

Information and Privacy Commissioner,  
Ontario, Canada



Commissaire à l'information et à la protection de la vie privée,  
Ontario, Canada

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## ORDER PO-4599

Appeal PA21-00199

Ministry of the Environment, Conservation and Parks

January 31, 2025

**Summary:** An individual asked the ministry under the *Freedom of Information and Protection of Privacy Act* (the *Act*) for any final products, including reports, delivered to the ministry by a consulting company in order to fulfill its consulting contracts related to COVID-19. The ministry decided to withhold the records in their entirety, claiming the mandatory Cabinet record exemption in section 12(1). In this order, the adjudicator finds that most of the records are exempt from disclosure, but that others are not either in whole or in part. The adjudicator orders the ministry to disclose the records that are not exempt to the individual who requested them.

**Statutes Considered:** *Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. F.31, section 12(1).

**Orders Considered:** Orders PO-3839-I, PO-4461, PO-4537, and PO-4553.

**Cases Considered:** *Ontario (Attorney General) v. Ontario (Information and Privacy Commissioner)* 2024 SCC 4 (SCC).

### OVERVIEW:

[1] This order disposes of the sole issue in the appeal which is whether the records are exempt from disclosure under the mandatory Cabinet record exemption in section 12 of the *Freedom of Information and Protection of Privacy Act* (the *Act*). The requester, a journalist, made an access request to the Ministry of the Environment, Conservation and Parks (the ministry) for any final products, including reports, delivered to the ministry by

a consulting company to fulfill its consulting contracts related to COVID-19 between March 25, 2020, and the date of receipt of the request.

[2] In response, the ministry located responsive records and notified the consulting company named in the access request. The company advised the ministry that it did not object to the disclosure of the records sought by the requester.

[3] The ministry then issued a decision to requester, denying access to the records in full under section 12. The requester, now the appellant, filed an appeal of the ministry's decision to the Information and Privacy Commissioner of Ontario (the IPC).

[4] The appeal was not resolved at mediation and proceeded to the adjudication stage of the appeals process. The adjudicator assigned to the appeal sought and received representations from the ministry, the appellant, and the consulting company. Representations were shared in accordance with the IPC's *Practice Direction 7*. The file was then transferred to me to continue the inquiry. I sought further representations from the appellant and the ministry on the significance of the Supreme Court of Canada's decision in *Ontario (Attorney General) v. Ontario (Information and Privacy Commissioner)*<sup>1</sup> (*Mandate Letters Decision*), which addresses the Cabinet records exemption in section 12. Both the appellant and the ministry provided representations on the relevance of the *Mandate Letters Decision* to the records in this appeal.

[5] For the reasons that follow, I find that most of the records are exempt under the introductory wording of the mandatory Cabinet record exemption in section 12(1). Other records I find are not exempt, either in whole or in part, under section 12(1), and I order the ministry to disclose them to the appellant.

## **RECORDS:**

[6] There are 1,380 pages of records consisting of agendas, schedules, analyses and options, workshop presentations, debriefing notes, jurisdictional scans, strategy frameworks, and surveys. Most of the records are slides.

## **DISCUSSION:**

[7] As stated above, the sole issue in this appeal is whether the mandatory exemption at section 12(1) relating to Cabinet deliberations apply to the records. The ministry's position is that the records are exempt from disclosure under the introductory wording of section 12(1). It has not claimed that any of the records fall within the categories of records listed at subparagraphs (a) to (f) of section 12(1). The consulting company's position is that it neither consents nor objects to the records being disclosed.

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<sup>1</sup> 2024 SCC 4.

[8] Section 12(1) protects certain records relating to meetings of Cabinet or its committees. Section 12(1) states:

A head shall refuse to disclose a record where the disclosure would reveal the substance of deliberations of the Executive Council or its committees, including,

- (a) an agenda, minute or other record of the deliberations or decisions of the Executive Council or its committees;
- (b) a record containing policy options or recommendations submitted, or prepared for submission, to the Executive Council or its committees;
- (c) a record that does not contain policy options or recommendations referred to in clause (b) and that does contain background explanations or analyses of problems submitted, or prepared for submission, to the Executive Council or its committees for their consideration in making decisions, before those decisions are made and implemented;
- (d) a record used for or reflecting consultation among ministers of the Crown on matters relating to the making of government decisions or the formulation of government policy;
- (e) a record prepared to brief a minister of the Crown in relation to matters that are before or are proposed to be brought before the Executive Council or its committees, or are the subject of consultations among ministers relating to government decisions or the formulation of government policy; and
- (f) draft legislation or regulations.

### **Section 12(1): introductory wording**

[9] The Executive Council, which is more commonly known as Cabinet, is a council of ministers of the Crown and is chaired by the Premier of Ontario.

[10] Any record that would reveal the substance of deliberations of the Executive Council (Cabinet) or its committees qualifies for exemption under section 12(1), not just the types of records listed in paragraphs (a) to (f).<sup>2</sup>

[11] A record never placed before Cabinet or its committees may also qualify for exemption if its disclosure would reveal the substance of deliberations of Cabinet or its committees, or would permit the drawing of accurate inferences about the substance of

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<sup>2</sup> Orders P-22, P-1570 and PO-2320.

deliberations.<sup>3</sup>

[12] The institution must provide sufficient evidence to show a link between the content of the record and the actual substance of Cabinet deliberations.<sup>4</sup> Such evidence is particularly important where a record at issue was never placed before Cabinet.

[13] The Supreme Court of Canada in *Ontario (Attorney General) v. Ontario (Information and Privacy Commissioner)*<sup>5</sup> (*Mandate Letters Decision*) recognized three underlying rationales for Cabinet secrecy: candour, solidarity and efficiency. It described these underlying rationales as follows:

... Collective ministerial responsibility requires that ministers be able to speak freely when deliberating without fear that what they say might be subject to public scrutiny [...]. This is necessary so ministers do not censor themselves in policy debate, and so ministers can stand together in public, and be held responsible as a whole, once a policy decision has been made and announced. These purposes are referred to by scholars as the "candour" and "solidarity" rationales for Cabinet confidentiality [...]. At base, Cabinet confidentiality promotes executive accountability by permitting private disagreement and candour in ministerial deliberations, despite public solidarity [...].

Scholars also refer to a third rationale for the convention of Cabinet confidentiality: it promotes the efficiency of the collective decision-making process [...]. Thus, Cabinet secrecy promotes candour, solidarity, and efficiency, all in aid of effective government. ...<sup>6</sup>

[14] In the *Mandate Letters Decision*, the Supreme Court of Canada also articulated specific guidance on how issues arising under the opening words of section 12(1) should be approached in light of these underlying rationales:

In approaching assertions of Cabinet confidentiality, administrative decision makers and reviewing courts must be attentive not only to the vital importance of public access to government-held information but also to Cabinet secrecy's core purpose of enabling effective government, and its underlying rationales of efficiency, candour, and solidarity. They must also be attentive to the dynamic and fluid nature of executive decision making, the function of Cabinet itself and its individual members, the role of the Premier, and Cabinet's prerogative to determine when and how to announce its decisions.

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<sup>3</sup> Orders P-361, PO-2320, PO-2554, PO-2666, PO-2707 and PO-2725.

<sup>4</sup> Order PO-2320.

<sup>5</sup> 2024 SCC 4.

<sup>6</sup> *Mandate Letters Decision* at paras 29-30.

Such an approach reflects the opening words of s. 12(1), which mandate a substantive analysis of the requested record and its substance to determine whether disclosure of the record would shed light on Cabinet deliberations, rather than categorically excluding certain types of information from protection. Thus, "deliberations" understood purposively can include outcomes or decisions of Cabinet's deliberative process, topics of deliberation, and priorities identified by the Premier, even if they do not ultimately result in government action. And decision makers should always be attentive to what even generally phrased records could reveal about those deliberations to a sophisticated reader when placed in the broader context. The identification and discussion of policy priorities in communications *among Cabinet members* are more likely to reveal the substance of deliberations, especially when considered alongside other available information, including what Cabinet chooses to do.<sup>7</sup>

[15] Section 12(2) establishes circumstances under which the section 12(1) exemption does not apply, stating:

Despite subsection (1), a head shall not refuse under subsection (1) to disclose a record where,

- (a) the record is more than twenty years old; or
- (b) the Executive Council for which, or in respect of which, the record has been prepared consents to access being given.

[16] The head of an institution is not required under section 12(2)(b) to seek the consent of Cabinet to release the record. However, the head must at least turn their mind to it.<sup>8</sup> Only the Cabinet in respect of which the record was prepared can consent to the disclosure of the record.<sup>9</sup>

### ***Representations***

[17] The ministry provided background information about the circumstances surrounding the creation and use of the records. It states that as a result of the COVID-19 pandemic, the Ontario government carried out the following activities:

- In the spring of 2020, it established the Ontario Jobs and Recovery Committee (the Recovery Committee), which was chaired by the Minister of Finance and comprised of a sub-group of Cabinet Ministers. The purpose of the Recovery

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<sup>7</sup> *Mandate Letters Decision*, at paras 61-62.

<sup>8</sup> Orders P-771, P-1146 and PO-2554.

<sup>9</sup> Order PO-2422.

Committee was to gather information to assess the impact of COVID-19 on the provincial economy and develop an action plan to move forward,

- It also established in the spring of 2020 a standalone body named the Recovery Planning Centre (the Centre), whose purpose was to coordinate the planning and execution of the restart and recovery of the province under the direction of Cabinet, Treasury Board and other ministries,
- The Centre was divided into three “tables,” each led by a designated Deputy Minister with support from different ministries. One of the tables was the Sector Strategies Table. One of its purposes was to provide guidance to ministries, including the ministry in this appeal, who were to develop and present sector strategy submissions,
- Cabinet Office contracted with the consulting company named in the access request between June 5 and July 3, 2020. In turn, the consulting company assisted the Sector Strategies Table in providing guidance for ministries to follow in preparing their sector strategy submissions. The consulting company also directly provided advice and recommendations to ministries in developing their sector strategies,
- The ministry in this appeal then presented its sector strategy submissions to the Centre, and
- The Centre received both the ministry’s sector strategy submissions and the Sector Strategies Table’s advice and either requested revisions or recommended moving the submissions on to the Recovery Committee. The strategies were then presented to the Recovery Committee in late July/early August of 2020.

[18] As previously stated, the ministry submits that the records are exempt from disclosure under the introductory wording of section 12(1). The ministry further submits that the introductory wording of section 12(1) refers to the substance of deliberations of the Executive Council or its committees. In order to qualify as a “committee” for the purposes of section 12(1), a body must be composed of Ministers where some tradition of collective ministerial responsibility and Cabinet prerogative can be invoked to justify the application of the exemption. In other words, the ministry submits, staff committees that are not made up of Ministers do not meet the definition of a “committee” in section 12(1). In this appeal, the ministry submits that the Recovery Committee qualifies as a committee of the Executive Council because it was made up of ten Ministers.

[19] The ministry submits that for a record to be exempt under the introductory wording of section 12(1), it is sufficient that it be obvious from a record’s content and the surrounding circumstances that the record forms the substance of Cabinet deliberations,<sup>10</sup> and that the institution must provide sufficient evidence to establish a linkage between

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<sup>10</sup> The ministry cites Order PO-1917.

the content of the record and the actual substance of Cabinet deliberations.<sup>11</sup> The ministry further submits that the IPC has also established that records that have never been placed before Cabinet or its committees may still qualify for exemption under the introductory wording of section 12(1) where the disclosure of the record would reveal the substance of deliberations of Cabinet or its committees, or where disclosure would permit the drawing of accurate inferences with respect to these deliberations.<sup>12</sup>

[20] The ministry argues that the records in this appeal are similar to those in Order PO-3839-I. In that order, the IPC found that due diligence records of an external advisory council - established to prepare advice and recommendations to the government on how to maximize the value and performance of government business enterprises - were exempt under the introductory wording of section 12(1) because their disclosure would reveal the substance of the deliberations of Cabinet or its committee, or permit the drawing of accurate inferences with respect to these deliberations. In that order, the records were prepared by staff and/or consultants for the advisory council who then prepared advice and recommendations for Cabinet.

[21] The ministry argues that in this appeal, the records contain the analysis and advice of the consulting company to "inform and guide" staff from the ministry in developing its sector strategies, including the company's review of the sector strategy documents created by the ministry. The ministry goes on to argue that these records contain and are clearly connected to the same or similar information to what was included in the final sector strategy submissions that were made to the Recovery Committee. In other words, the ministry argues, the information in the records formed the substantive basis of the content of the submissions to the Recovery Committee – a Cabinet committee.

[22] The ministry lists the type of information in the records as follows:

- The sector strategy kick-off discussion records<sup>13</sup> and other sector "reimagination" workshop records<sup>14</sup> setting out the framework and template that the ministries used in developing sector strategies, as well as various elements and key issues that ministries considered,
- The jurisdictional scan records<sup>15</sup> containing information that was directly incorporated into sector strategies,
- The sector strategy review records<sup>16</sup> containing the consulting company's detailed comments on ministries' draft sector strategies and provide insight into the content

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<sup>11</sup> The ministry cites Order PO-2320.

<sup>12</sup> The ministry cites Orders P-361, PO-2320, PO-2554, PO-2666, PO-2707 and PO-2725.

<sup>13</sup> Records 1A, 2A, 3A, 4A, 5A and 6A.

<sup>14</sup> Records 0A, 0B, 0C, 1D, 2B, 3C, 4C and 5D.

<sup>15</sup> Records 1C, 2C, 3B, 3E, 4B, 5C, 6B and 8C.

<sup>16</sup> Records 1E, 1K, 2D, 2H, 2J, 3D, 3I, 4D, 4I, 5B, 5E, 5O, 6C and 6F.

of the sector strategies, including the specific initiatives and measures under consideration,

- The sector reimagination workshop records<sup>17</sup> identifying specific themes, ideas, objectives, trends, measures and actions under consideration by ministries in developing sector strategies,
- The proposed outline/framework for the sector strategies table summary report<sup>18</sup> outlining the structure that ministries followed for their respective sector strategies and refers to initiatives and measures under consideration,
- The follow-up discussion record<sup>19</sup> regarding the consulting company's survey results containing discussion items for implications on sector strategies, and
- A number of other assorted records<sup>20</sup> containing the consulting company's research, analysis, case studies, survey results and articles on specific matters under consideration in the development of the sector strategies.

[23] The ministry argues that the information in the records that was incorporated into the submissions would permit a reader to discern the nature and scope of the sector strategy recommendations formulated by ministries and advanced to the Recovery Committee. In turn, the ministry further argues, the reader would be able to draw accurate inferences about the substance of a Cabinet committee's deliberations about the submissions. The ministry also refers to the records being reasonably expected to support further decision-making in the future.

[24] In light of the *Mandate Letters Decision*, the ministry submits that the IPC should apply a broad interpretation to the exemption, taking into account that Cabinet deliberations are informed by the advice of civil servants every step of the way, as confirmed by the Supreme Court of Canada<sup>21</sup> and that that the records that are part of this process should be upheld as exempt to allow the government to operate properly.

[25] With respect to section 12(2), the ministry submits that, first, the records are not more than 20 years old. Second, the ministry submits that it turned its mind to seeking the consent of Cabinet to release the records, but exercised its discretion to not seek that approval, stating:

. . . [T]he information in the records is not known to the public but may continue to be under review and consideration by the government, and may form the basis of further formulation of government policy making and

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<sup>17</sup> Records 1G, 1H, 1I, 1J, 2E, 2F, 2J, 3G, 3H, 4E, 4F, 4G, 5G, 5H, 5I, 5P, 6D and 6E.

<sup>18</sup> Record 7A.

<sup>19</sup> Record 8B.

<sup>20</sup> Records 1B, 1F, 3F, 1L, 1M, 2G, 4H, 5F, 5J, 5K, 5L, 5Q, 8A, 8D and 8E.

<sup>21</sup> 2024 SCC 4 at para. 47.



decision making and submissions to the Executive Council and its committees.

. . .

[T]he ministry weighed the principle that information should be available to the public against the purpose of the mandatory Cabinet records exemption, which is to protect the confidentiality of Cabinet deliberations and to ensure that the Executive Council is able to deliberate on matters in a free manner without undue pressure being brought to bear on those discussions by disclosure of the subject matter of present or future deliberations.

[26] The consulting company submits that it neither consents nor objects to the records being disclosed but notes that the records – which contain insights and analyses - were prepared under an agreement between it and Cabinet, and that the purpose of the engagement was to advise Cabinet Office on matters related to the Covid-19 crisis response strategy. The consulting company also states that it is in no way asserting that the facts it has provided are dispositive of whether the exemption in section 12(1) applies.

[27] The appellant submits that the records are not exempt under section 12(1) because they never appeared before Cabinet or its committees, and the ministry has not provided any evidence to establish a linkage between the content of the records and the actual substance of Cabinet's or its committee's deliberations. Instead, the appellant submits, the ministry simply states – without evidence – that the records contain information that is the same or similar to the submissions made to the Recovery Committee. In addition, the ministry has applied the exemption to the records in their entirety and not considered whether the records could be severed.

[28] Turning to Order PO-3839-I, which the ministry relies on, the appellant submits that the records in that case were developed amidst back and forth interactions between an advisory council and the Premier and Ministers' Table. In this appeal, the appellant argues, the records are the final products prepared by the consulting company to inform ministries – not Cabinet or its committees, stating:

The extra degree of separation between the records at hand in this appeal and Cabinet or its committees reveals a significant break in the figurative chain needed to establish a link between the responsive records and the actual substance of Cabinet deliberations required for exemption.

[29] With respect to the *Mandate Letters Decision*, the appellant submits that unlike that case in which the records were the product of the Premier or his deliberative process as a member of Cabinet, the records at issue in this appeal are the final products prepared by an external company to inform ministry staff – not Cabinet or its committees. Further, the appellant argues that while the *Mandate Letters Decision* may broaden the scope of what could be considered Cabinet deliberations, it does not necessarily mean that it

covers all records in other cases. In any event, the appellant submits, the ministry has not even established that the contents of these external records were a topic of Cabinet deliberation.

[30] Lastly, the appellant submits that the ministry has taken an overly broad approach to the exemption in claiming that the disclosure of the records will reveal the substance of future deliberations.

[31] In reply, regarding Order PO-3839-I, the ministry submits that the back and forth interactions between the advisory council and the Premier and Cabinet committee were only one part of what the IPC considered – the other parts being the representations and the records themselves. The ministry adds that in Order PO-4086-I, the IPC similarly considered working materials for the development of advice to Cabinet, concluding that the records would provide the reader with an accurate inference of the substance of Cabinet's deliberations. The ministry argues that, in this appeal, there is a direct connection between the information contained in the records and the advice and recommendations provided to a Cabinet committee.

[32] Finally, the ministry submits that given the wide-ranging and complex nature of the issues and policy options contained in the records, it is reasonable to anticipate that the advice and recommendations would be used to support future decision-making.

### ***Analysis and findings***

[33] I find that the majority of the records are exempt from disclosure under the introductory wording in section 12(1). In particular, I find based on the ministry's representations and on my review of the records themselves, 1,040 of the 1,380 pages of records are exempt in full under section 12(1). I find that the remaining records are either not exempt at all<sup>22</sup> or are exempt only in part<sup>23</sup> under section 12(1).

[34] As stated above, previous IPC decisions have established that the use of the word "including" in the introductory language of section 12(1) means that any record which would reveal the substance of deliberations of Cabinet or its committees qualifies for exemption under section 12(1), not just the types of records listed in paragraphs (a) to (f). Further, it is possible for a record that has never been placed before Cabinet or its committees to qualify for exemption under the introductory wording of section 12(1), if it is established that disclosing the record would reveal the substance of deliberations of Cabinet or its committees, or that its disclosure would permit the drawing of accurate inferences with respect to these deliberations.

[35] First, I find that the ministry has provided evidence that the Recovery Committee qualifies as a committee of the Executive Council (otherwise known as Cabinet) for the

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<sup>22</sup> Records 0A, 0C and 5K.

<sup>23</sup> Records 0B, 1A, 1D, 1G, 1H, 1I, 1J, 2A, 2B, 2E, 2F, 2G, 2I, 3A, 3C, 3G, 3H, 4A, 4C, 4E, 4F, 4G, 4H, 5A, 5D, 5G, 5H, 6A, 6D and 7A.

purpose of section 12(1) because it was a committee of Cabinet comprised of a subgroup of Cabinet Ministers and chaired by the Minister of Finance.

[36] Second, I find that while these records may not have been directly placed before the Recovery Committee, there is sufficient evidence to establish a link between the content of most of the records and the Recovery Committee's deliberations. In particular, I find that the disclosure of most of the records would permit the drawing of accurate inferences with respect to the Recovery Committee's deliberations.

[37] I appreciate the appellant is being asked to comment on records she has not reviewed and is therefore unable to meaningfully assess whether information withheld from disclosure would allow for the drawing of accurate inferences of the deliberations of the Recovery Committee.

[38] I have reviewed the records at issue. I find that all of the records were prepared by the consulting company for the ministry to assist the ministry in preparing its sector strategies which were eventually presented to the Recovery Committee via the Recovery Planning Centre.<sup>24</sup> As I state above, I find that most of these records are exempt from disclosure under the introductory wording in section 12(1). The information in these records includes expansive jurisdictional scans, surveys, and detailed analyses and options. I find based on the ministry's representations and my review of the records that this information, both in its nature and scope, is sufficiently detailed that it would have been included in materials provided to the Recovery Committee. Therefore, I find that the disclosure of this information would permit the drawing of accurate inferences with respect to the material that was considered and deliberated by the Recovery Committee.

[39] Turning to the exceptions in section 12(2), I find that neither apply in this appeal. First, the records are not over 20 years old. Second, the head of an institution is not required under section 12(2)(b) to seek the consent of Cabinet to release the record, but must at least turn their mind to it.<sup>25</sup> Only the Cabinet in respect of which the record was prepared can consent to the disclosure of the record.<sup>26</sup> I accept that the ministry turned its mind to Cabinet consent and decided not to seek it. I therefore find that the exception in section 12(2)(b) does not apply to the information I find is exempt under section 12(1).

[40] I considered the appellant's argument that the ministry withheld the records in their entirety and did not consider severing the records under section 10(2) of the *Act*. This section requires an institution to disclose as much of the record as can reasonably be severed without disclosing the information that falls under one of the exemptions under sections 12 to 22. I go on – below – to find that some of the information is not exempt from disclosure and I have severed it from the records.

[41] As explained below, I find that some of the records either in whole or in part are

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<sup>24</sup> Please see the second bullet on page 6 of this order.

<sup>25</sup> Orders P-771, P-1146 and PO-2554.

<sup>26</sup> Order PO-2422.

not exempt from disclosure under the introductory wording in section 12(1) and I order the ministry to disclose them to the appellant. The information that I find is not exempt consists of slides presented by the consulting company during workshops it conducted with ministry staff, as well as a publicly available article written by the consulting company.

[42] The publicly available article is a general article about job creation in post-pandemic times. The slides are the materials provided by the consulting company for workshops it held with ministry staff in order to assist the ministry in preparing its sector strategies prior to being presented to the Recovery Committee. The slides contain the following information:

- Cover pages, setting out the topic on the process to be discussed,
- Agendas and schedules, including general descriptions of the responsibilities of the ministry and the consulting company in the process of preparing the sector strategies including the timelines for doing so, and
- The framework and process to be followed in order to create the sector strategies - including templates – but not with specific information filled out in those templates including the sector strategies.

[43] I find that this above information relates to the process which ministry staff were to use – with the consulting company’s guidance - in developing the sector strategies. To be clear, these records were created by the consulting company and were used by the consulting company and the ministry staff in the process of creating the sector strategies. I find that these records are of a general nature and neither set out what specific information the ministry staff took into consideration in formulating its sector strategies nor reflect what sector strategies were developed and subsequently presented to the Recovery Committee.

[44] In its representations, the ministry relies on Interim Order PO-3839-I, comparing stakeholder notes to the records in this appeal. While in that order the IPC found that some records were exempt under section 12(1) and other were not, I find that there is not a sufficient parallel between the records at issue in this appeal – process information – and the stakeholder notes in Interim Order PO-3839-I.

[45] The information that I find not to be exempt neither reveals the substance of the Recovery Committee’s deliberations nor permits the drawing of accurate inferences regarding those deliberations. I further find that this information is distinct from the information that I have found to be exempt in that it is sufficiently removed from and would not reveal nor infer the substance of the Recovery Committee’s deliberations.

[46] I am mindful of the *Mandate Letters Decision* in which the Supreme Court of Canada recognized three underlying rationales for Cabinet secrecy: candour, solidarity, and efficiency. However, adopting and applying that approach, the ministry’s

representations do not address, and I am unable to determine how *the remaining records* advance any of these rationales. I disagree with the ministry that the *Mandate Letters Decision* permits the exemption to be applied in such a broad manner to apply to all of the information in the remaining records. As previously stated, the records that I find are not exempt were prepared by the consulting company in order to guide ministry staff through the process of developing sector strategies. These records include general topics and templates, not the specific information that the ministry staff considered in developing the sector strategies or the sector strategies themselves which were presented to the Recovery Committee. I find that these records are sufficiently removed from the specific information that was considered and deliberated by the Recovery Committee such that their disclosure would not reveal the substance of the Recovery Committee's deliberations and, as a result, I find that these records are not exempt from disclosure.

[47] The ministry has not claimed that any other exemptions apply to the records. As a result, I order the ministry to disclose certain records to the appellant, as set out in the order provisions.

## ORDER:

1. I order the ministry to disclose the records entitled Workplan 0A, Workplan 0C and Clean Tech 5K to the appellant in their entirety by **March 10, 2025**, but not before **March 4, 2025**.
2. I order the ministry to disclose records in part to the appellant, as set out in the Appendix by March 10, 2025, but not before March 4, 2025. To be clear, the information set out in the Appendix is to be disclosed to the appellant.
3. I reserve the right to require the ministry to provide the IPC with a copy of the records it discloses to the appellant.

Original Signed by: \_\_\_\_\_

Cathy Hamilton  
Adjudicator

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January 31, 2025

## APPENDIX

Record Number	Pages to be disclosed
Workplan 0B	1-10, 14-19 and 21-25
Tourism 1A	1-4, 7-8, 14, 16, 20, 22-27 and 30-34
Tourism 1D	1-5, 7, 9-11, 15 and 17
Tourism 1G	1-2, 6, 22, 33 and 35-36
Tourism 1H	1-9, 12-15, 17-21, 28-29 and 34
Tourism 1I	1-2, 4 and 18
Tourism 1J	1-2 and 6
Arts & Culture 2A	1-4, 7-8, 14, 16, 20 and 22-34
Arts & Culture 2B	1-5, 7, 9-11, 14 and 16
Arts & Culture 2E	1-4, 12, 18, 26, 31 and 36
Arts & Culture 2F	1-9, 13-17 and 19-22
Arts & Culture 2G	1-4
Arts & Culture 2I	1-3 and 8-9
Sports & Rec 3A	1-4, 7-8, 14, 16, 20 and 22-34
Sports & Rec 3C	1-3, 5, 7 and 9-10
Sports & Rec 3G	1-8, 11-14 and 16-20
Sports & Rec 3H	1-2 and 5
Mineral Development 4A	1-4, 7-8, 14, 16, 20 and 22-34
Mineral Development 4C	1-3, 5, 7 and 9
Mineral Development 4E	1-3, 20, 36-37 and 47
Mineral Development 4F	1-5, 9-10, 15-17, 20-23 and 32

Mineral Development 4G	1
Mineral Development 4H	1-2
Clean Tech 5A	1-4, 7-8, 14, 16, 20 and 22-34
Clean Tech 5D	1-3, 5, 7 and 9-10
Clean Tech 5G	1-2, 4-5, 11, 17, 19, 28 and 33
Clean Tech 5H	1-8, 11-14 and 17-21
Energy 6A	1-4, 7-8, 14, 16, 20, 22-27 and 31-34
Energy 6D	1-3 and 5
Enablers Report 7A	1-5, 7 and 21