



F09-10-MS Previous Viewing of Records Does not Preclude Later Right of Access

A man who asked a government ministry for certain records within a specific date range later complained that the ministry had not responded accurately and completely and had not provided sufficient reasons for refusing access to some of the requested records.

Section 6(1) of the *Freedom of Information and Protection of Privacy Act* obliges a public body to make every reasonable effort to assist applicants and to respond openly, accurately and completely. In its initial response, the public body took the position that it did not need to provide all the records within the specified date range because the individual had previously viewed some of those records. After we pointed out that nothing in FIPPA precludes an individual from asking for a copy of a previously viewed record, the ministry agreed to release all the records within the specified date range.

Section 8(1)(c)(i) of FIPPA obliges a public body to provide reasons when it refuses to grant access to records, including the provision of FIPPA on which the refusal is based. Although there are no prescribed rules about the level of detail required in responses, the reasons should be sufficiently detailed to make clear which section and subsection apply to the severed or withheld information and why it applies. While detailed reasons are usually preferable, too much detail may result in disclosing withheld information. Taking the above into consideration, we determined that in this case, the reasons provided by the ministry, referring to the sections 15 and 22 exceptions, were sufficient for the purposes of section 8.