

**ONTARIO COURT (GENERAL DIVISION)
DIVISIONAL COURT**

BELL, YATES and QUINN JJ.

ROBERT RILEY

- and -

**TOM WRIGHT, INFORMATION AND PRIVACY
COMMISSIONER/ONTARIO, CHIEF JULIAN FANTINO and the LONDON
POLICE BOARD, CHIEF JAMES C. ADKIN and the WINDSOR POLICE
SERVICES BOARD, CHIEF MURRAY K. MCMASTER and THE SARNIA
POLICE SERVICES BOARD**

E N D O R S E M E N T

The only remedy sought today by the Applicant pursuant to his application for judicial review was a remedy in the nature of certiorari.

Even if the standard of correctness is applied to the Commissioner's decision, we conclude that the Commissioner did not exceed his jurisdiction in making his order of October 18, 1995.

In our view, the Commissioner had both statutory and common law authority to control the kind of abuse of process which he found in this case. The Commissioner's order did not affect the substantive rights of the applicant. The order was consistent with the objects and purposes of the Act and was designed to prevent those objects and purposes from being frustrated by the applicant's abuse.

The application for judicial review is dismissed.

The respondent did not seek costs.

March 23, 1999

“J. M. Bell, J.”