

**NORTHWEST TERRITORIES  
INFORMATION AND PRIVACY COMMISSIONER  
Review Report 18-185**

File: 17-233-4  
July 6, 2018  
Citation: 2018 NTIPC 13

## **BACKGROUND**

This file began in September of 2016 when the Applicant requested a copy of an investigation report done by his former employer, the Department of Education, Culture and Employment. The investigation report in question was the result of a workplace dispute involving the Applicant as the Complainant. Before disclosing the record, the public body chose to conduct a third party consultation pursuant to section 26 of the *Access to Information and Protection of Privacy Act*. One third party registered objections, but the department decided to disclose a redacted copy of the report notwithstanding those objections. The third party asked my office to review that decision and in Review Report 17-168 I recommended the disclosure of a redacted copy of the report. In that report, I found that the redactions proposed by the public body would result in no unreasonable invasion of the third party's privacy. In November of 2017, the department accepted my recommendations and disclosed the redacted report to the Applicant. The document was heavily redacted, mostly citing section 23(1) of the Act. The Applicant has now asked me to review whether or not the redactions were appropriate.

## **THE DEPARTMENT'S POSITION**

The Department indicated that the requested record was a report prepared under the Harassment Free and Respectful Workplace Policy which was submitted to the Deputy Minister of the Department. The Applicant was the complainant. The Report contains general and factual information about the process, assessment of the evidence by the investigators, the findings of the investigators and related documents in the Appendices. They note that there was a large amount of personal information about a number of

individuals included in the report, most particularly about the complainant, the respondent and the witnesses interviewed.

The Department acknowledged the right of the Applicant to have access to his personal information, but subject to the limited exceptions set out in the Act. It is their position that they disclosed as much of the Report as they could while respecting the privacy rights of other parties included in the investigation. They noted that:

Since the investigation was already completed at the time the request was made to ECE, and the Department of Human Resources was not concerned about protecting procedures, ECE concluded that there were no broadly applicable exceptions for the Report as a whole, and would focus on the limited exceptions for Third Party Privacy

Section 23(1) of the Act prohibits a public body from disclosing personal information of a third party where that disclosure would amount to an unreasonable invasion of that third party's privacy. For this reason the public body consulted all third parties in accordance with section 26 of the Act. One of the third parties consented to the disclosure and those portions of the report referring to that third party were disclosed. Where a Third Party did not consent to the disclosure of the information in their interview statements, the department determined that a mandatory exception for presumed invasion of privacy as set out in section 23(2)(i) applied because the disclosure would reveal that the third party supplied "a personal recommendation or evaluation, character reference or personnel evaluation" in confidence.

They noted that:

It was not possible to limit redaction to the names or specific portions of those statements without allowing the Applicant to identify the individuals based on the remaining information, given the context of a small number of employees in a small workplace, with roles and experiences well known to

each other. Therefore, the complete statements were redacted in each case, including information about the Complainant/Applicant.

The Department noted that they also considered all the relevant circumstances, as required by section 23(3), including:

- a) whether disclosure was relevant to a fair determination of the Applicant's rights (Section 23(3)(a)) - they concluded that the Applicant clearly has a right to see his own personal information, including other people's opinions about him
- b) whether the disclosure could result in financial or other harm (Section 23(3)(e)) - they concluded that this was "likely applicable" to the information about the Respondent who indicated that the investigation had caused him significant distress;
- c) whether the information was provided in confidence (Section 23(3)(f)) - they said this was applicable to all third party information given the context of confidentiality of the investigation, including the expectation that all parties would keep their participation confidential as well as the respondent's right to have the complaint held in confidence;
- d) whether disclosure would result in damage to reputation (Section 23(3)(h)) - they concluded that this was applicable to the respondent who refused to consent to disclose his statement and who was very concerned about the release of any information related to the investigation.

The public body also withheld some third party information in the Applicant's original letter of complaint. They argue that even though the Applicant will know the identities of the individuals named because he wrote the letter, the information constitutes employment or occupational history of the parties named and it also appears with other information about the Respondent. They noted that once the public body discloses the record, they no longer have control over any further use or disclosure of it and cannot prevent the Applicant from disclosing the records to others. They therefore decided to redact the

names even though the Applicant was most likely able to identify the individuals.

Section 23(5) of the Act requires that when information is withheld pursuant to section 23, the public body must, where possible, provide the Applicant with a summary of the information redacted. ECE took the position, in this case, this could not be done without revealing the identity of the third parties.

## **DISCUSSION AND RECOMMENDATIONS**

The *Access to Information and Protection of Privacy Act* defines personal information as information about an identifiable individual, including:

- the individual's name, home or business address or home or business telephone number,
- an identifying number, symbol or other particular assigned to the individual, and
- information about the individual's educational, financial, criminal or employment history

Section 23(1) of the Act prohibits the disclosure of personal information about an individual other than the Applicant when that disclosure would result in an unreasonable invasion of the privacy of that person. Sections 23(2) and 23(3) provide guidance for public bodies to assess when disclosure will amount to an unreasonable invasion of privacy. Section 23(4) outlines certain situations in which the disclosure of personal information will **not** amount to an unreasonable invasion. The most important of those circumstances in the context of this review are:

- 23(4)(a) where the third party has consented in writing to the disclosure;
- 23(4)(e) where the personal information relates to the third party's employment responsibilities as an officer, employee or member of a public body

It is to be noted, as well, that even if information falls into one of the categories of information where the disclosure will be presumed to be an unreasonable invasion of privacy, that presumption may be rebutted by the circumstances of a particular situation and that **all** relevant circumstances must be considered by the public body when considering whether or not to disclose the information.

As a preliminary note, I agree with the public body that just because the Applicant is likely to be able to identify a particular person, that does not necessarily mean that disclosure will not amount to an unreasonable invasion of privacy. The public body must assess the disclosure as if the information is being disclosed to the world and not just to the Applicant because, once in the possession of the Applicant, there are no limits on how he/she discloses it further.

Keeping all this in mind, each redacted item must be assessed. The numbers used to identify the pages are the numbers used in the Report itself.

**Page 2** - One name has been redacted pursuant to section 23(2)(i). This subsection raises a presumption that disclosure will amount to an unreasonable invasion of privacy where the disclosure would reveal that the third party supplied a “personal recommendation or evaluation” in confidence.

I agree that the disclosure of this name would amount to an unreasonable invasion of the privacy of this person because, in the context of the report as a whole, the name reveals the name of the person against whom a workplace complaint was made. This would constitute an unreasonable invasion of that individual's privacy pursuant to section 23(1). While the result is the same, therefore, I do not agree with the public body that section 23(2)(i) applies.

**Page 3** - Paragraph 1, Line 1 - A name has been redacted pursuant to section 23(d) (employment history). However, the name appears in the context of the individual's

responsibilities as an employee of the public body. In these circumstance, section 23(4)(e) applies so as to provide that the disclosure is not an unreasonable invasion of privacy. I **recommend** that this name be disclosed.

- Paragraph 3, line 2 - While the public body has relied on section 23(2)(d) (employment history) to justify the redaction of the information on this line, I disagree, for the same reasons as outlined above. However, in this case, the information also reveals other information about the individual, the disclosure of which would amount to an unreasonable invasion of his privacy, specifically that a complaint had been made about him. I therefore agree that the public body was prohibited from disclosing the information, but not pursuant to section 23(2)(d).

- Paragraph 3, line 4 - the last seven words of this line have been redacted pursuant to section 23(2)(d). Again, while I do not agree that the presumption raised in section 23(2)(d) applies, I do agree that the information has been properly redacted in that its disclosure would reveal the identity of the Respondent along with other information about him.

- Paragraph 4 - the information redacted in this paragraph outlines the Respondent's employment history and has been properly redacted pursuant to section 23(2)(d).

- Balance of the page - the Respondent's name has been redacted five times in bottom half of this page. The name has been properly redacted as disclosure would reveal the name of the Respondent in the workplace harassment complaint.

**Page 4** - In the top half of the page, the public body has redacted the name of the Respondent several times, as well as pronouns which would identify the sex of the Respondent. For the reasons outline above, the name has been properly redacted. In other circumstances, I would suggest that the disclosure of pronouns showing the sex of the individual would not identify that person. That said, this was a small workplace and it may be that identifying the Respondent as a man or a woman might, in fact, identify

him/her. I am satisfied therefore that, in this case, all of this information has been properly redacted. This reasoning applies any time that the Respondent's name appears in the record. Where this name appears, it has been properly redacted throughout the document.

- Last paragraph, line 5 - two words have been redacted from this line. There is nothing in these words that would amount to an unreasonable invasion of any person's privacy. I **recommend** that these words be disclosed.

- Last paragraph, lines 6 to 8 - the first redaction in this section reveals who identified certain witnesses. In the particular circumstances of this case and the context of this sentence, disclosure would not, in my opinion, amount to an unreasonable invasion of any person's privacy. I **recommend** that this information be revealed. Similarly, there is nothing in the disclosure of the names of the witnesses identified that would, in my opinion, amount to an unreasonable invasion of their privacy. However, again because of the small size of the work group involved, the disclosure of the witnesses might well inadvertently also disclose the identity of the Respondent. For this reason, I am satisfied that these redactions were appropriate in the circumstances of this case. Again, this applies to every instance throughout the report that the name of a witness appears.

**Page 5** - First full paragraph. There is nothing in the information redacted from this paragraph which, if disclosed, would amount to an unreasonable invasion of any person's privacy. I **recommend** that this paragraph be disclosed without edits.

**Page 6** - First two paragraphs under the heading "Evidence and Findings"- For reasons outlined above, I agree that the names redacted from these paragraphs were properly withheld. Further, the word redacted from the second line of the second paragraph reflects the opinion of the Applicant about a third party. As such, the information is the personal information of the third party and because it is an opinion about the efficacy of the evidence that might be given, the disclosure would amount to an unreasonable invasion of the third party's privacy. It has, therefore, been properly redacted.

- Third paragraph under the heading “Evidence and Findings” - this paragraph has been redacted in full pursuant to section 23(2)(i) (disclosure would be reasonably expected to reveal that the third party supplied, in confidence, a personal recommendation or evaluation). I agree that part of this paragraph should be redacted, but not all of it. In particular, the second line, starting with the word “indicated” to the end of the first sentence on line three would not reveal anything that would result in an unreasonable invasion of the privacy of third parties and lines four and five, with the exception of the names should be disclosed, and I so **recommend**.

- Fourth paragraph under the heading “Evidence and Findings” - I am satisfied that the information redacted from this paragraph was properly redacted pursuant to section 23 in that the disclosure might identify the Respondent.

**Page 7** - Most of the redactions on this page have been dealt with in comments set out above. However, in the last paragraph the last two words on the first line and the first word on the second line have been redacted. This redaction refers to a position only and there is nothing in the disclosure of that description would result in an unreasonable invasion of any person’s privacy. I **recommend** that these three words be disclosed.

**Page 8** - The redactions on the top part of this page have been dealt with in comments set out above.

- The second half of this page has been entirely redacted. It reflects a summary of a statement made to the investigators. The person who made the statement did not provide consent to the disclosure. The entire statement has, therefore been withheld pursuant to section 23(2)(i) which raises a presumption that disclosure will result in an unreasonable invasion of privacy if the disclosure is likely to reveal that an identifiable third party supplied, in confidence, a personal recommendation or evaluation. A “personal recommendation” involves giving an opinion with respect to whether or not an individual is suitable for a job or other activity. A “personal evaluation” would involve appraising

something done by an individual. An opinion expressed about someone will not always amount to a recommendation or an evaluation. The witness statements in this case are about the witness's observations, mostly about the Applicant. None of these observations include any recommendations about or any evaluation of any individual. And while the statements may have been provided on the understanding that they were being made "in confidence", it seems to me that in the context of a workplace investigation, it is necessary for the fairness of the process that the parties should be entitled to know what is being said about them, whether it is the "complainant" or the "respondent" and to know what information the outcome was based on. In this context, most of this statement should be disclosed to the Applicant notwithstanding the absence of the consent of the witnesses, especially because the statements are about the Applicant and therefore constitute his personal information. I **recommend** that the statement be disclosed in accordance with the copy I have provided to the public body with this report. Such a disclosure would not, in my opinion, amount to an unreasonable invasion of the witness's privacy.

**Page 9** - See page 8.

**Page 10** - Top half - See page 8.

- Fifth bulleted point of the second witness's statement. The public body has redacted the last half of this sentence. In my opinion, everything but the first two words of the redacted portion of the sentence can be disclosed without resulting in a breach of any person's privacy.

**Page 11** - Top half - See page 8.

- Last paragraph - Three words are redacted from the first line of this paragraph. There is nothing in the last word that would constitute a breach of any person's privacy, particularly in light of what has been disclosed in the rest of the paragraph. I **recommend** that the last of the three words be disclosed.

**Page 12** - First paragraph - All of the names redacted have been properly withheld, as has the information identifying the third party in line five. I would also agree that, in order to protect the identity of the third party, the first four words of line 6 have been properly redacted. I would, however, **recommend** that the rest of the redacted parts of this paragraph be disclosed as they set out the conclusions of the investigation. As the Applicant was the complainant, it is appropriate that he be able to know what the conclusions were.

- Second paragraph - A name on line four has been redacted. Nothing in the name alone would constitute an unreasonable invasion of the named person's privacy. The content of the paragraph is about what certain employees did in the context of their employment and section 23(4)(e) makes it clear that the disclosure of such information will not amount to an unreasonable invasion of privacy.

- Third and fourth paragraphs - I am satisfied that the words redacted from these paragraphs were appropriately severed pursuant to section 23(1).

**Page 14** - Witness's statement - See Page 8

- First paragraph after the heading "Findings" - While the name on the first line of this paragraph has been, in my opinion, properly redacted, the other four words would, if disclosed, not result in an unreasonable invasion of the third party's privacy and I **recommend** that those four words be disclosed.

**Page 15** - Paragraph 1 - With the exception of the two words redacted from the first paragraph of this page, I accept that the redactions in this paragraph were appropriate. I **recommend**, however that the first redaction be disclosed.

- Paragraph 2 - I am satisfied that the information redacted from lines two through to the end of the sentence on line four has been appropriately redacted. In the next sentence, I **recommend** that the first two words should be disclosed, as well as that part

of the sentence after the first two words on line 5, to the end of the sentence, with the exception of the name and pronoun in line six.

- Paragraph 3 - I am satisfied that all of the names in this paragraph were properly redacted, as was the pronoun on line 5. I am also satisfied that the redaction which starts on line six and continues on line seven is appropriate. However, I **recommend** the disclosure of the rest of this paragraph.

- Paragraph 4 - the name on the second to last and last line of this paragraph has been properly redacted. However, I **recommend** the disclosure of the words following that name which have been redacted.

- Paragraph 5 - the name that has been redacted from this paragraph was appropriately edited. I **recommend** the disclosure of the word following the name redacted from the first line.

**Page 16** - I agree that the information redacted from this page was in accordance with section 23(1)(a).

**Page 17** - With the exception of the word redacted from the second line of the last bulleted paragraph on the page, I agree that the information redacted from this page was in accordance with section 23(1)(a). I **recommend** the disclosure of that one word.

**Page 18** - I agree with the redactions in the first three bulleted paragraphs on this page.

- I agree with the redactions in the two lines following the third bulleted paragraphs at the top of the page.

- First dark bulleted paragraph - the first 8 words of this paragraph and the pronouns referring to the respondent have been properly redacted pursuant to section 23(1)(a). For the reasons set out with respect to Page 8 above, however, I **recommend**

that the balance of this paragraph be disclosed

- Second dark bulleted paragraph - For the reasons set out with respect to Page 8 above, I **recommend** that this paragraph be disclosed with the following exceptions:

- a) line two, the first word of the sentence beginning on that line
- b) the name on line three
- c) the pronoun in the middle of line five
- d) the last sentence

- Third dark bulleted paragraph - For the reasons set out with respect to Page 8 above, I **recommend** the disclosure of this paragraph with the following exceptions:

- a) the two pronouns on the first page
- b) the last sentence

- Fourth dark bulleted paragraph - Similarly, I **recommend** the disclosure of this paragraph with the exception of:

- a) the name at the beginning of the first line
- b) the pronouns describing the Respondent

- Fifth dark bulleted paragraph - I **recommend** that this paragraph be disclosed

- Sixth dark bulleted paragraph - I **recommend** that this paragraph be disclosed with the exception of:

- a) the first word of the paragraph
- b) the last three words of the first line to the end of the paragraph

- Seventh dark bulleted paragraph - I **recommend** that this paragraph be disclosed with the exception of the second name on the first line of the paragraph.

**Page 19** - I agree with the redactions on the first two lines after the two bulleted paragraphs at the top of this page, as well as the name at the beginning of the next

paragraph.

- Third bulleted paragraph - For the reasons set out with respect to Page 8 above, I **recommend** that this paragraph be disclosed with the exception of:

- a) the first six words of the paragraph
- b) the seven words at the beginning of the sentence starting on line two and the pronoun at the end of that line
- c) the last sentence of the paragraph

- Fourth bulleted paragraph - I **recommend** that this paragraph be disclosed

- Fifth bulleted paragraph - For the reasons set out with respect to Page 8 above, I **recommend** that this paragraph be disclosed with the exception of:

- a) the first name on line one
- b) the pronouns on line two
- c) the last sentence of the paragraph

- Second paragraph under the heading "Findings" - The two pronouns in this paragraph have been appropriately redacted.

- Third paragraph under the heading "Findings" - The names which have been redacted from this paragraph have been properly redacted, as have the pronouns referring to those named individuals. I **recommend**, however, that the balance of this paragraph be disclosed.

**Page 20** - Third line on the page - I agree that the word redacted from the beginning of this line was appropriately redacted.

- Paragraph beginning on line four of the page - The names which have been redacted from this paragraph have been properly redacted, as have the pronouns referring to those named individuals. I **recommend**, however, that the balance of this

paragraph be disclosed.

- Next paragraph - The first sentence of this paragraph is about an employee's responsibilities as an employee of the GNWT. The disclosure of this information is not protected from disclosure pursuant to section 23(1) as section 23(4)(e) provides that there is no unreasonable invasion of privacy as a result of the disclosure of such information. I therefore **recommend** that, with the exception of the name at the beginning of this sentence, it should be disclosed. I further **recommend** the disclosure of the balance of this paragraph with the following exceptions:

- a) the two pronouns on line two
- b) the last word on line two to the end of the sentence (line 3)
- c) the name at the beginning of the sentence that begins on line three and the last five words on the line
- d) from the third word on line four to the end of the words in quotation marks;
- e) the pronoun at the beginning of the sentence that starts on line five and the name in that line
- f) the second word of line six and the last 8 words of that line
- g) the second word of line seven and the two words after the Applicant's name

- Next paragraph - I **recommend** the disclosure of this paragraph with the exception of the two names on the first line of the paragraph and the pronoun starting the sentence on the second line.

- Next paragraph - the items redacted from this paragraph are appropriate pursuant to section 23(1) of the Act

- Final line of the page - I also agree with the word redacted from the beginning of this line.

**Page 21** - First paragraph - I **recommend** the disclosure of this paragraph but for the following:

- a) the names of everyone other than the Applicant and the pronouns describing those individuals
- b) the last four words of line 3, to the end of the sentence

- Second and third paragraphs - I **recommend** the disclosure of these paragraphs with the exception of the names of any person other than the Applicant and the pronouns describing those third parties.

**Page 22** - Entire page - the name of a third party and pronouns referring to that third party have been properly redacted.

- First paragraph - I **recommend** that the balance of this paragraph be disclosed with the exception of the last three words on line three to the end of the sentence.

- Second paragraph - Other than the names and pronouns noted above, there is nothing else in this paragraph that, if disclosed, would amount to an unreasonable invasion of privacy. I **recommend** that it be disclosed accordingly.

**Page 22** - Entire page - the name of a third party and pronouns referring to the third party have been properly redacted.

**Page 23** - Third and fourth lines - the words redacted from these two lines have been appropriately redacted.

- Bulleted paragraphs - I **recommend** the disclosure of the four bulleted paragraphs with the exception of the pronouns referring to a third party.

- First paragraph under the heading "Findings" - I **recommend** the disclosure of this paragraph in full, with the exception of the name of the third party which appears three

times in the paragraph.

**Pages 24 and 25** - I agree with all of the redactions on these pages.

**Pages 45 and 46** - I agree that all of the redactions on these pages are in accordance with section 23(1).

**Page 47** - This page consists of a list of positions within the Applicant's workplace, the name of the individual who held the position and the work telephone number for each of them. This list is followed by a series of comments, apparently written by the Applicant. These comments and two hand written notations in the upper left hand margin of the page have been redacted, all pursuant to section 23(2)(d) of the Act (information relates to employment, occupational or educational history). As noted, however, section 23(4)(e) provides that there will be no unreasonable invasion of privacy where the information relates to the employment duties of the individual in his or her employment with the GNWT. In this case, the information redacted is largely about job responsibilities and to that extent, the information should be disclosed. Some of the information is about the Applicant's version of events and, while it is about other individuals, it is really her own perceptions about things that happened. I am not convinced that the disclosure of this kind of observation would amount to an unreasonable invasion of any person's privacy. There is, however, some personal information about third parties contained that is not about the individuals in the work context and these items have been properly withheld. I **recommend** the disclosure of this page in full with the following exceptions:

- a) the second sentence in numbered paragraph 1
- b) the first sentence in numbered paragraph 3
- c) the last sentence of numbered paragraph 4
- d) the last sentence of numbered paragraph 6
- e) the last sentence of numbered paragraph 7
- f) the last sentence of numbered paragraph 8
- g) everything after the first sentence of numbered paragraph 9

- h) the last sentence of numbered paragraph 10
- i) the last sentence of numbered paragraph 11
- j) the last sentence of numbered paragraph 12
- k) the last sentence of numbered paragraph 13

**Page 47(a)** - This appears to be a duplicate of the page discussed above as Page 47 and should be dealt with accordingly.

**Page 48** - This is the first page of what appears to be minutes of a staff meeting. The name of the "Recorder" and the "Chair" as well as the names of those in attendance have all been redacted, citing section 23(2)(d) and 23(2)(h). This information, however, falls under section 23(4)(e) - information about the job responsibilities of the individuals named. I **recommend**, therefore, that this information be disclosed. Also redacted is the name of an individual not attending the meeting. I **recommend** that this name also be disclosed along with everything on the line after his name with the exception of the last three words.

- Numbered paragraph 2 - one sentence has been redacted from this paragraph. I **recommend** that everything but the last four words of this sentence be disclosed pursuant to section 23(4)(e).

**Pages 49 to 51** - This appears to be a statement about an incident in the workplace. The statement is mostly about the Applicant and it is, therefore, the Applicant's personal information and it would only be in unusual circumstances that the Applicant would not be entitled to receive that information. There are also statements about what those in the workplace did, as part of their managerial duties, to address the situation. As noted above, section 23(4)(e) provides that the disclosure of information relates to an individual's job responsibilities as a member of a public body, there can be no unreasonable invasion of privacy.

The public body relies on section 23(2)(i) (personal recommendations or evaluations provided by a third party). There are, however, no recommendations or evaluations about the Applicant in the text. It is, instead, a commentary about what happened from the point of view of the person giving the statement. For the reasons set out above, and earlier in this report, I am not convinced that the disclosure of this information would constitute an unreasonable invasion of any third party's privacy if disclosed to the Applicant. It is information:

- a) about the Applicant;
- b) prepared as part of the writer's job responsibilities as an employee of the GNWT;
- c) containing no recommendation or evaluation about the Applicant or any other person

I **recommend** the disclosure of this statement with the exception of the name and position in line 9 of the first paragraph and the last two words of line one and the first word of line 2 of the second paragraph on page 49

**Page 52** - This page contains 13 icons which appear to be links to emails which were appended to the Report. I do not have copies of these emails, but it is likely that the Applicant does, as it appears that they are in relation to a "Duty to Accommodate" process in relation to the Applicant. The Applicant has not specifically referred to the absence of these emails as part of the Request for Review. In the circumstances, and because it has been a very long time that the Applicant has been waiting for a response to his request for information, which was originally made on September 1<sup>st</sup> of 2016, I will not delay this report further. However, if the Applicant does have concerns about these emails, I leave it open to him to request a further review with respect to those documents only.

## **CONCLUSIONS**

My recommendations are contained in the paragraphs above. Before closing this report,

however, I want to make it clear that I have not recommended that the head of the public body go back to the third parties pursuant to section 26 before undertaking this further disclosure. I do not make this recommendation for two reasons:

- a) the third parties have already been consulted and been given the opportunity to argue why this information should not be disclosed and were unable to provide a sufficient reason to prevent disclosure;
- b) section 26 applies only when the public body is considering giving access to a record that may contain personal information "the disclosure of which would constitute an unreasonable invasion of a third party's privacy under section 23"

I have concluded that none of the information which is recommended to be disclosed would result in an unreasonable invasion of privacy if disclosed. There is, therefore, no need for any further consultation.

Elaine Keenan Bengts  
**Information and Privacy Commissioner**