



ARCS: 292-30  
File: OCC-2017-72915

October 13, 2017

Sent via email:

**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 BC Coroners Service. Your request is for:

*Any and all records held with the Coroners Service of British Columbia related to the death of Cory Allan Michael Monteith. (Date Range for Record Search: From 06/01/2013 To 08/01/2017)*

Please find enclosed a copy of the records located in response to your request. Some information has been withheld pursuant to section(s) 22 (Disclosure harmful to personal privacy) and 79 (Relationship to other Acts) of FOIPPA. Also, section(s) 63 (General prohibition against disclosure) and 64 (Application of *Freedom of Information and Protection of Privacy Act*) of the Coroners' Act, sections attached. 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)

Information that is available for purchase by the public has been removed pursuant to section 3(1)(j) of FOIPPA.

Your file is now closed.

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These records will be published on the BC Government's Open Information website a minimum of five business days after release. To find out more about Open Information, please access the Open Information website at: [www.gov.bc.ca/openinformation](http://www.gov.bc.ca/openinformation)

If you have any questions regarding your request, please contact Elizabeth Horn, the analyst assigned to your request, at 250 387-9172. 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 250 387-9172.

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,

A handwritten signature in dark ink, appearing to read 'E. Horn', with a long horizontal flourish extending to the right.

Elizabeth Horn, CIAPP-P  
FOI Specialist  
for  
Cindy Kukucska, Manager  
Justice / Social Team, Information Access Operations

Enclosures

<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.

## Sections 63 and 64 of the Coroner's Act

### General prohibition against disclosure

**63** (1) Except as provided for under this Act or another enactment, a coroner or a member of the child death review unit or a death review panel, or a person acting on behalf of or under the direction of any of these, must not disclose or publish

- (a) any information in respect of a deceased person or a person related to or otherwise connected with a deceased person, and
  - (b) any information provided, or a record compiled, made, used or submitted, in the course of, or that arose out of, an investigation, an inquest or a review.
- (2) A coroner or a member of the child death review unit, or a person acting on behalf of or under the direction of either of these, may disclose information or a record as necessary or incidental to the carrying out of an investigation, an inquest or a review under this Act.

### Application of *Freedom of Information and Protection of Privacy Act*

**64** (1) Despite the [\*Freedom of Information and Protection of Privacy Act\*](#),

- (a) if no inquest is held, a coroner may refuse to disclose any information collected in the course of an investigation until the investigation is completed,
  - (b) if an inquest is held, a coroner may refuse to disclose any information collected in the course of an investigation or inquest until the inquest is completed, and
  - (c) a member of the child death review unit or a death review panel may refuse to disclose any information collected in the course of a review until the review is completed.
- (2) The [\*Freedom of Information and Protection of Privacy Act\*](#), other than section 44 (1) (b), (2), (2.1) and (3) [*powers of commissioner in conducting investigations, audits or inquiries*], does not apply to any of the following:
- (a) a draft report of a coroner, made under Division 3 of Part 3 [*Report to Chief Coroner*], including any personal note or communication made in relation to the draft report;
  - (b) a draft report of a member of the child death review unit, made under section 51 [*report of review*], including any personal note or communication made in relation to the draft report;
  - (c) a personal note, communication or draft report of a coroner, made in the exercise of any power under Part 4 [*Inquests*];
  - (d) a draft jury's verdict, made under Part 4 [*Inquests*];
  - (e) a transcription or recording of an inquest;
  - (f) a record
  - (i) submitted in an inquest for which public access is provided by the chief coroner, or

(ii) that, if disclosed, would reveal the subject matter of a review conducted by a death review panel;

(g) a finding of a jury for which public access is provided by the chief coroner.

(3) The chief coroner may refuse to disclose any part of a record that contains confidential information to a person who has a right of access under the [\*Freedom of Information and Protection of Privacy Act\*](#) to the record.

(4) Subsection (2) does not apply to personal information that has been in existence for at least 100 years or to other information that has been in existence for at least 50 years.