



OIPC File No.: F15-63155
Public Body File No.: 15-2106A

NOTICE OF WRITTEN INQUIRY

January 25, 2016

To: An Applicant
To: Vancouver Police Department (“public body”)
To: Intervenors (“participants”)

Re: An Applicant and the Vancouver Police Department — OIPC File No.: F15-63155

This is notice that, under Part 5 of the *Freedom of Information and Protection of Privacy Act* (“FIPPA”), the Information and Privacy Commissioner’s delegate (the “adjudicator”) will conduct a written inquiry into the matter noted above.

Schedule for Submissions

The submission deadlines for this inquiry are:

- Public body and Intervenor Initial Submissions Due: February 23, 2016
- Applicant’s Response Submission Due: March 15, 2016
- Public Body’s Reply Submission Due: March 31, 2016
- Any proposed *in camera* material (see information about *in camera* material below) must be submitted for pre-approval on or before: February 16, 2016

Method for delivering Submissions

Each party must provide a copy of their submission to the other party and to the OIPC, to my attention. See Contact List. The parties may make arrangements amongst themselves to exchange electronic rather than paper copies of their submissions and supporting materials with each other, as long as they comply with the above timelines. The participants (Intervenors) provide only one submission, which is to be distributed to each of the parties. The participants do not receive the submissions of the parties.

Parties must deliver a **paper** copy of their submissions and supporting materials to the OIPC. The OIPC will accept electronic copies of submissions on the submission deadline as long as a paper copy is also received shortly thereafter.

Investigator's Fact Report

I enclose the Investigator's Fact Report, which provides a summary of the agreed facts and sets out the issues in dispute which will be considered by the adjudicator at the inquiry. I advise that, in general, the adjudicator will not consider issues or records not in the Investigator's Fact Report.

Issues

At the inquiry, the adjudicator will consider whether the public body is authorized to refuse to disclose the information at issue under section 15 of FIPPA or is authorized to refuse to confirm or deny, under s. 8(2)(a) of FIPPA, the existence of records containing information described in section 15 of FIPPA.

The adjudicator will also consider the applicant's assertion that section 25 requires the disclosure of information, clearly in the public interest, in the records responsive to the applicant's requests.

Content and Form of Submissions

All parties have the opportunity to provide a submission(s) and supporting evidence during the inquiry. Submissions that do not meet OIPC requirements may not be accepted, so it is important that you review the *Instructions for Written Inquiries* document, which is located on the OIPC website at <http://www.oipc.bc.ca/tools-guidance/guidance-documents.aspx>.

In addition to instructions on the content and format of submissions, the *Instructions for Written Inquiries* provide answers to questions including who participates in an inquiry, and how to request consent to submit information to the inquiry *in camera*. If the adjudicator consents to receive information *in camera*, it will be kept from the other inquiry participants and will not be disclosed in the order.

Records in Dispute

A hard (paper) copy of the records in dispute should accompany the public body or organization's initial submission, and should be prepared as follows:

- The records must be clearly numbered, beginning with the number 1, in the top or bottom right corner of each page.
- Information and pages that have been severed and withheld must be clearly marked by bolding, underlining or highlighting. The information that is in dispute must be clearly legible and must not be blacked-out or obscured by any markings. In short, the entire record must be visible to the Commissioner. The OIPC will not accept records that consist of a version with blacked-out information accompanied by an unmarked version.
- The sections or subsections of FIPPA or PIPA being relied on to withhold information must be clearly marked immediately next to the information that was severed or adjacent to it in the margins.

It is also a best practice for the public body to provide a table listing the records in dispute along with the sections and subsections of FIPPA that have been applied.

Additional Parties

Under s. 54(b) of FIPPA, a copy of the request for review will be provided to any person the Commissioner considers appropriate. In addition, under ss. 56(3) and (4) of FIPPA, anyone who has been given a copy of the request for review will also be given an opportunity to make a submission during the inquiry and may also be given a copy of the parties' submissions.

If you have any questions, you may call me directly in Victoria at 250-356-7953 or toll free via Enquiry BC at 604-660-2421 in Vancouver or 1-800-663-7867 elsewhere in BC.

Yours sincerely,



Cindy Hamilton
Registrar of Inquiries

Enclosures