

ALBERTA

**OFFICE OF THE INFORMATION AND PRIVACY
COMMISSIONER**

ADJUDICATION ORDER #14

October 19, 2022

**OFFICE OF THE INFORMATION AND PRIVACY
COMMISSIONER**

Note: The Office of the Information and Privacy Commissioner has removed the Adjudicator's signature and version number from this unofficial version of the Order.

OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER

IN THE MATTER OF AN INQUIRY PURSUANT TO THE *Freedom of Information and Protection of Privacy Act*, RSA 2000, c F-25 Respecting Order in Council OC 269/2020 – Re OIPC File Reference 2016/17-G-004

Between:

Ms. A

Applicant

- and -

THE OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER

Respondent

ORDER of
HONOURABLE MR. JUSTICE J. GILL, ADJUDICATOR

FACTS

[1] By Order in Council OC 269/2022, I was appointed to act as an adjudicator for the purposes of section 75(1)(e) of the Freedom of Information and Protection of Privacy Act (FOIP). The matter arose as a result of a request for review of a decision of the Office of the Information and Privacy Commissioner of Alberta (IPC) initiated by Ms. A in respect of an access request made by Ms. A to the IPC (Request for Review).

[2] By letter dated August 23, 2022, sent to Ms. A by email, and sent to counsel for the IPC, I advised of my appointment, and extended the time to complete the inquiry until December 15, 2022. In that letter I said:

To settle preliminary and procedural issues via a WebEx meeting, please contact Stephanie Peters at Stephanie.Peters@albertacourts.ca.

Available WebEx dates include: October 17, 18, 19, 20 or 21 at 12:45 for one hour.

[3] Counsel for the IPC responded by email to my Assistant on August 24, 2022 with several available dates. That email was concurrently sent to Ms. A. The Court's Case Management Office's Judicial Scheduler (Scheduler) sent an email to Ms. A and counsel for the IPC on September 6, 2022, asking Ms. A to provide dates. The Scheduler sent a follow up email on September 14, 2022 to Ms. A and counsel for the IPC seeking a response from Ms. A to her September 6, 2022 email.

[4] By letter dated September 22, 2022, sent to Ms. A by email, and sent to counsel for the IPC, I scheduled a meeting to settle preliminary and procedural issues to take place on Wednesday, October 19, 2022 at 12:45 pm via Webex. In that letter I advised:

Prior to that meeting the parties should provide in writing a proposed schedule for submissions and adjudication. The schedule will be finalized at the meeting on Wednesday, October 19, 2022.

[5] By email dated September 22, 2022, counsel for the IPC responded with a proposed procedure and timing. Ms. A did not provide any response.

[6] On October 3, 2022, this Court's Remote Hearings Coordinator sent an email to Ms. A and counsel for the IPC, confirming the October 19, 2022 hearing date, time and medium, along with a link to the virtual courtroom and instructions on how to connect to the hearing room.

[7] On October 19, 2022 at 12:45 pm I appeared at the coordinates for the hearing, as did counsel for the IPC. Ms. A did not appear. Ms. A has not responded to any of the communications sent to her regarding this matter.

DISPOSITION

1. It is hereby declared that Ms. A has abandoned her Request for Review.
2. Ms. A may apply to revive her Request for Review, in writing only, within 30 days of the date of the sending of this Order to her, by providing:
 - a. An explanation, demonstrating good cause, for her lack of involvement and responsiveness in respect of this matter; and,
 - b. A commitment to participate in the Request for Review.
(Revival Application)
3. Absent a Revival Application being received as required herein, and my leave to revive the Request for Review thereafter, the within Request for Review is dismissed.

Heard on the 19th day of October, 2022.

Dated at Alberta this 24th day of October, 2022.

Honourable Mr. Justice J. Gill
Adjudicator