



Information and Privacy
Commissioner/Ontario
Commissaire à l'information
et à la protection de la vie privée/Ontario

ORDER PO-2984

Appeal PA09-404-2

Ministry of Community Safety and Correctional Services



Tribunal Services Department
2 Bloor Street East
Suite 1400
Toronto, Ontario
Canada M4W 1A8

Services de tribunal administratif
2, rue Bloor Est
Bureau 1400
Toronto (Ontario)
Canada M4W 1A8

Tel: 416-326-3333
1-800-387-0073
Fax/Téloc: 416-325-9188
TTY: 416-325-7539
<http://www.ipc.on.ca>

NATURE OF THE APPEAL:

The appellant made a request under the *Freedom of Information and Protection of Privacy Act* (the *Act*) to the Ministry of Community Safety and Correctional Services (the ministry) for access to:

...view the Policy and Procedure Manuals of the Toxicology Section of the Centre of Forensic Sciences [CFS].

This is part of a larger request, the balance of which was the subject of appeal PA09-346 which was disposed of in Order PO-2918.

The ministry issued an interim access decision which stated:

...policy and procedure manuals for the toxicology section of the CFS do not exist.

The CFS informed our office, however, that toxicology procedures do exist in electronic format only.

The ministry went on to advise that the estimated fee for the information requested is \$1,314.00 and requested a deposit of 50% of the fee to process the request. The ministry also indicated that:

...a preliminary review of the requested information indicates that parts of the information will likely be exempted from disclosure in accordance with sections 14(1)(c), 14(1)(e), 14(1)(i) and 14(1)(l).

The appellant appealed the ministry's decision and appeal file PA09-404 was opened. That appeal was resolved when the ministry released a copy of the record, in part, claiming the law enforcement exemptions in sections 14(1)(c) and 14(1)(i) and the mandatory third exemption in section 17(1) of the *Act* applied to the undisclosed information.

The appellant appealed this decision and the current appeal file was opened. During mediation, the ministry reviewed its decision and advised the mediator that it would no longer be relying on section 17(1) as a basis for denying access. It confirmed that it would still be relying on sections 14(1)(c) and 14(1)(i) to deny access, however.

During my inquiry into this appeal, I sought and received representations from the ministry and the appellant. Representations were shared in accordance with section 7 of the IPC's *Code of Procedure and Practice Direction 7*.

RECORDS:

The records at issue are the withheld portions of the toxicology procedures. As the institution is no longer relying on section 17(1)(c) to deny access to information in the following records, I

will order the ministry to disclose those portions of the records to the appellant which were subject only to the section 17(1) claim.

I have included an index of records with my findings with the copy of the order provided to the ministry describing in greater detail my findings.

DISCUSSION:

LAW ENFORCEMENT

The Ministry has withheld portions of the records under sections 14(1)(c) and (i) of the *Act* which state:

A head may refuse to disclose a record where the disclosure could reasonably be expected to,

- (c) reveal investigative techniques and procedures currently in use or likely to be used in law enforcement;
- (i) endanger the security of a building or the security of a vehicle carrying items, or of a system or procedure established for the protection of items, for which protection is reasonably required;

The term “law enforcement” is used in several parts of section 14, and is defined in section 2(1) as follows:

“law enforcement” means,

- (a) policing,
- (b) investigations or inspections that lead or could lead to proceedings in a court or tribunal if a penalty or sanction could be imposed in those proceedings, or
- (c) the conduct of proceedings referred to in clause (b)

The term “law enforcement” has been found to apply in the following circumstances:

- a municipality’s investigation into a possible violation of a municipal by-law that could lead to court proceedings [Orders M-16, MO-1245].
- a police investigation into a possible violation of the *Criminal Code* [Orders M-202, PO-2085].

- a children's aid society investigation under the *Child and Family Services Act* which could lead to court proceedings [Order MO-1416].

The term "law enforcement" has been found *not* to apply in the following circumstances:

- an internal investigation by the institution under the *Training Schools Act* where the institution lacked the authority to enforce or regulate compliance with any law [Order P-352, upheld on judicial review in *Ontario (Solicitor General) v. Ontario (Assistant Information and Privacy Commissioner)* (1993), 102 D.L.R. (4th) 602, reversed on other grounds (1994), 107 D.L.R. (4th) 454 (C.A.)].
- a Coroner's investigation or inquest under the *Coroner's Act*, which lacked the power to impose sanctions [Order P-1117].

Generally, the law enforcement exemption must be approached in a sensitive manner, recognizing the difficulty of predicting future events in a law enforcement context [*Ontario (Attorney General) v. Fineberg* (1994), 19 O.R. (3d) 197 (Div. Ct.)].

Where section 14 uses the words "could reasonably be expected to", the institution must provide "detailed and convincing" evidence to establish a "reasonable expectation of harm". Evidence amounting to speculation of possible harm is not sufficient [Order PO-2037, upheld on judicial review in *Ontario (Attorney General) v. Ontario (Information and Privacy Commissioner)*, [2003] O.J. No. 2182 (Div. Ct.), *Ontario (Workers' Compensation Board) v. Ontario (Assistant Information and Privacy Commissioner)* (1998), 41 O.R. (3d) 464 (C.A.)].

It is not sufficient for an institution to take the position that the harms under section 14 are self-evident from the record or that a continuing law enforcement matter constitutes a *per se* fulfilment of the requirements of the exemption [Order PO-2040; *Ontario (Attorney General) v. Fineberg*].

Representations

In support of its position that the records are exempt, the ministry provided background information about the CFS and the records at issue. The ministry notes that CFS performs a critical role in the justice system through the scientific analyses it conducts, which are often subsequently used by the police for investigative purposes and the court testimony of CFS scientists provided at trial. The CFS's clients include: law enforcement officers, crown attorneys, defence counsel, coroners, pathologists and other investigative agencies.

The ministry goes on to explain that toxicology is one of the types of forensic examinations performed by CFS. The ministry states:

The Toxicology Section of the CFS analyzes bodily fluids and other samples for the presence of alcohol, drugs and poisonous substances, and staff also provides expert opinions on their effects at judicial proceedings. Toxicology examinations

and analysis are often used by the police in their investigations of impaired driving, sexual assault, fire death, homicide, or crimes involving drugs.

The ministry submits that the records at issue direct CFS staff on how to perform their duties in the Toxicology Section and are divided into two types. The first are procedures which describe how different activities are performed. The second type of records consists of directives which are drafted in response to a change in procedures which must be put into effect immediately. The ministry summarizes that the records contain highly technical and scientific information that is an integral part of the quality assurance process at CFS.

In applying the exemptions at section 14(1)(c) and (i) to the withheld portions of the records, the ministry submits that past IPC orders have determined that CFS activities are part of “law enforcement” since “...the examinations and analysis are often used as evidence by the police in criminal investigations.”¹

The ministry further submits that disclosure of the withheld portions of the records could reasonably be expected to result in investigative techniques and procedures currently in use in law enforcement being revealed such that section 14(1)(c) applies. The ministry states:

...[the records] are used to direct how staff in the Toxicology Section analyze substances.

...

Second, the Ministry is concerned that if it were know which drugs the CFS was capable of analyzing (and by extension not analyzing), this information could be used by criminal elements to foil or to evade CFS analysis, which would harm law enforcement investigations.

In support of the application of section 14(1)(i), the ministry submits that disclosure of the records would highlight to the public the types of chemicals stored at CFS and used in its testing. These chemicals and substances may be highly valued by criminals and disclosure could reasonably be expected to endanger the security at CFS. The ministry states:

The CFS employs significant security procedures to ensure that access to its building sites are limited and controlled. The building site in Toronto is protected by the Ontario Provincial Police Protective Service, while access within the building is restricted to those who have the necessary photo identification. As the CFS security policy states, “*continuity and security of evidence are key elements in the criminal justice system. Any break in the chain of custody of evidentiary material could result in the inadmissibility of that evidence in court*”.

¹ The ministry references Orders P-1487 and PO-2805 in support of this position.

The CFS is concerned that the more that is known about the types of analyses that it performs, the more likely it is that it could become a target for criminal activity, which could endanger building security similar to what recently happened in Scotland. On February 19, 2010, media in the United Kingdom reported that a police forensic lab in Edinburgh was torched in a firebomb attack by a criminal gang trying to destroy evidence.

It is for this reason that the Ministry invoked this clause to remove parts of records, which show where substances are stored physically at the CFS or where data is stored on the CFS data base known as LIMS. The Ministry has designed its security policy so that access to this information is controlled on a strictly need to know basis.

The appellant disputes the ministry's contention that disclosure of the withheld portions of the records would result in the harms set out in sections 14(1)(c) and (i). The appellant submits that the ministry's arguments are speculative and do not represent the reality that much of the information at issue is already in the public domain. The appellant states:

The claim that the knowledge of an unremarkable lab procedure undermines law enforcement is frankly absurd. All lab instruments come with manuals provided by the manufacturer. From first-year chemistry texts to the latest journals on forensic science, the capabilities and idiosyncrasies of these sophisticated devices is frequently discussed. What is the CFS's big secret?

Forensics is a rapidly evolving profession, with new techniques and technologies discovered and refined all the time. Many journals and online references are used to disseminate these advances among forensic professionals and the public. If this were undermining law enforcement, even to the tiniest degree, surely the CFS would corroborate their position by citing even one authority, analysis or review?

The CFS seems to be reasoning, "If criminals knew the kind of evidence we are able to analyse, they might not leave any around, and then we wouldn't catch them." I contend that, in fact, forensic scientists recognize that sharing and publicizing innovative procedures and technology *bolsters* law enforcement and *deters* criminal activity.

...

The CFS is also concerned about revealing which drugs they can and cannot detect as it might encourage date rapists to switch from a detectable drug to something covert. Curious then, that they post just such a list on their own website...

On the alleged harms in section 14(1)(i), the appellant submits that the ministry's position is again based purely on speculation. Further, the appellant submits that the example provided by the ministry of the forensic laboratory in Scotland is unhelpful. The appellant states:

The CFS contends that if more were known about what goes on inside it would increase the likelihood of a violent attack against the building. This is total speculation, unencumbered by a shred of evidence, and seemingly premised on the idea that the CFS is currently invisible. It's not.

It's well known what does on in there, courtesy of the Ministry and its website. If someone is debating whether or not to infiltrate a well secured building in the centre of Toronto, I doubt his final decision would turn on the degree to which a toxicology manual is redacted.

...

Having said all that, by using Google's various mapping and street-view tools, it's obvious the two facilities are, to put it mildly, rather dissimilar. The Scottish facility is a two-storey building located in a suburban, largely residential area. Rural comes to mind, if not rustic. The CFS is part of an imposing tower located in the dense urban core of Toronto. *And guarded*, I'm told. Compared to the Scottish facility, the CFS is 24 Sussex Drive.

In response, the ministry submits that scientific knowledge published in research publications must be treated differently, for the purposes of this appeal, than operational CFS records used for law enforcement purposes. The ministry states:

..the records at issue in this appeal reflect the application of scientific knowledge in a workplace setting, in this case a laboratory that serves law enforcement agencies. Moreover, the records are being used for a practical, utilitarian purpose, which is to direct staff working at the CFS in how to perform their duties in furtherance of the law enforcement process. The records at issue in this appeal have been protected because their release would reveal operational practices of the CFS, which as the Ministry has submitted could, in turn, be expected to harm law enforcement.

On the issue of section 14(1)(i), the ministry submits that CFS's security concerns over its building are a result of threats posed by terrorism and other security fears. The ministry states:

The requester states that the Ministry's concern's are "*premised on the idea that the CFS is currently invisible.*" In fact, our security concerns are premised on the fact that the CFS is visible, and that it needs to be protected.

The requester's position seems to be that because the CFS is police patrolled, therefore the records can be released, since there is no way anyone can break through the security the police provide. This position, however, makes no sense. It is self-evident that building security involves taking more than one precaution. Instead, coordinated security is, by definition, a multi-tiered, overlapping approach. Having police protection does not mean that all other security measures can therefore be relaxed.

Findings and analysis

Section 14(1)(c)

Based on my review of the records, I accept that portions of the Toxicology procedures are exempt under the section 14(1)(c) exemption. Where I have found that the records are not exempt under section 14(1)(c), the ministry has not provided the type of detailed and convincing evidence required to demonstrate that there is a reasonable expectation that disclosure of the toxicology procedures could reveal investigative techniques and procedures currently in use or likely to be used in law enforcement.

I accept that the activities of the CFS constitute law enforcement for the purposes of section 14. In considering the possible application of section 14(1)(c), which relates to investigative techniques and procedures, I have applied the following tests developed in previous orders:

In order to meet the “investigative technique or procedure” test, the institution must show that disclosure of the technique or procedure to the public could reasonably be expected to hinder or compromise its effective utilization. The exemption normally will not apply where the technique or procedure is generally known to the public [Orders P-170, P-1487].

The techniques or procedures must be “investigative”. The exemption will not apply to “enforcement” techniques or procedures [Orders PO-2034, P-1340].

The ministry submits that disclosure of the withheld records would disclose how staff in the toxicology section of the CFS analyzes substances and which drugs the CFS is capable of analyzing. The ministry argues that this information could be used by criminals to evade or foil CFS analysis which would in turn harm law enforcement investigations. I find the ministry’s representations to be speculative at best and do not include detailed and convincing evidence of a reasonable expectation that disclosure of the information would hinder or compromise the investigation of the criminal activity described in the records. Further, it is not evident to me, based on my careful review of the records that the procedures and techniques therein are not generally known to the public and that disclosure could reasonably be expected to hinder or compromise their effective utilization.

Further, in regard to the procedures or directives that contain information about general toxicology procedures or describe procedures for testing certain substances in general terms, these records do not contain information exempt under section 14(1)(c). I also find that portions of the records, contained in procedures for particular drugs or substances, that the ministry withheld under section 14(1)(c) are also not exempt. The ministry’s representations do not address whether these portions of the records contain information whose disclosure could reasonably be expected to hinder or compromise the investigative procedures and techniques contained therein. Accordingly, I find the following portions of the record not exempt under section 14(1)(c):

TOX-31, TOX-30.1, TOX-28, TOX-13.2 (in part), TOX-4.4, MS-26, MS-24.1, MS-01.3, LC-13.2, LC-04, LC-034 (METHOD SELECTION GUIDE), LC-03.4, GT-13.2, GT-10.3, GT-08.4, GT-1.4, GC-23, GC-22.2, GC-05.3, EQP-10, TOX-01.3, 13.2 Directive, TOX-04.4 Directive, TOX-01.3 Directive, MS-24.1 Directive, MS-20.1 Directive, LC-24.1 et al. Directive, GC-23 Directive, LC-21.3 et al., GC-23 (June 2008), LC-05.4, CFS-TOX 21.4, TOX-MS-34.0(in part)

In regard to the procedures respecting particular drugs or substances which set out detailed testing and measurement techniques, I accept that disclosure of this information could reasonably be expected to disclose investigative techniques and procedures currently in use or likely to be used in law enforcement. The records themselves contain detailed and convincing evidence of the possible harm, and I find that this information is exempt under 14(1)(c) of the *Act*, subject to my finding on the ministry's exercise of discretion.

TOX-13.2 (in part), TOX-MS-36.0, TOX-MS-35.0, TOX-MS-33.0, TOX-MS-14.3, TOX-IA-17.0, TOX-GC-24.2, TOX-GC-08.4, MS DIRECTIVE, MS-32, MS-28, MS-23, MS-22, MS-20.1, MS-19, MS-18.1, MS-17.4, MS-16.1, MS-15.2, MS-11.2, MS-10.5, MS-09.5, MS-08.4, MS-03.5, LC-16.3, LC-15.4, LC-14.4, LC-11.4, LC-10.3, LC-08.3, LC-06.4, LC-05.4, IA-04.2, GT-14.3, GT-09.4, GT-07.4, GT-05.3, GC-26, GC-20.1, GC-19.2, GC-18.3, GC-14.3, GC-11.3, GC-09.4, GC-06.2, MS-35.0 Directive, MS-23 Directive, MS-10.5 Directive, MS-3.5 Directive, LC-03.4 Directive, IA-04.2 Directive, GC-25 Directive, CFS-TOX 25.1, TOX-MS-34.0(in part)

Section 14(1)(i)

For the portions of records claimed exempt under section 14(1)(i), I considered the fact that this provision is not restricted to law enforcement situations, but can be extended to any building, vehicle or system which reasonably requires protection [Orders P-900, PO-2461]. Further, the ministry must provide detailed and convincing evidence to establish a reasonable expectation that disclosure of the record could result in the harm set out in section 14(1)(i) of the *Act*.

The ministry's representations submit that disclosure of the records or portions of the records could reasonably be expected to result in endangerment to the CFS building and its computer systems. The appellant submits that it is not reasonable to expect that disclosure will result in the harms set out in section 14(1)(i) as the location and purpose of CFS is already in the public knowledge.

Based on my review of the records, I find that section 14(1)(i) does not apply to exempt the withheld information. I find that the ministry has not provided detailed and convincing evidence of the harm to discharge its burden. While I accept that it is reasonable that the CFS building, its computer and security systems require a high level of security, I am unable to find that disclosure of the withheld information could reasonably be expected to endanger the security of either the building or the CFS's systems.

In my view, the references in the records to the CFS's computer system without further submissions or evidence as to the potential compromise following disclosure of the records does not establish a reasonable expectation of harm. Further, the ministry applied the exemption at section 14(1)(i) for procedures that describe how various toxicology test results will be saved electronically including the directory names and the names of files. I am unable to find that disclosure of the general description of the names of folders, files and directories could reasonably be expected to endanger the CFS's computer system. I find support for my finding in the rationale set out in Order PO-1682. In this order, the former Assistant Commissioner Tom Mitchinson found the following, in dealing with the ministry's claim of this exemption for its CFS database:

The Ministry states that the information severed from Page 419a contains details of the security measures in place to protect the CFS database and backup dates. According to the Ministry, release of this information would compromise the security of this system, and could result in a security breach involving data entered into the database. The Ministry also states that disclosure would jeopardize the integrity and authenticity of the data, and submits that '[t]he resulting loss or corruption of data would have a detrimental impact on the CFS and the Ontario justice system in general which relies upon the investigative activities of the CFS'.

Having carefully reviewed page 419a, I am not persuaded that the Ministry has established a reasonable expectation of harm to the security of a building or vehicle, or of a system or procedures established for protection of the database. In my view, page 419a contains a general description of administrative procedures for conducting computer system backups common to most businesses. No information on this page is specific to the CFS database under discussion, and the Ministry does not explain how any potential harms could reasonably be expected to occur, generally, or as a result of disclosure to the appellant.

In my view, the Ministry has failed to discharge its burden of establishing the requirements of section 14(1)(i) with respect to page 419a and I find it does not qualify for exemption under this section.

I agree with the Assistant Commissioner's rationale and apply it here. I conclude that the ministry has not provided sufficiently detailed and convincing evidence to establish the harm set out in section 14(1)(i) for information relating to the CFS's database, file names, director names or procedures setting out how to save information or back-up information. Moreover, I am unable, based on my review, to find that the contents of the procedures themselves establish a reasonable expectation of the harm set out in section 14(1)(i). Accordingly, the following portions of the records are not exempt under section 14(1)(i):

TOX-31, TOX-28, TOX-22, TOX-20, TOX-18.1(in part), TOX-13.2, TOX-01.3 (in part), TOX-MS-36.0, TOX-29(in part), MS-31, MS-26, MS-25, MS-24.1, IA-04.2, GT-14.3, GT-07.4(in part),

In addition, I do not uphold the ministry's claim under section 14(1)(i) for the location of various tools, storage areas and instruments. Further, I do not accept the ministry's claim that this exemption applies to procedures relating to specific substances. The ministry has not provided me with detailed and convincing evidence to establish that disclosure of this information would endanger the security of the CFS or the procedures established for the protection of these items. Nor am I able to find that the disclosure of the information itself establishes a reasonable expectation of the harm. Thus, the following portions of the record are not exempt under section 14(1)(i):

TOX-26, TOX-18.1(in part), TOX-14.2, TOX-10.4, TOX-9.4, TOX-01.3(in part),
TOX-29(in part), TOX-6.5, GT-09.4, GT-07.4(in part), GC-22.2, TOX-01.3
Directive, CFS-TOX-25.1, CFS-TOX-21.4

As I have not upheld the ministry's claim that section 14(1)(i) applies to portions of the records, I will order this information disclosed to the appellant.

EXERCISE OF DISCRETION

The sections 14(1)(c) exemption is discretionary, and permits the ministry to disclose information, despite the fact that it could withhold it. The ministry must exercise its discretion. On appeal, the Commissioner may determine whether the institution failed to do so.

In addition, the Commissioner may find that the institution erred in exercising its discretion where, for example,

- it does so in bad faith or for an improper purpose
- it takes into account irrelevant considerations
- it fails to take into account relevant considerations.

In either case this office may send the matter back to the institution for an exercise of discretion based on proper considerations [Order MO-1573]. This office may not, however, substitute its own discretion for that of the institution [section 54(2)].

The ministry submits that it exercised its discretion in good faith by releasing most of the responsive records, based on its consideration of the purpose of the law enforcement exemptions, the interests those exemptions seek to protect and the fact that the appellant was not seeking his own personal information. The ministry also considered its historical practice dealing with CFS information. The ministry further note that some of the 140 records have been released in full and in most other cases, the amount withheld has been minor.

Based on my review of the records and the ministry's representations, I find the ministry's exercise of discretion to be proper. The ministry considered only relevant considerations and I uphold its exercise of discretion to withhold the information claimed exempt under section 14(1)(c).

ORDER:

1. I order the ministry to disclose the records to the appellant by providing him with a copy of the records by **August 22, 2011**. For the sake of clarity, I have provided a copy of records with this order with the information **to be** disclosed highlighted.
2. I uphold the ministry's decision to withhold the remaining information.
3. In order to verify compliance with order provision 1, I reserve the right to require the ministry to provide me with a copy of the records sent to the appellant.

Original Signed by: _____
Stephanie Haly
Adjudicator

_____ July 20, 2011

**APPENDIX
RECORDS INDEX
PA09-404-2**

RECORD TITLE	EXEMPTIONS APPLIED	FINDING
TOX-31	14(1)(c), 14(1)(i)	Not upheld
TOX-30.1	14(1)(c)	Not upheld
TOX-28	14(1)(c), 14(1)(i)	Not upheld
TOX-26	14(1)(i)	Not upheld
TOX-22	14(1)(i)	Not upheld
TOX-20	14(1)(i)	Not upheld
TOX-18-1	14(1)(i)	Not upheld
TOX-14.2	14(1)(i)	Not upheld
TOX-13.2	14(1)(c), 14(1)(i)	14(1)(c) – partly upheld 14(1)(i) – not upheld
TOX-10.4	14(1)(i)	Not upheld
TOX-9.4	14(1)(i)	Not upheld
TOX-04.4	14(1)(c)	Not upheld
TOX-01.3	14(1)(i)	Not upheld
TOX-MS-36.0	14(1)(c), 14(1)(i)	14(1)(c) – upheld 14(1)(i) – not upheld
TOX-MS-35.0	14(1)(c)	Upheld
TOX-MS-34.0	14(1)(c)	Partly upheld
TOX-MS-33.0	14(1)(c)	Upheld
TOX-MS-14.3	14(1)(c)	Upheld
TOX-IA-17.0	14(1)(c)	Upheld
TOX-GC-24.2	14(1)(c)	Upheld
TOX-GC-08.4	14(1)(c)	Upheld
TOX-29	14(1)(i)	Not upheld
TOX-06.5	14(1)(c), 14(1)(i)	Not upheld
MS DIRECTIVE	14(1)(c)	Upheld
MS-32	14(1)(c)	Upheld
MS-31	14(1)(c), 14(1)(i)	14(1)(c) – upheld 14(1)(i) – not upheld
MS-30	14(1)(c)	Upheld
MS-28	14(1)(c)	Not upheld
MS-26	14(1)(c), 14(1)(i)	Not upheld
MS-25	14(1)(i)	Not upheld
MS-24.1 (2 redacted versions provided) – both versions not upheld	14(1)(c), 14(1)(i),	Not upheld; Must disclose portions withheld earlier under section 17(1)(c)
MS-23	14(1)(c)	Upheld
MS-22	14(1)(c)	Upheld
MS-20.1	14(1)(c)	Upheld

MS-19	14(1)(c)	Upheld
MS-18.1	14(1)(c)	Upheld
MS-17.4	14(1)(c)	Upheld Must disclose portions withheld earlier under section 17(1)(c)
MS-16.1	14(1)(c)	Upheld
MS-15.2	14(1)(c)	Upheld
MS-11.2	14(1)(c)	Upheld
MS-10.5	14(1)(c)	Upheld
MS-09.5	14(1)(c)	Upheld
MS-08.4	14(1)(c)	Upheld
MS-03.5	14(1)(c)	Upheld
MS-01.3	14(1)(c)	Not upheld
LC-16.3	14(1)(c)	Upheld
LC-15.4	14(1)(c)	Upheld
LC-14.4	14(1)(c)	Upheld
LC-13.2	14(1)(c)	Not upheld
LC-11.4	14(1)(c)	Upheld
LC-10.3	14(1)(c)	Upheld
LC-08.3	14(1)(c)	Upheld
LC-06.4	14(1)(c)	Upheld
LC-05.4	14(1)(c)	Upheld
LC-04	14(1)(c)	Nothing withheld
LC-034 method selection guide	14(1)(c)	Not upheld
LC-03.4	14(1)(c)	Not upheld
IA-04.2	14(1)(c), 14(1)(i)	14(1)(c) – Upheld 14(1)(i) – not upheld
GT-14.3	14(1)(c), 14(1)(i)	14(1)(c) – upheld 14(1)(i) – not upheld
GT-13.2	14(1)(c)	Not upheld
GT-10.3	14(1)(c)	Not upheld
GT-09.4	14(1)(c), 14(1)(i)	14(1)(c) – Upheld 14(1)(i) – not upheld
GT-08.4	14(1)(c)	Not upheld
GT-07.4	14(1)(c), 14(1)(i)	14(1)(c) – upheld 14(1)(i) – not upheld
GT-05.3	14(1)(c)	Upheld
GT-04.3	14(1)(c)	Upheld
GT-1.4	14(1)(c)	Not upheld
GC-26	14(1)(c)	Upheld
GC-23	14(1)(c)	Not upheld
GC-22.2	14(1)(c), 14(1)(i)	Not upheld
GC-20.1	14(1)(c)	14(1)(c) upheld; Must disclose

		portions withheld earlier under section 17(1)(c)
GC-19.2	14(1)(c)	Upheld
GC-18.3	14(1)(c)	Upheld
GC-14.3	14(1)(c)	Upheld
GC-11.3	14(1)(c)	Upheld
GC-09.4	14(1)(c)	Upheld
GC-06.2	14(1)(c)	Upheld
GC-05.3	14(1)(c)	Not upheld
EQP-10	14(1)(c)	Not upheld
EQP-03 (deletions on pages 3 and 4)		Must disclose portions withheld earlier under section 17(1)(c)
TOX-01.3, 13.2 Directive	14(1)(c)	Not upheld
TOX-04.4 Directive	14(1)(c)	Not upheld
TOX-01.3 Directive	14(1)(c), 14(1)(i)	Not upheld
MS-35.0 Directive	14(1)(c)	Upheld
MS-24.1 Directive	14(1)(c)	Not upheld
MS-23 Directive	14(1)(c)	Upheld
MS-20.1 Directive	14(1)(c)	Not upheld
MS-10.5 Directive	14(1)(c)	Upheld
MS-3.5 Directive	14(1)(c)	Upheld
LC-24.1 et al. Directive	14(1)(c)	Not upheld
LC-03.4 Directive	14(1)(c)	Upheld
IA-04.2 Directive	14(1)(c)	Upheld
GC-25 Directive	14(1)(c)	Upheld
GC-23 Directive	14(1)(c)	Not upheld
LC-21.3 et al.	14(1)(c)	Not upheld
GC-23 (June 2008)	14(1)(c)	Not upheld
CFS-TOX 25.1	14(1)(c), 14(1)(i)	14(1)(c) – Upheld 14(1)(i) – Not upheld Must disclose portions withheld earlier under section 17(1)(c)
GC-21.2 ²	14(1)(c)	
CFS-TOX 21.4	14(1)(c), 14(1)(i)	Not upheld

² Procedure was discontinued.