

MOL Didn't Have to Disclose Recommendations in Investigation Report



An individual asked the MOL for access to the safety investigation report of a specific company in connection with a fatal motor vehicle accident in which 11 migrant workers died. The MOL gave her partial access to the records. She appealed. The Information and Privacy Commissioner found that the withheld information consisted of the factors the inspector considered in recommending that the MOL not prosecute the employer, including the considerations involved in the ultimate advice and recommendation he gave as a public servant to his superiors, who accepted his recommendation. Thus, the withheld information fell within a disclosure exception under the law. The Commissioner also rejected the argument that a compelling public interest warranted disclosure of this information [P0-3496; *Ontario (Ministry of Labour) (Re)*, [2015] O.I.P.C. No. 110, May 28, 2015].