

***Recent Significant Orders of the IPC
plus:
Practical Tips on Working with the IPC***

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Advice or recommendations

- *John Doe v. Ontario (Finance)*, 2014 SCC 36 (PO-2872)
 - PO-3470-R (Ministry of Finance) [para. 43] and PO-3480 [para. 83]
 - PO-3393 (Ministry of Environment)

Third party information and procurement documents

- Contracts

- *Aecon Construction Group Inc. v. Information and Privacy Commissioner of Ontario*, 2015 ONSC 1392 (Div. Ct.) (PO-3311); *Miller Transit Limited v. Information and Privacy Commissioner of Ontario et. al.*, 2013 ONSC 7139 (Div. Ct.) and *HKSC Developments L.P. v. Infrastructure Ontario and Information and Privacy Commissioner of Ontario*, 2013 ONSC 6776 (Div. Ct.)
- What parts of a contract may be exempt? See PO-3311 (Ontario Power Generation; cost overheads), MO-3132 (Peel Region: technical drawings), PO-3364 (University of Toronto: fixed underlying costs)

Third party information and procurement documents

- RFP proposals
 - MO-3179 (City of Toronto)
 - MO-3080-I (Toronto Police Services Board)
 - PO-3380 (Halton Healthcare Services)
- Evaluation and scoring of proposals
 - MO-3080-I (Toronto Police Services Board)

Custody or Control

- MO-3031 (York Region District School Board: school board trustees)
 - MO-2771 (City of Vaughan: elected officials' cell phone invoices)
- MO-3141 (Thunder Bay Catholic District School Board: school board transportation consortiums)
- PO-3394 v. PO-3406 (Children and Youth Services: IBI therapy providers)

Personal Information – Anonymisation and Re-identification

- *Ontario (Community Safety and Correctional Services) v. Ontario (Information and Privacy Commissioner)*, 2014 SCC 31(PO-2811)
- PO-3429
 - Distinguishes SCC decision

Evidence of Harm

- *Ontario (Community Safety and Correctional Services) v. Ontario (Information and Privacy Commissioner)*, 2014 SCC 31(PO-2811)
 - PO-3474 applies SCC formulation of evidentiary burden
- *Ontario (Community and Social Services) v. John Doe*, 2015 ONCA 107 (C.A.)(PO-2917)
 - Also applies SCC formulation of evidentiary burden

Scope of FIPPA/MFIPPA

- Academic exclusion
 - PO-3365 (Ministry of Finance)
- Prosecution records:
 - PO-3424-I (Community Safety and Correctional Services)
 - MO-3122 (Durham Regional Police Services Board)

Practical Tips for Working with the IPC on Access Appeals

- Mediation v. adjudication
- Importance of indexes
- Detailed representations
- Sharing issues
- Organization of records