

Expedited Processes

EXPEDITED APPEALS TEAM

1. The IPC's Expedited Appeals Team is comprised of a specialized group of IPC staff members, called Case Leads, each of whom has the delegated authority to resolve, dismiss, or issue an order disposing of an Appeal utilizing expedited processes. This is a single-person processing model.
2. The Expedited Appeals Team will employ a process to handle Appeals relating to straightforward, preliminary, or procedural issues, where there is no potential for an Order to disclose information/records.
3. The goal of the Expedited Appeals Team is to expedite the resolution of the issue(s) in an efficient and effective manner, while maintaining fairness and impartiality.

APPLICATION

4. This Practice Direction applies to Appeals processed under section 9 of the Code of Procedure.
5. The following Appeals, as defined in the Code of Procedure, will routinely utilize expedited processes:
 - (a) Adequacy of Decision
 - (b) Deemed Refusal
 - (c) Failure to Disclose
 - (d) Fee
 - (e) Reasonable Search
 - (f) Time Extension
 - (g) Transfer
6. At its own discretion, the IPC may determine other types of Appeals that should utilize expedited processes.



7. At any point, the Case Lead may determine that an Appeal is unsuitable to utilize expedited processes, or the Appeal type has changed, and refer the Appeal to the Registrar to be streamed to a more appropriate stage.

PROCESSES AND PROCEDURES

8. The expedited processes and procedures for selected Appeals will be communicated to the Parties at the commencement of the Appeal.
9. The Registrar may stream Appeals to the Expedited Appeals Team to be processed using the single-person processing model. An Appeal will be assigned to a Case Lead who may resolve, dismiss, or issue an Order using expedited processes.
10. The Registrar sends a notice to the Parties, notifying them that the Appeal is being assigned to the Expedited Appeals Team. The notice may request missing or additional documentation, including a copy of the access request and the Institution's decision.
11. The Case Lead contacts the Parties and reviews information about the Appeal, such as any correspondence or documentation, to understand the record(s) or information requested and/or the nature of the issue(s) raised in the Appeal.
12. The Case Lead works with the Parties to clarify the issue(s), educate the Parties about the law, and determine whether a mutually agreeable resolution is possible.
13. If a mutually agreeable resolution is not possible, the Case Lead either dismisses the Appeal or conducts an Inquiry and issues an Order.
14. As necessary, the Case Lead may utilize sections 6.01 and 8.03 of the Code of Procedure to dismiss Appeals.
15. Before deciding whether to dismiss an Appeal without conducting an Inquiry, the Case Lead may invite submissions from the Appellant, the Institution, and/or any other Party. If an Appeal is dismissed without conducting an Inquiry, the Case Lead will give the Parties written notice with reasons.
16. If an Inquiry is commenced, the Parties are sent Notices of Expedited Inquiry, seeking specific information from the Parties on the issue(s) raised in the Appeal. Generally, this process occurs through the following procedure, which may be varied as the Case Lead deems appropriate based on the specific circumstances:
 - (a) If an Inquiry is commenced, the Case Lead will send a Notice of Expedited Inquiry to the Party bearing the initial onus (the first Party), as determined by the Case Lead, requesting Representations on the issues in the Appeal.
 - (b) Upon receipt of the first Party's Representations, the Case Lead may, if they consider it necessary, send a Notice of Expedited Inquiry

to the second Party, requesting Representations on the issues in the Appeal and in reply to the first Party's Representations.

(c) Upon receipt of the second Party's Representations, the Case Lead may, if they consider it necessary, request Representations in reply from the first Party.

17. Parties must submit written Representations in response to the Notice of Expedited Inquiry within the time period specified in the Notice. If an Appellant does not submit Representations within the specified time period, the Appeal will be closed, and no order will be issued. If an Institution does not submit Representations within the specified time period, an Order will be issued without the benefit of the Institution's Representations.

18. Notwithstanding sections 7 and 8 of Practice Direction Number 2,

(a) initial Representations should be:

(i) if typewritten, no longer than 15 pages in point size 12 or larger, double-spaced, on paper not larger than 8 1/2 x 11 inches; or

(ii) 15 handwritten pages of the same size;

(b) reply and sur-reply Representations should be:

(i) if typewritten, no longer than 5 pages in point size 12 or larger, double-spaced, on paper not larger than 8 1/2 x 11 inches; or

(ii) 5 handwritten pages of the same size.

19. The Case Lead may provide some or all the Representations received from a Party to the other Party or Parties in accordance with Practice Direction Number 7.

20. All communications, including those forming part of any attempt to informally resolve the Appeal, may be relied upon by the Case Lead in deciding the Appeal.

GENERAL

21. The Case Lead may utilize any of the processes outlined in section 9.03 of the Code.

22. Subject to limited exceptions, all responses to requests for information from the Parties must be received by the IPC within the following timelines:

(a) up to 14 days for general requests, including information about the request and decision giving rise to the Appeal, and information that requires consultation with others; and

(b) up to 21 days for complex requests, including providing an affidavit or Representations in response to a Notice of Expedited Inquiry.