
December 8, 2014

[REDACTED]

Dear [REDACTED]

Re: Access to Information Request No. [REDACTED]

Thank you for your request for access to information, which was received in this office on December 1, 2014, along with the \$5 application fee.

You requested the following records:

“The total number of hours billed to Legal Aid Ontario during a specific period of time (January 1, 2013 to June 30, 2014) by one particular individual lawyer by the name of [REDACTED] who is listed in the Law Society of Upper Canada as being at the business address [REDACTED]

[REDACTED] You have clarified that you are not requesting the names of the clients for whom the hours are billed nor any references to the cases worked on or the nature of the cases. You are simply seeking the total hours billed for that period and not a breakdown of hours per week or per month or per case.

I am unable to confirm or deny whether records exist which are responsive to your request. That is so because disclosure of that information, should it exist, would disclose personal information as defined under s.2 of FIPPA.

The definition of “personal information” in s.2 of FIPPA means recorded information about an identifiable individual, including:

(b) information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,

Because the information you seek is personal information, as defined under s.2 of FIPPA, s.21(1) of FIPPA prohibits me from disclosing that information, should it exist.

Personal information is not subject to disclosure under s.21 of the *Freedom of Information and Protection of Privacy Act* (FIPPA). Section 21(1) states that a head shall refuse to disclose personal information to any person other than the

individual to whom the information relates except in the following circumstances: (a) with the written consent of the individual to whom the information relates; (b) compelling circumstances affecting the health or safety of an individual; (c) the personal information has been specifically collected to create a record accessible to the general public; (d) disclosure is expressly permitted by statute; (e) for a research purpose if the disclosure is consistent with the conditions under which the information was collected; (f) disclosure does not constitute an unjustified invasion of privacy. None of these exemptions apply in this case.

In addition, section 21(3)(f) states that a disclosure of personal information is presumed to constitute an unjustified invasion of personal privacy where the personal information describes an individual's finances, income, assets, liabilities, net worth, bank balances, financial history or activities, or creditworthiness.

Accordingly, I cannot release the requested records.

Pursuant to FIPPA, I have been designated as the head of the institution and as such am responsible for this decision. You may ask for a review of this decision within 30 days of receiving this letter by writing to: The Information and Privacy Commission/Ontario, 2 Bloor Street West, Suite 1400, Toronto Ontario M4W 1A8, Telephone 1-800-387-0073.

If you decide to request a review of this decision, please provide the Commissioner's office with the following: the file number listed at the beginning of this letter; a copy of this decision letter; and a copy of the original request for information you sent to our institution.

In addition, you must send an appeal fee to the Commissioner's office. The appeal fee for general information is \$25.00.

Yours truly,

Robert W. Ward
President/CEO
Legal Aid Ontario