(e) is a relevant factor in this case.

Supplied in confidence – s. 22(2)(f)

[95] Section 22(2)(f) requires a public body to consider whether personal information was supplied in confidence. For s. 22(2)(f) to apply, there must be

⁸⁵ Order F16-36, 2016 BCIPC 40 at paras 40-51; Order F24-100, 2024 BCIPC 114 (CanLII) at para 106.

⁸⁶ TRU's initial submission at paras 55-56.

⁸⁷ Order 01-15, *supra* note 26 at paras 49-50; Order F20-37, 2020 BCIPC 43 (CanLII) at para 120.

⁸⁸ Order F24-49, 2024 BCIPC 57 (CanLII) at para 117.

⁸⁹ *Ibid.*

evidence that information was supplied and that at the time of the supply, there was an objectively reasonable expectation of confidentiality.⁹⁰

[96] TRU says that pursuant to the Policy, parties who participated in the Complaint and the Investigation did so in an objectively reasonable expectation of confidentiality.⁹¹ The Policy says, in s. 4.2:

Subject to any limits or disclosure requirements imposed by law or required by this policy, any and all information, oral and written, created, gathered, received or compiled through the course of a complaint is to be treated as confidential by both the respondent and the complainant, their representatives, witnesses, and the officials designated by this policy.⁹²

[97] The applicant does not make a submission specifically about s. 22(2)(f).

[98] I can see that most of the withheld personal information was supplied by the applicant and by third parties and received by TRU pursuant to the Policy. I find that this information was supplied in a reasonable expectation of confidence under s. 22(2)(f), and find that this factor weighs strongly against the disclosure of that information.

[99] I do not find any other circumstance set out in s. 22(2) to apply to the withheld personal information. I now turn to consider circumstances not listed in s. 22(2).

Applicant's own personal information

[100] The applicant says that much of the withheld information is likely to be “exclusively” her own personal information.⁹³ TRU does not make a submission directly on this point.

[101] The fact that disputed information is the personal information of the applicant is a factor favouring disclosure.⁹⁴ I found above that much of the withheld information is the joint personal information of the applicant and of one or more third parties. However, since it would not be possible to disclose the applicant's own personal information without also disclosing the personal information of third parties, I do not find this to be a factor favouring disclosure.⁹⁵

⁹⁰ Order F11-05, 2011 BCIPC 5 (CanLII) at para 41, citing Order 01-36, 2001 CanLII 21590 (BC IPC) at para 23.

⁹¹ TRU's initial submission at paras 57-58.

⁹² Affidavit of Privacy Officer, Exhibit B.

⁹³ Applicant's response submission at paras 73 and 77.

⁹⁴ Order F18-30, 2018 BCIPC 33 (CanLII) at para 41 and the orders cited therein.

⁹⁵ See, e.g., Order F15-54, 2015 BCIPC 57 (CanLII) at paras 26-27; Order F23-29, 2023 BCIPC 33 (CanLII) at para 73.

I do not find that any of the withheld information is exclusively the applicant's own personal information.

Applicant's knowledge – information already disclosed

[102] The applicant says she knows the contents of much of the withheld information through her participation in the Complaint and the Investigation and/or through previous requests under FIPPA.⁹⁶

[103] TRU acknowledges that the applicant knows some of the information through her participation in the Complaint, but says that she is bound by the confidentiality obligations under the Policy. TRU says that there are no such confidentiality obligations under FIPPA, so that disclosure to the applicant under FIPPA would effectively be disclosure to the world.⁹⁷ TRU also says that an applicant's knowledge is not a determinative factor, particularly when applicants can easily distribute information online. It says that in this case, the applicant's knowledge should not favour disclosure because of the sensitive nature of the information and the risk of harm that could flow from its dissemination.⁹⁸

[104] TRU relies on Order F20-37 for the proposition that where a risk of broad public dissemination of sensitive information exists, the applicant's knowledge of the information should not weigh in favour of disclosure. However, the applicant in that order had already disclosed to the media sensitive third-party personal information she had acquired through her employment, and had made submissions saying that the public needs to know the information. The adjudicator in that case concluded that the applicant was likely to make further similar disclosures, and found this circumstance to outweigh the applicant's knowledge of the information.⁹⁹ Here, the circumstances are different. There is nothing in the material before me to indicate that the applicant has already made improper disclosures, or plans to disseminate the withheld information if TRU discloses it to her. However, I acknowledge that it is a well-established principle that disclosure under FIPPA is disclosure to the world, not just to the applicant,¹⁰⁰ and that I must consider this principle in determining whether disclosure of the disputed information would be an unreasonable invasion of third-party personal privacy.

[105] Without disclosing the information itself, I can say that I am satisfied that the applicant knows much of the withheld information, having participated in the events that led to the Complaint, and in the Investigation process. However,

⁹⁶ Applicant's response submission at paras 78-79 and 84.

⁹⁷ TRU's initial submission at paras 60-63.

⁹⁸ TRU's reply submission at paras 13.

⁹⁹ Order F20-37, 2020 BCIPC 43 (CanLII) at paras 133-136.

¹⁰⁰ Order F22-31, 2022 BCIPC 34 at para 80; Order F23-101, 2023 BCIPC 117 at para 171; and Order F21-34, 2021 BCIPC 42 at para 70.

given that disclosure under FIPPA is disclosure to the world, and that there is no indication that the personal information in dispute is widely known, I find that this factor only modestly favours disclosure in this case.¹⁰¹

Third party's professional capacity

[106] There is a small amount of information that relates to actions the External Lawyer took in her professional capacity.¹⁰² Previous orders have held the fact that disclosure would reveal only what a third party did in their professional capacity to be a factor favouring disclosure.¹⁰³ Consistent with previous orders, I find that this factor weighs in favour of disclosure of this information.

Sensitivity of information

[107] Previous orders have found that the sensitivity of information may be a relevant factor weighing for or against disclosure.¹⁰⁴ TRU says that the withheld information is sensitive in nature.¹⁰⁵

[108] I agree with TRU that most of the withheld information is sensitive in nature because it reflects third parties' participation in a confidential investigative process. However, I find that some of the information is not sensitive.¹⁰⁶ This information consists of the names of individuals and businesses appearing in Facebook screenshots supplied by the applicant. This is the personal information of individuals who, as far as I can discern, were not connected to the Complaint or the Investigation in any way. I find that the lack of sensitivity of this specific information favours its disclosure.

Age of information

[109] The applicant says that it has been more than three years since the Complaint and Investigation, so the withheld information has become less sensitive.¹⁰⁷ TRU disputes that the passage of time has made the information less sensitive.¹⁰⁸

[110] The applicant relies on Order F17-13, where the adjudicator found that disclosure of innocuous information that was "devoid of any detail, sensitivity, or

¹⁰¹ For similar findings, see Order F23-83, 2023 BCIPC 99 at para 82; and Order F22-31, 2022 BCIPC 34 at paras 81-82.

¹⁰² At page 20 of the Supplemental Records.

¹⁰³ See, e.g., Order F23-05, 2023 BCIPC 6 (CanLII) at para 58; Order F18-42, 2018 BCIPC 45 (CanLII) at para 22.

¹⁰⁴ Order F21-67, 2021 BCIPC 78 (CanLII) at para 82.

¹⁰⁵ TRU's initial submission at paras 56 and 63.

¹⁰⁶ Namely, some of the information on pages 58 to 74 of the Original Records.

¹⁰⁷ Applicant's response submission at para 75.

¹⁰⁸ TRU's reply submission at para 15.

apparent significance” and that was over two years old would not be an unreasonable invasion of privacy.¹⁰⁹ The circumstances are much different here. Most of the withheld information in this case is highly detailed and sensitive, and significant for the third parties. I find that the fact that approximately four years have passed since the withheld information was generated does not diminish its sensitivity or significance for the third parties, so that this factor does not favour disclosure.

Conclusion on s. 22(1)

[111] With the exception of a small amount of information I found to be contact information, I have found that most of the information in dispute is personal information.

[112] I have found that s. 22(4)(e) applies to a small amount of information, so TRU is not required under s. 22(1) to withhold that information.

[113] I have also found that one or more presumptions under s. 22(3) apply to almost all of the remaining information in dispute. Having considered the factors under s. 22(2), I find that none of the presumptions under s. 22(3) have been rebutted. Therefore, TRU is required to withhold the information to which I have found disclosure is presumed to be an unreasonable invasion of personal privacy under s. 22(3).

[114] Regarding the remaining information in dispute, I have found that no s. 22(3) presumptions apply. Weighing the factors both for and against disclosure, with two exceptions, I find that s. 22(1) does not apply to the remaining information.¹¹⁰

Summary of information – s. 22(5)

[115] Section 22(5)(a) of FIPPA states that if a public body refuses to disclose personal information supplied in confidence about an applicant, the public body must give the applicant a summary of the information unless the summary cannot be prepared without disclosing the identity of a third party who supplied the personal information.

[116] The applicant says she is entitled to a summary of the withheld information under s. 22(5).¹¹¹ TRU says that it would be impossible to prepare a

¹⁰⁹ Order F17-13, 2017 BCIPC 14 (CanLII) at para 62.

¹¹⁰ One of the exceptions is the withheld information on page 352 of the Original Records, which is a short message whose meaning is unclear to me. It does not appear to be about the applicant. The other is the information in the Facebook screenshots at pages 58-74 of the Original Records. I do not find that the applicant has met her burden of proving that disclosure of this information would not be an unreasonable invasion of personal privacy.

¹¹¹ Applicant's response submission at paras 72 and 84.

meaningful summary of the applicant's personal information without revealing the identities of the third parties and the contents of their confidentially supplied statements.¹¹²

[117] In my view, the information about the applicant that was supplied in confidence by third parties could not be meaningfully summarized without disclosing the identities of the third parties. The applicant's knowledge of the third parties' identities and their roles in the Complaint and Investigation would make those identities unmistakable to her if such a summary were provided. Therefore, TRU is not required to give the applicant a summary of the withheld information.

CONCLUSION

[118] For the reasons given above, I make the following order under s. 58 of FIPPA:

1. TRU is authorized to refuse to disclose the information in dispute under s. 14.
2. TRU is authorized, in part, to refuse to disclose the information in dispute under s. 13(1), subject to item 4 below.
3. TRU is required, in part, to refuse to disclose the information in dispute under s. 22(1), subject to item 4 below.
4. TRU is required to give the applicant access to the information I have highlighted in green on the following pages, which are provided to TRU with this order:
 - a. pages 25, 30, 105, 117, 165, 181-182, 193, 203, 307, 309-310, 314, 338, 354-356, 358, 359-362, 365, 367-370, and 373 of the Original Records; and
 - b. pages 9-10, 12-15, 20, 62-67, and 79 of the Supplemental Records.
5. TRU must concurrently copy the OIPC registrar of inquiries on its cover letter to the applicant, together with a copy of the pages described at item 4 above.

¹¹² TRU's reply submission at para 18.

[119] Pursuant to s. 59(1) of FIPPA, TRU is required to comply with this order by May 9, 2025.

March 26, 2025

ORIGINAL SIGNED BY

David S. Adams, Adjudicator

OIPC File No.: F22-89506