



ARCS: 292- 30  
File: HTH-2013-00104

January 19, 2016

Sent via email:

Dear:

**Re: Request for Access to Records**  
***Freedom of Information and Protection of Privacy Act (FOIPPA)***

I am writing further to your request received by the Ministry of Health. Your request is for:

*“The costs of the investigation into the so-called health data privacy breach that occurred in 2012; Costs should include both the salaries and benefits of the investigators and any other staff recruited to help with the investigation, and the amounts paid to both in-house and external legal counsel, including costs paid to the Vancouver law firm of Taylor, Jordan, and Chafetz. Date range is March 28, 2012 to April 13, 2013.”*

On May 28, 2013, the Ministry responded to your request, withholding some information in the records under sections 14 (legal advice) and 19 (disclosure harmful to individual or personal safety) of FOIPPA.

On June 6, 2013, you further clarified your request with Information Access Operations; specifically, you were seeking access to not only the costs associated with regular employees but any contracted staff involved in the investigation. As a result of this clarification, the Ministry widened their search efforts which resulted in 27 additional pages of records being provided to you on June 26, 2013 with some of the information being withheld under sections 13 (Policy advice or recommendations), 15 (Disclosure harmful to law enforcement), and 19 (Disclosure harmful to individual or public safety), and 22 (disclosure harmful to personal privacy).

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On June 26, 2013, you made a request to the Office of the Information and Privacy Commissioner (OIPC) to review the Ministry's severing decision. As a result of that review, the Ministry released information previously withheld under sections 13 (Policy advice or recommendations), 15 (Disclosure harmful to law enforcement), and 19 (Disclosure harmful to individual or public safety). The Ministry continued to withhold information under sections 14 (legal advice) and 22 (disclosure harmful to personal privacy).

On December 3, 2015, the OIPC issued Order F15-64 identifying information to be released that was previously withheld under section 14 (legal advice). However, some additional information continues to be withheld under section 14 (legal advice).

Please find enclosed a copy of the records located in response to your request. A complete copy of FOIPPA is available online at:

[http://www.bclaws.ca/civix/document/id/complete/statreg/96165\\_00](http://www.bclaws.ca/civix/document/id/complete/statreg/96165_00)

Please be advised that the Office of the Ombudsperson is currently conducting a review related to the Ministry of Health investigation. The Ombudsperson's office has full and complete, unredacted access to any information for the purpose of this review which may include the records that are responsive to this request.

These records will be published on the BC Government's Open Information website a minimum of 72 hours after electronic release or a minimum of five business days after release by mail in hardcopy. To find out more about Open Information, please access the Open Information website at: <http://www.openinfo.gov.bc.ca/ibc/index.page>

If you have any questions regarding your request, please contact Jessica King, the analyst assigned to your request, at (250) 387-9863. This number can be reached toll-free by calling from Vancouver, 604-660-2421, or from elsewhere in BC, 1-800-663-7867 and asking to be transferred to (250) 387-9863.

You have the right to ask the Information and Privacy Commissioner to review this decision. I have enclosed information on the review and complaint process.

Sincerely,



Maxine Vanzetta, Manager  
Health / Education Team  
Information Access Operations

Enclosures

cc: Cindy Hamilton, OIPC

<p>How to Request a Review with the Office of the Information and Privacy Commissioner</p>
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If you have any questions regarding your request please contact the analyst assigned to your file. The analyst's name and telephone number are listed in the attached letter.

Pursuant to section 52 of the *Freedom of Information and Protection of Privacy Act* (FOIPPA), you may ask the Office of the Information and Privacy Commissioner to review any decision, act, or failure to act with regard to your request under FOIPPA.

**Please note that you have 30 business days to file your review with the Office of the Information and Privacy Commissioner. In order to request a review please write to:**

Information and Privacy Commissioner  
PO Box 9038 Stn Prov Govt  
4th Floor, 947 Fort Street  
Victoria BC V8W 9A4  
Telephone 250-387-5629      Fax 250-387-1696

If you request a review, please provide the Commissioner's Office with:

1. A copy of your original request;
2. A copy of our response; and
3. The reasons or grounds upon which you are requesting the review.