

**ALBERTA
INFORMATION AND PRIVACY COMMISSIONER**

REQUEST TO DISREGARD F2020-RTD-02

July 23, 2020

CALGARY POLICE SERVICE

Case File Number 007426

- [1] The Calgary Police Service (“CPS” or the “Public Body”) requested authorization under section 55(1) of the *Freedom of Information and Protection of Privacy Act* (“FOIP” or the “Act”) to disregard five access requests, 2017-P-1178, 2017-P-1251, 2017-P-1283, 2017-P-1284 and 2017-P-1373, from an individual whom I will refer to as the Applicant.
- [2] The Public Body also requested authorization to disregard any future requests of a similar nature.
- [3] For the reasons outlined in this decision, I have decided to grant the Public Body authorization to disregard the Applicant’s five access requests. The Public Body is authorized to disregard any future access requests made by the Applicant involving his minor children, unless the Applicant provides evidence he is authorized to make such a request. The Public Body is also authorized to disregard any future access requests for the same information stemming from the domestic dispute complaint referenced below or for records that have already been provided. Should the Applicant make a future access request that does not meet the above criteria, but in the Public Body’s opinion, meets the criteria of section 55(1), the Public Body may apply to me for authorization to disregard that request.

Commissioner’s Authority

- [4] Section 55(1) of the FOIP Act gives me the power to authorize a public body to disregard certain requests. Section 55(1) states:
- 55(1) If the head of a public body asks, the Commissioner may authorize the public body to disregard one or more requests under section 7(1) or 36(1) if
- (a) because of their repetitious or systematic nature, the requests would unreasonably interfere with the operations of the public body or amount to an abuse of the right to make those requests, or
 - (b) one or more of the requests are frivolous or vexatious.

Background

[5] The Applicant's access requests are set out below:

2017-P-1178 (Date of Request 2017-08-10)

I would like to request any and all police reports involving myself, [the Applicant, DOB redacted], and/or my two minor children, [redacted] and [redacted] between the time period of October 26, 2016 to the present.

My address is [redacted]. For efficiency and expediency, you and/or your staff, may contact me at [redacted] for any further clarification or additional information that you may require in order to fulfill this request. I look most forward to receiving this public body's formal acknowledgement and file number to my access to information request.

[Redacted], again, I ask that you and, all individuals of the CPS' Access & Privacy unit, follow the law and the relevant Acts. Given what I have read in some of my prior personal access to information requests, I truly hope that my legitimate requests under the FOIP Act are not too much of an inconvenience for you or, any of your staff, as numerous written comments indicate that I [the Applicant] am a nuisance and burden to the CPS' Access and Privacy Section – among other written insults and disrespectful comments about me. Please kindly advise as to your role as manager of this Section [redacted] in writing. I also note that this specific branch of the CPS falls under the same area of the CPS' organizational chart as the CPS' Professional Standards Section. I find this fact to be most interesting given Inspector [redacted's] prior letter to me, dated June 29, 2017, in which the Inspector advised me that my abilities to make legitimate and timely access to information requests were being limited.

Govern yourselves appropriately.

2017-P-1251 (Date of Request 2017-08-28)

I would like to request any and all records, communication, comments and material, regardless of format (and regardless as to how I am personally named, called, referred, slandered, mocked, or referenced in such records), in relation to all of my ([the Applicant]) prior FOIP requests to the CPS.

My name is [redacted] and the time period of interest for the above noted request is September 15, 2015 to the present.

My address is [redacted]. For efficiency and expediency, I may be contacted at [redacted] for further clarification or additional information that a representative may require in order to fulfill this request. Please note that emails from the CPS to my personal email address are not blocked in any manner.

Please note that many of the records will most certainly involve employees of the CPS' FOIP unit (and/or related). Therefore I respectfully request that the CPS' Access and Privacy Section maintain full independence and any and all actual conflicts of interest and/or perceived conflicts of interest are fully vetted, cleared and dealt with appropriately in

regards to this new request. Please provide written confirmation to me from a senior, authorized member of the CPS and/or an external third party with legal oversight of the CPS in this regard. ***Please ensure that an independent third party, such as external counsel to the CPS, reviews and handles this request in a completely independent manner as I already possess written evidence that employees of this public body have failed to conduct themselves in an independent manner in the past – moreover, certain individuals have clearly broken the Act.***

[Redacted], I will again request that you and, all individuals of the CPS' Access & Privacy Section – among others, follow the law and the relevant Acts. Also, I will reiterate again that you are an attorney. Please abide by the Law Society of Alberta's Code of Conduct and the Rules of the Law Society of Alberta. I see absolutely no reason why I should expect or tolerate anything less in this regard. Time is of the essence.

2017-P-1283 (Date of Request 2017-08-31)

I would like to request any and all emails, to and from; texts to and from, bbm messages, to and from; Livelink messages and the like, to and from; audio and video, records of any phone calls, briefings, transcripts, diaries, chat room messages of any kind, messenger service of any kind, written correspondence of any kind, files of any kind, consultations and/or interpretations of any kind, reviews, written summaries of any kind, analyses of any kind, assessments of any kind; notes of any kind, minutes of any and all meetings (in person and electronic/video/teleconferences), communication and material of any kind in any format of the following individual;

- [Redacted], Disclosure Analyst, Access & Privacy Section CPS

involving myself [the Applicant, DOB redacted], between the time period of January 1, 2016 to the present.

My address is [redacted]. You may contact me at [redacted] for any further clarification or additional information that you may require in order to fulfill this request.

[Redacted], I will once again request that you, and all individuals of the CPS' Access & Privacy Unit, follow the law and the relevant Acts. And yet again, I will remind you of your own obligations as you are an attorney, I ask that you abide by the Law Society of Alberta's Code of Conduct and the Rules of the Law Society of Alberta.

Govern yourselves appropriately.

2017-P-1284 (Date of Request 2017-09-01)

I would like to request any and all emails, to and from; texts, to and from; bbm messages, to and from, Livelink messages and the like, to and from; audio and video, records of any phone calls, briefings, transcripts, diaries, chat room messages of any kind, messenger service of any kind, written correspondence of any kind, files of any kind, written material of any kind, letters, drawings, photos, faxes, reports of any kind, decisions of any kind, reporting of any kind, consultations and/or interpretations of any kind, reviews, written summaries of any kind, analyses of any kind, assessments of any kind, notes of any kind,

minutes of any and all meetings (in person and electronic/video/teleconferences), communication, materials and records of any kind in any format, of the following individual;

- [Redacted], Q.C. – Counsel, CPS

involving myself, [the Applicant, DOB redacted] and/or either of my children, [redacted] and [redacted] between the time period of January 1, 2016 to the present.

My address is [redacted]. You may contact me at [redacted] for any further clarification or additional information that you may require in order to fulfill this request.

[Redacted], I will also directly state in writing that I find your background as a Bencher of the Law Society of Alberta to be most concerning (I just discovered that fact by complete chance today). Of all the attorneys in Alberta, you sir, should be most familiar with the Code of Conduct and the Rules of the Law Society of Alberta. I now truly understand why you so desperately wish to suppress my valid access to information requests concerning yourself, your supervisor [redacted] and your staff in the Access & Privacy Section of the CPS.

This is an extremely concerning matter [redacted]. Govern yourself appropriately.

2017-P-1373 (Date of Request 2017-09-21)

I wish to request any and all emails, to and from; texts, to and from; bbm messages, to and from, Livelink messages and the like, to and from; audio, records of any phone calls, briefings, transcripts, diaries, chat room messages of any kind, messenger service of any kind, written correspondence of any kind, files of any kind, written material of any kind, letters, drawings, photos, faxes, reports of any kind, decisions of any kind, reporting of any kind, consultations and/or interpretations of any kind, reviews, written summaries of any kind, analyses of any kind, assessments of any kind, notes of any kind, minutes of any and all meetings (in person and electronic/video/teleconferences), communication, materials and records of any kind in any format, of the following individual;

- Chief Constable [redacted],

involving myself, [the Applicant, DOB redacted] between the time period of June 30, 2016 to the present.

My address is [redacted]. You may contact me at [redacted] for any further clarification or additional information that you may require in order to fulfill this request.

- [6] The Public Body stated it was requesting authorization to disregard these five requests on the same grounds as its previous application regarding the Applicant under section 55(1). The previous application referred to by CPS was my decision issued on November 29, 2017, OIPC File #006221.¹

¹ Request for Authorization to Disregard an Access Request under section 55(1) of the *Freedom of Information and Protection of Privacy Act*, Calgary Police Service, OIPC File Reference 006221, November 29, 2017. Available online at www.oipc.ab.ca.

[7] In OIPC File #006221, I authorized the Public Body to disregard three access requests made by the Applicant. On the evidence provided by the Public Body, I was satisfied that the Applicant's access requests were a collateral attack. I held that his requests were repetitious and systematic in nature, and an abuse of the right to make requests under section 55(1)(a).

[8] I further held, in OIPC File #006221 that the Applicant's access requests were vexatious under section 55(1)(b). I stated at paragraph 42:

I am satisfied the Public Body has met its burden to prove the Applicant's access requests are vexatious. This is also apparent from the Applicant's own submissions. It is clear the Applicant holds a grudge against the Public Body dating from the domestic dispute incident which was attended by members of the Public Body in 2015. Since that time, the Applicant has exercised his access rights under the Act. He has exercised them over and over again. Accordingly, a decision to authorize the Public Body to disregard his requests does not deprive the Applicant of his access rights. He has already exercised them. Further, the Public Body will continue to provide him records in response to his ongoing request.

[9] Portions of the Public Body's written submission are quoted below:

The Applicant is engaging in a systemic abuse of the right to access information. The Applicant is a disgruntled citizen, unhappy with the interactions he had with certain CPS members in relation to domestic dispute complaints. The Applicant has commenced a series of complaints and he identifies any CPS member involved in his complaints and makes access requests about them. These requests are not about his right to access the information but rather are being used to wage a campaign of harassment against the CPS and its members. His intent to harass is evidenced by his concurrent barrage of emails which resulted in a ban of email communications from the Applicant.

...

The sheer volume and repetitious, cookie cutter nature of the requests being made by the Applicant demonstrate a disregard for the true intent of the Act and an intent to cause the Public Body harm through repeated and onerous access requests.

...

In the present case, we have 17 prior requests, one of which we have agreed to handle as a continuing request so that the Applicant has updates should additional records be created. All of these request go back to the one attendance by the CPS in response to a domestic complaint and the subsequent fall out from that one incident where the Applicant was unhappy with his treatment. Even if the Applicant's complaints about the CPS members who attended at that incident are justified, the repeated requests for access to information no longer are fulfilling the function of the Act which is to foster open and transparent government. The Public Body submits that the repeated requests for access to information, not only do not relate to the purpose of the Act, but that they are frivolous and vexatious.

...

In the present case, the Applicant has a dispute with CPS over how some of its members handled an investigation into allegations of domestic abuse. The Applicant has been given access to the information he has requested through responses to a series of prior requests

for access. The Public Body's responses are under review in 8 separate requests for review. To the extent there are any concerns about the responsiveness of the Public Body; those concerns can be dealt with through the review process.

The Public Body has been very patient in terms of responding to 17 requests for access to information but it is clear that access is not the Applicant's motive. When the repeated and systemic nature of the requests is taken into account along with the campaign of harassment by email mounted by the Applicant, it becomes apparent that he has ulterior and malicious motives in that he is trying to use the access to information legislation to further harass and harangue the Public Body in retaliation for wrongs that the Applicant perceives were perpetrated against him. Even if he was wronged, using Access and Privacy legislation as a means to "get even" or register his displeasure is outside of the proper purpose of the Act.

...

There are no legitimate rights of access being pursued by the Applicant any longer. The Public Body has been more than accommodating to date and now the Applicant is simply using his cookie cutter access request to inundate the Public Body with requests. The motivation is the underlying complaint he has with members of the CPS, which complaint is properly being investigated and dealt with by the Professional Standards Section. Just as the applicants in the AMA case were not permitted to use Access Legislation to harass the AMA, the Applicant in this case needs to be prevented from his continuing course of abusive and vexatious conduct.

[10] The Applicant provided lengthy submissions, some of which are quoted below:

In response to [the Public Body's] Sec. 55 request (dated January 8, 2018) to have numerous of my prior access to information requests disregarded, I submit the following to the OIPC as a response. This forms a brief narrative explanation of the prior forty six (46) pages of material that I previously submitted via email and facsimile to your office on March 12, 2018.

Please note that [redacted] continuously attempts to make some type of an argument that my access to information requests are repetitious, systematic in nature, frivolous and/or vexatious, etc. And [redacted] even goes so far as to attempt to exclude even my right to obtain formal police reports that involve myself and/or either of my two (2) minor children. I have already read certain past police reports that have included intentionally false and misleading information which has contradicted certain prior formal complaints. This entire elaborate allegation by [redacted] is completely nonsensical and without any true merit. Given the attached concerning material, I demonstrate that I am by no means attempting to abuse any legislation by making such legitimate access to information requests which all involve myself and/or my two (2) minor children. Certain Calgary Police Service ("CPS") members have been extremely uncooperative and have gone so far as to deliberately reject certain of my formal complaints for completely arbitrary reasons, which is contrary to the Police Act (please kindly see the attached material which includes much correspondence to and from Sargeant [redacted] of the CPS' PSS.)

As you will recall Commissioner Clayton, [redacted] previously provided your office with an intentionally [sic] false background in his prior Sec. 55 request to the OIPC of Alberta and had detailed that I had assaulted my wife, was charged, arrested, detained and that I had then even complained to the CPS' PSS about the entire ordeal. As you can see by the enclosed materials from the RCMP analyst who processed my Privacy Act request – none of this fabricated detail ever occurred – CPIC was queried and there was no information on such system that contained my personal information. Unfortunately, [redacted] simply and, intentionally lied directly to you and, the OIPC of Alberta, for his own purposes. You will note that in this Sec. 55 request to your office [redacted] no longer states that any of these so called “instances” occurred (although, [redacted] has refused to retract his completely unsubstantiated and incredibly dramatic allegations).

Moreover, I have demonstrated that each of my access to information requests are, indeed, for a legitimate purpose (please see the attached material). Including those requests in regard to Chief Constable [redacted] of the Calgary Police Service, [redacted], Q.C., Legal Counsel, CPS as well as Constable [redacted], Domestic Conflict Response Team. CPS (and certain civilian members of the CPS' FOIP Unit – staff of [redacted]). The concerning material that I have obtained to date via certain past access to information requests involving myself and/or my two (2) minor children have been used as evidence to support legitimate formal complaints to the CPS' Professional Standard Section (“PSS”); when and as necessary. Please kindly refer to the attached material and email correspondence (to and from) [redacted], Complaints Director, Calgary Police Commission as to some of the extremely concerning issues that I have raised (and which are being investigated). It is very clear that these concerning issues would never have come to light had I, [the Applicant], not received responses from the CPS' FOIP unit. Therefore, timely and fulsome responses from the CPS' FOIP unit form a critical part to the open and transparent process that should exist for members of the public who are filing legitimate formal complaints against members of the CPS that fall under the definitions of the Police Act – should such members commit acts which are contrary to the Police Act, Procedures, Policies, Manuals, Handbook and/or oath as a sworn police officer in the province of Alberta.

Moreover, it can be seen in various email correspondence that numerous CPS staff (both uniformed and civilian) have provided me, [the Applicant], with written open invitations to email such staff at different times and for a wide variety of topics. You will note in such attached back up material that I had actually requested face to face meetings with certain uniformed members, but such members had refused my request and had, instead, asked that I only communicate with them via email – which I subsequently did until such individuals did not like or appreciate my queries.

Furthermore, I include an article from the Globe and Mail which highlights the concerning issues if access to information requests are arbitrarily stopped due to being labelled as “vexatious” or simply too complicated that such requests may take up time and government resources.

Commissioner Clayton, each of my access to information requests are simply for the purpose of obtaining legitimate information.

Analysis

[11] An individual's right of access to information is not unlimited. No one has a right to make abusive access requests. The Alberta Legislature recognized this through incorporating various gatekeeping provisions in the FOIP Act, including section 55(1). Courts have also recognized the necessity of gatekeeping in appropriate circumstances. For example, the Supreme Court of Canada has stated, "There is no constitutional right to bring frivolous or vexatious cases, and measures that deter such cases may actually increase efficiency and overall access to justice".²

Section 55(1)(b) – Requests are frivolous or vexatious

[12] Although the Public Body brought its application under section 55(1) as a whole, its submissions focused on section 55(1)(b), that is, it argued the Applicant's requests are frivolous or vexatious. For the reasons below I have found the Applicant's access requests are vexatious under section 55(1)(b). As a result, there is no need to conduct an analysis under section 55(1)(a).

[13] A "frivolous" request is typically associated with matters that are trivial or without merit. Information that may be trivial from one person's perspective, however, may be of importance from another's.

[14] A vexatious request is one that involves misuse or abuse of a legal process.³ "Vexatious" has been defined in *Black's Law Dictionary* (7th edition) as without reasonable or probable cause or excuse; harassing; annoying. The class of vexatious requests includes those made in 'bad faith', such as for a malicious or oblique motive. Such requests may be made for the purpose of harassing or obstructing a public body.

[15] CPS states the Applicant's access requests stem from the attendance by CPS members in response to a domestic dispute complaint. As a result of that incident, the Applicant "has commenced a series of complaints and he identifies any CPS members involved in his complaints and makes access requests about them." This assertion is supported by the evidence before me. For the most part, the targets of the Applicant's access requests in this case have now escalated to employees of the Public Body's Access and Privacy unit and the Chief Constable.

[16] The Applicant submits that his requests are neither frivolous nor vexatious, but are made for a legitimate purpose of accessing information.

² *Trial Lawyers Association of British Columbia v British Columbia (Attorney General)*, 2014 SCC 59 at para 47. See also: *Canada v Olumide*, 2017 FCA 42 at paras 17 – 20.

³ Request for Authorization to Disregard Access Requests under section 55(1) of the *Freedom of Information and Protection of Privacy Act*, Calgary Police Service, OIPC File Reference 006221, November 29, 2017 at paragraphs 36 and 37. Available online at www.oipc.ab.ca.

[17] CPS explained that as a result of his harassment, the Applicant has been limited in his communications with the Public Body. As I found in OIPC File #006221, a previous section 55(1) decision involving these parties:

[40] His requests are not about his right to access information but have been used as a campaign to harass CPS and its members as evidenced by the barrage of emails which resulted in the Public Body banning the Applicant from email communication.

Upon review of the unnecessary commentary included in his access requests, I note the Applicant appears to be using the access to information process as a way to circumvent his restrictions on communication and to continue to harass employees of the Public Body that have dealings with the Applicant.

[18] I also found in OIPC File #006221, that in making a decision under section 55(1), an individual's broader actions, such as those before other administrative tribunals are a relevant consideration. As such, while a public body bears the burden to establish that the conditions of section 55(1) are met, I may also consider an individual's actions before other public bodies as well as my own office in making a decision.

[19] As in F2020-RTD-03, a decision being released concurrently with this one, involving the Applicant and a different public body, I note I have previously granted authorization to two other public bodies to disregard access requests made by the Applicant.⁴

[20] Further, the Applicant's other activities before my office are relevant in considering whether authorization to disregard these requests should be granted, as they point to widespread misuse and abuse of his rights under the FOIP Act and other access to information legislation. Between November, 2016 and January, 2019 the Applicant has been involved in 70 matters before my office.⁵ 35 of these matters are between the Applicant and CPS including 23 requests for review, 10 complaints and 2 requests for authorization under section 55.

[21] Further, two of the access requests at issue in this matter (2017-P-1178 and 2017-P-1284) request access to personal information of the Applicant's two minor children. This pattern of conduct is the same as in F2019-RTD-02/H2019-RTD-01 where I held that it was abusive and vexatious for the Applicant make such requests without providing his authority to do so:⁶

⁴ F2019-RTD-02/H2019-RTD-01 (Alberta Health Services) and Request for Authorization to Disregard Access Requests under section 55(1) of the *Freedom of Information and Protection of Privacy Act*, Alberta Justice and Solicitor General, OIPC File Reference 006487, February 12, 2018. Available online at www.oipc.ab.ca. See also F2020-RTD-03.

⁵ During this time, the Applicant brought 46 Requests for Review and 16 complaints to my office. Public bodies and custodians have brought 8 applications to disregard access requests made by the Applicant.

⁶ F2019-RTD-02/H2019-RTD-01 at paras 35, 49, and 50.

[49] In my view, it is clearly improper for the Applicant to continually attempt to obtain access to information and records on behalf of his two minor children, without providing evidence of his authority to act solely on their behalf. This is especially important under the HIA, where there is no right of access to health information other than one's own. Only a person who has the authority to act on someone's behalf may access that person's health information. AHS is well within its right to ask for evidence of that authority. An attempt to access health information on someone else's behalf, without authority, is an abuse of the right to make an access request, whether under the FOIP Act or the HIA.

[50] Furthermore, the behaviour of the Applicant as described by AHS and the clear and overwhelming evidence of that behaviour that AHS has provided to me leads me to conclude that the Applicant's access requests are retaliatory. Evidence of statements from the Applicant about threats to make access requests if he doesn't get what he wants, and that is how he operates, also supports my conclusion. The Applicant is not using the FOIP Act or the HIA for the purposes for which they were intended, but to harass AHS and in particular its employees.

- [22] Making an access request for the personal information of another individual without authority to do so (or refusing to provide evidence of the authority to do so) is also an abuse of the FOIP Act. The Applicant has provided no evidence that he has the authority to make access requests on behalf of his two minor children. As I stated in F2019-RTD-02/H2019-RTD-01, in the absence of authority, a public body does not need my permission to disregard an access request for the personal information of another person.
- [23] As CPS states, and as I found in OIPC File #006221, the Applicant's access requests stem from the trigger event of CPS members attending in response to a domestic dispute complaint. The Public Body argues that the Applicant is engaging in a systemic abuse of the right to access information. He complains about CPS members involved with him and then makes access requests about those members. This systemic abuse has extended to employees involved in dealing with the Applicant in his previous access to information requests. On the basis of the evidence before me, I am satisfied that the Applicant is misusing his right of access to information. He makes access requests for the purpose of harassing the Public Body and circumventing his restrictions on communication. I find the Public Body has met its burden to establish that the Applicant's access requests are vexatious.
- [24] The Applicant is a persistent and prolific user of access to information legislation. As the Public Body stated, access rights are intended to foster open and transparent government. Access to information rights are not intended to allow a disgruntled individual to harass a public body or its employees in retaliation for perceived wrongs against that individual.
- [25] The Public Body has met its burden. I find the Applicant's access requests are vexatious under section 55(1)(b) of the FOIP Act.

Decision

[26] On the basis of the evidence before me, I have decided to exercise my discretion under section 55(1) of the FOIP Act. The Public Body is authorized to disregard the Applicant's access requests 2017-P-1178, 2017-P-1251, 2017-P-1283, 2017-P-1284 and 2017-P-1373.

Request to Disregard Future Access Requests

[27] The Public Body also requested authorization to disregard any future requests of a similar nature.

[28] The Public Body had previously requested this authorization in OIPC File #006221, and at that time I declined to make a decision in part because the Public Body had not made any submissions on this part of its request.

[29] I said that if the Public Body made another request under section 55(1), I would consider the matter then. The evidence before me, both that provided by the Public Body and the number and nature of the files before my office involving the Applicant, make it clear that additional measures to control the Applicant's behaviour are required.

[30] The Applicant's access requests stem from the Public Body's attendance in response to a domestic complaint. This resulted in an escalating flood of access requests (and complaints) generally using similar language to target individuals employed by the Public Body. The Applicant has established a systemic and abusive pattern of making access to information requests to target essentially any employee of the Public Body that has dealings with him. As the Applicant's actions towards CPS appear to have been triggered by the attendance of CPS members to respond to a domestic dispute incident, this is similar to his actions towards the public body in F2019-RTD-02/H2019-RTD-01, where the Applicant's behaviour stemmed from a single August, 2018 incident. In that case I found as follows:

[64] The *in camera* affidavits provided by AHS describe incidents in which the Applicant unnecessarily raises his voice and berates employees, sometimes while following employees down hallways. The affidavits are clear evidence of a pattern of verbal abuse, and verbal and sometimes physical harassment of employees.

[65] That and the other evidence provide by AHS is that the Applicant is invariably confrontational with employees with whom he has contact. He creates a situation, escalates it and then targets the employees with whom he has had contact by making access requests in relation to them and often threatening to make complaints against them. To protect its employees from the Applicant's behaviour, AHS has found it necessary to assign one point of contact for the Applicant. I agree with AHS that employees of AHS should not have to bear the brunt of the Applicant's behaviour.

- [31] In F2019-RTD-02/H2019-RTD-01, I held that unless the Applicant provided evidence of his authority to make access requests on behalf of his minor children, the public body did not have to respond to any such requests. Further, because I did not see the Applicant's behaviour changing in the future, I authorized that public body to disregard future access requests for the same information or records only to the extent that the public body had already responded.
- [32] Similarly, unless the Applicant provides evidence he is authorized to make such a request, the Public Body does not require my permission, and may disregard all future access requests made by the Applicant involving his children. The Public Body is also authorized to disregard any future access requests for the same information stemming from the domestic dispute complaint, or for records that have already been provided to the Applicant.
- [33] This is not a blanket prohibition preventing the Applicant from accessing information from the Public Body. It is possible that the Applicant may have a legitimate reason to make an access to information request in the future. However, should the Applicant make an access request in the future that appears to meet the criteria under section 55(1) of the FOIP Act, the Public Body has the option to apply to me for authorization to disregard that future request.

Jill Clayton
Information and Privacy Commissioner