

### **ATP15-055AR Summary**

The Applicant requested access to a video record from the Whitehorse Correctional Centre (WCC). In his request he asked for a copy of the video. Justice refused access on three grounds. The disclosure would be an unreasonable invasion of personal privacy of the other inmates who appeared in the Video. It would be harmful to law enforcement and create public safety risks. And some of the information was privileged.

The IPC found that disclosure of a copy of the Video to the Applicant would constitute an unreasonable invasion of personal privacy to the inmates but not WCC employees who also appeared in the Video. She also found law enforcement would be harmed if a copy of the Video were disclosed to the Applicant but that Justice had not established that disclosure of a copy of the Video would interfere with public safety. The IPC also found that the Video was not privileged.

The IPC indicated that if the Applicant were to request to view the video, this disclosure may not be an unreasonable invasion of the other inmates' personal privacy. She also highlighted that the law enforcement concerns may not be relevant if the inmate were allowed only to view the video. The IPC reminded the Records Manager and Justice that it is important to communicate options to an applicant to facilitate access where applicable.

The IPC affirmed Justice's decision to refuse access to a copy of the record. No recommendations were made.