



No. 23 1160  
Victoria Registry

**IN THE SUPREME COURT OF BRITISH COLUMBIA**

BETWEEN:

THE INDEPENDENT INVESTIGATIONS OFFICE OF BRITISH COLUMBIA

PETITIONER

AND

INFORMATION AND PRIVACY COMMISSIONER OF BRITISH COLUMBIA

RESPONDENT

**CONSENT ORDER**

BEFORE A JUDGE OF THE COURT )

**05 MAY 2023**

ON THE APPLICATION of the petitioner, without a hearing, and by consent:

THIS COURT ORDERS that:

1. the orders of Adjudicator D. Hans Hwang (the "Adjudicator") contained in paragraphs 23 and 124(1) of Order F23-07, dated February 13, 2023, be set aside;
2. the Adjudicator must reconsider whether the records at issue are excluded from the scope of the *Freedom of Information and Privacy Act*, RSBC 1996, c. 165 ("FIPPA") by s. 3(3)(a) of FIPPA;
3. the Adjudicator shall allow the parties to the OIPC inquiry to provide further written argument on the application of s. 3(3)(a) of FIPPA to the records at issue;
4. the stay of Order F23-07 is extended for 30 days from the date of the entry of this consent order pursuant to s. 59(2) of FIPPA.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS NOTED ABOVE

A blue ink signature of Alandra Harlingten.

Signature of Alandra Harlingten  
Counsel for the petitioner

A blue ink signature of Kate Phipps.

Signature of Kate Phipps  
Counsel for the respondent

By the Court.

\_\_\_\_\_  
Registrar

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**ORDER MADE AFTER APPLICATION**

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**Lovett Westmacott**  
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