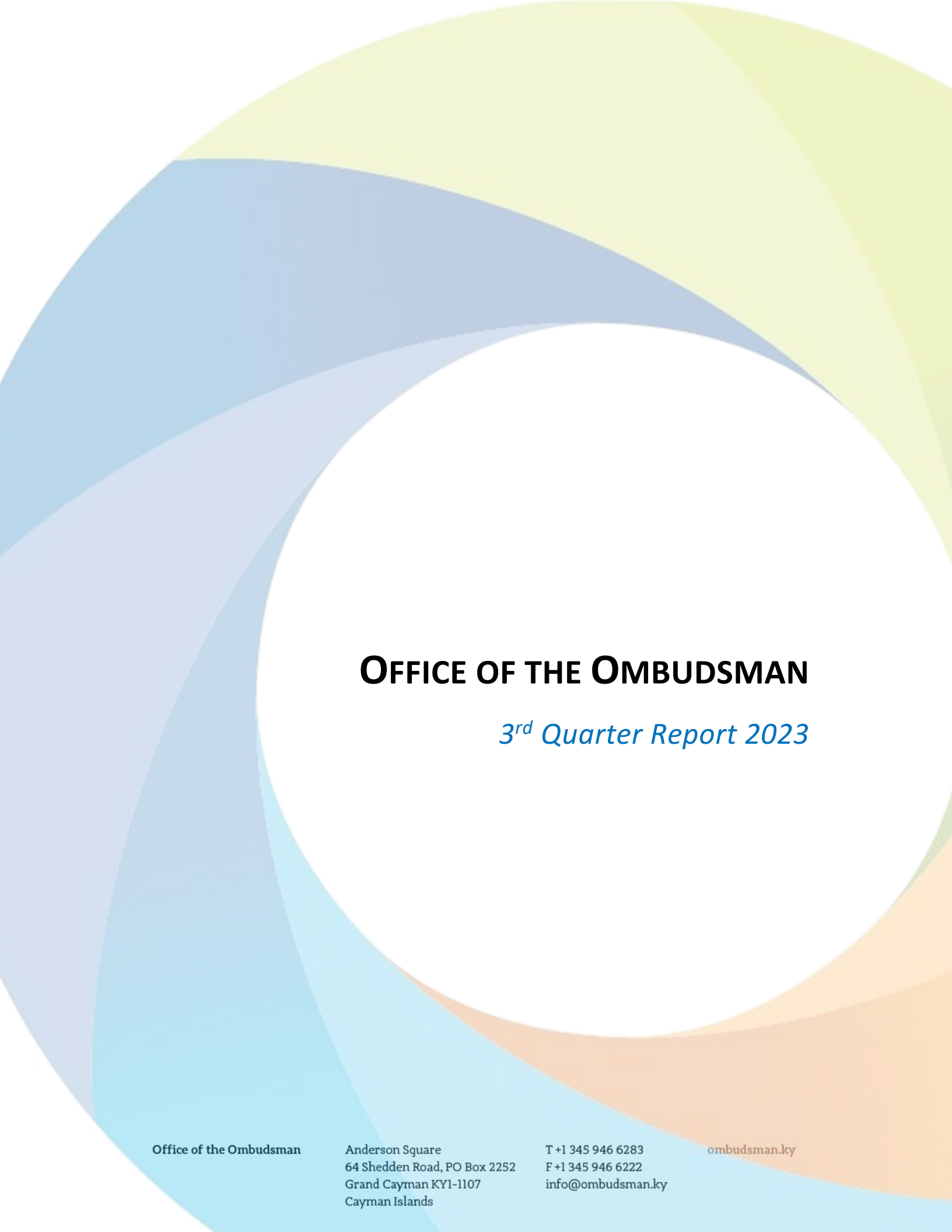




# OFFICE OF THE OMBUDSMAN

*3<sup>rd</sup> Quarter Report 2023*

Office of the Ombudsman

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## Statistics

OVERVIEW OF INQUIRIES – YEAR TO DATE (01 JANUARY – 30 SEPTEMBER 2023)



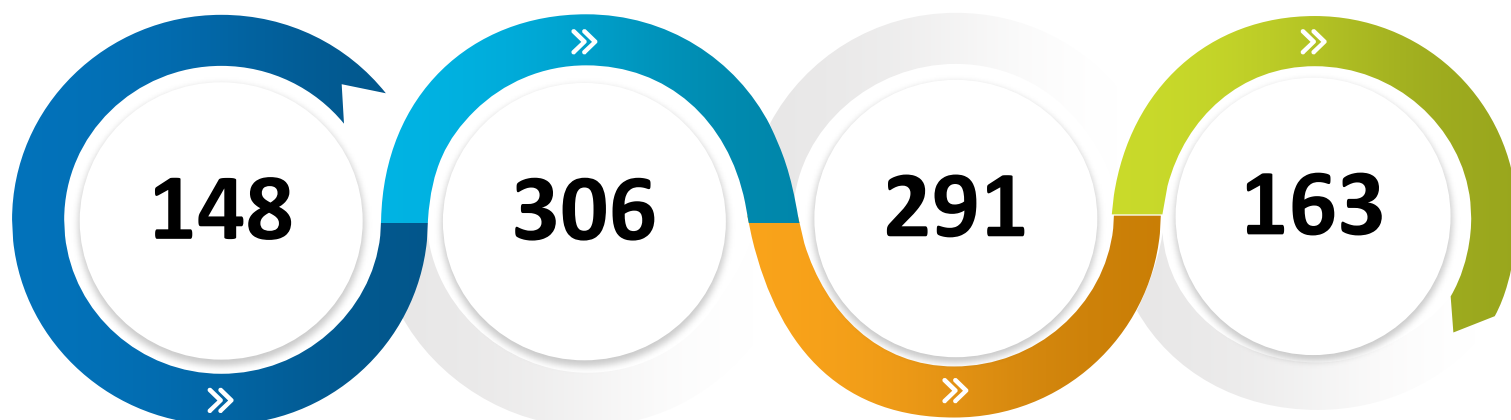
## OVERVIEW OF CASES – YEAR TO DATE (01 JANUARY – 30 SEPTEMBER 2023)

## CASES RECEIVED AS AT 30 SEPTEMBER 2023

|                          |     |
|--------------------------|-----|
| FREEDOM OF INFORMATION   | 25  |
| DATA PROTECTION          | 167 |
| MALADMINISTRATION        | 74  |
| POLICE COMPLAINTS        | 34  |
| WHISTLEBLOWER PROTECTION | 6   |

## OPEN CASES AS AT 30 SEPTEMBER 2023

|                          |    |
|--------------------------|----|
| FREEDOM OF INFORMATION   | 15 |
| DATA PROTECTION          | 96 |
| MALADMINISTRATION        | 19 |
| POLICE COMPLAINTS        | 30 |
| WHISTLEBLOWER PROTECTION | 3  |



## CASES CARRIED FORWARD

|                          |    |
|--------------------------|----|
| FREEDOM OF INFORMATION   | 13 |
| DATA PROTECTION          | 81 |
| MALADMINISTRATION        | 27 |
| POLICE COMPLAINTS        | 24 |
| WHISTLEBLOWER PROTECTION | 3  |

## CASES CLOSED AS AT 30 SEPTEMBER 2023

|                          |     |
|--------------------------|-----|
| FREEDOM OF INFORMATION   | 23  |
| DATA PROTECTION          | 152 |
| MALADMINISTRATION        | 82  |
| POLICE COMPLAINTS        | 28  |
| WHISTLEBLOWER PROTECTION | 6   |

STATISTICS BY DIVISION – 3<sup>RD</sup> QUARTER 2023

## INFORMATION RIGHTS DIVISION

| FREEDOM OF INFORMATION                             |                     |                     |                     |
|----------------------------------------------------|---------------------|---------------------|---------------------|
|                                                    | 1 <sup>ST</sup> QTR | 2 <sup>ND</sup> QTR | 3 <sup>RD</sup> QTR |
| <b>Inquiries Answered</b>                          | <b>6</b>            | <b>12</b>           | <b>13</b>           |
| <b>Presentations</b>                               | <b>1</b>            | <b>0</b>            | <b>1</b>            |
| <b>Cases Carried Forward from Previous Quarter</b> | <b>13</b>           | <b>17</b>           | <b>10</b>           |
| <b>Appeals Received</b>                            | <b>7</b>            | <b>4</b>            | <b>14</b>           |
| <b>Cases Resolved</b>                              | <b>3</b>            | <b>11</b>           | <b>9</b>            |
| <b><i>Assessment/Disposition</i></b>               | <b>0</b>            | <b>1</b>            | <b>6</b>            |
| Non-Jurisdictional                                 | 0                   | 1                   | 6                   |
| <b><i>Informal Resolution</i></b>                  | <b>2</b>            | <b>8</b>            | <b>2</b>            |
| Partial Disclosure                                 | 2                   | 2                   | 0                   |
| Non-disclosure                                     | 0                   | 1                   | 0                   |
| Full Disclosure                                    | 0                   | 4                   | 1                   |
| Other                                              | 0                   | 1                   | 1                   |
| <b><i>Decisions</i></b>                            | <b>1</b>            | <b>2</b>            | <b>1</b>            |
| Appeal Dismissed                                   | 0                   | 0                   | 0                   |
| Appeal Partially Upheld                            | 0                   | 0                   | 1                   |
| Appeal Upheld                                      | 1                   | 0                   | 0                   |
| Other                                              | 0                   | 2                   | 0                   |
| <b>Open Cases</b>                                  | <b>17</b>           | <b>10</b>           | <b>15</b>           |

| <b>DATA PROTECTION</b>                               |                           |                           |                           |
|------------------------------------------------------|---------------------------|---------------------------|---------------------------|
|                                                      | <b>1<sup>ST</sup> QTR</b> | <b>2<sup>ND</sup> QTR</b> | <b>3<sup>RD</sup> QTR</b> |
| <b>Inquiries Answered</b>                            | <b>31</b>                 | <b>38</b>                 | <b>31</b>                 |
| <b>Presentations</b>                                 | <b>0</b>                  | <b>4</b>                  | <b>0</b>                  |
| <b><i>Data Protection – Complaints</i></b>           |                           |                           |                           |
| <b>Cases Carried Forward from Previous Quarter</b>   | <b>21</b>                 | <b>20</b>                 | <b>22</b>                 |
| <b>Cases Received</b>                                | <b>8</b>                  | <b>15</b>                 | <b>9</b>                  |
| <b>Cases Resolved</b>                                | <b>9</b>                  | <b>13</b>                 | <b>7</b>                  |
| <b><i>Assessment/Disposition</i></b>                 | <b>5</b>                  | <b>4</b>                  | <b>3</b>                  |
| Non-Jurisdictional                                   | 2                         | 1                         | 1                         |
| Complaint Refused (s. 43(4))                         | 3                         | 3                         | 0                         |
| Complaint Abandoned                                  | 0                         | 0                         | 1                         |
| Complaint Withdrawn                                  | 0                         | 0                         | 1                         |
| Referred to another DP Authority                     | 0                         | 0                         | 0                         |
| Other                                                | 0                         | 0                         | 0                         |
| <b><i>Informal Resolution</i></b>                    | <b>2</b>                  | <b>8</b>                  | <b>4</b>                  |
| Supported                                            | 0                         | 7                         | 3                         |
| Not Supported                                        | 1                         | 1                         | 1                         |
| Complaint Abandoned                                  | 0                         | 0                         | 0                         |
| Complaint Withdrawn                                  | 0                         | 0                         | 0                         |
| Other                                                | 1                         | 0                         | 0                         |
| <b><i>Order</i></b>                                  | <b>2</b>                  | <b>1</b>                  | <b>0</b>                  |
| Enforcement Order Issued                             | 2                         | 1                         | 0                         |
| Monetary Order Issued                                | 0                         | 0                         | 0                         |
| Enforcement and Monetary Order Issued                | 0                         | 0                         | 0                         |
| Other                                                | 0                         | 0                         | 0                         |
| <b>Open Cases</b>                                    | <b>20</b>                 | <b>22</b>                 | <b>24</b>                 |
| <b><i>Data Protection – Breach Notifications</i></b> |                           |                           |                           |
| <b>Cases Carried Forward from Previous Quarter</b>   | <b>60</b>                 | <b>70</b>                 | <b>53</b>                 |
| <b>Cases Received</b>                                | <b>21</b>                 | <b>35</b>                 | <b>79</b>                 |
| <b>Cases Resolved</b>                                | <b>11</b>                 | <b>52</b>                 | <b>60</b>                 |
| <b><i>Assessment/Disposition</i></b>                 | <b>3</b>                  | <b>9</b>                  | <b>34</b>                 |
| Non-Jurisdictional                                   | 0                         | 1                         | 1                         |
| Appropriate Actions Taken                            | 2                         | 6                         | 33                        |
| Other                                                | 1                         | 2                         | 0                         |
| <b><i>Informal Resolution</i></b>                    | <b>8</b>                  | <b>43</b>                 | <b>26</b>                 |
| Resolved Informally                                  | 8                         | 43                        | 25                        |
| Other                                                | 0                         | 0                         | 1                         |
| <b><i>Order</i></b>                                  | <b>0</b>                  | <b>0</b>                  | <b>0</b>                  |
| Enforcement Order Issued                             | 0                         | 0                         | 0                         |
| Monetary Order Issued                                | 0                         | 0                         | 0                         |
| Enforcement and Monetary Order Issued                | 0                         | 0                         | 0                         |
| Other                                                | 0                         | 0                         | 0                         |
| <b>Open Cases</b>                                    | <b>70</b>                 | <b>53</b>                 | <b>72</b>                 |

## COMPLAINTS DIVISION

| MALADMINISTRATION                                  |                     |                     |                     |
|----------------------------------------------------|---------------------|---------------------|---------------------|
|                                                    | 1 <sup>ST</sup> QTR | 2 <sup>ND</sup> QTR | 3 <sup>RD</sup> QTR |
| <b>Inquiries Answered</b>                          | <b>61</b>           | <b>63</b>           | <b>52</b>           |
| <b>Presentations</b>                               | <b>1</b>            | <b>2</b>            | <b>2</b>            |
|                                                    |                     |                     |                     |
| <b>Cases Carried Forward from Previous Quarter</b> | <b>27</b>           | <b>23</b>           | <b>21</b>           |
| <b>Complaints Received</b>                         | <b>14</b>           | <b>29</b>           | <b>31</b>           |
| <b>Cases Resolved</b>                              | <b>18</b>           | <b>31</b>           | <b>33</b>           |
| <b><i>Assessment/Disposition</i></b>               | <b>14</b>           | <b>24</b>           | <b>20</b>           |
| Non-Jurisdictional <sup>†</sup>                    | 13                  | 23                  | 20                  |
| Complaint Refused                                  | 1                   | 0                   | 0                   |
| Complaint Withdrawn                                | 0                   | 1                   | 0                   |
| <b><i>Early Resolution</i></b>                     | <b>1</b>            | <b>3</b>            | <b>8</b>            |
| Successfully Resolved                              | 1                   | 3                   | 7                   |
| Complaint Withdrawn                                | 0                   | 0                   | 1                   |
| <b><i>Investigation</i></b>                        | <b>3</b>            | <b>4</b>            | <b>5</b>            |
| Supported                                          | 2                   | 3                   | 3                   |
| Not Supported                                      | 0                   | 1                   | 2                   |
| Successfully Resolved                              | 0                   | 0                   | 0                   |
| Complaint Withdrawn                                | 1                   | 0                   | 0                   |
| <b>Open Cases</b>                                  | <b>23</b>           | <b>21</b>           | <b>19</b>           |

<sup>†</sup>This includes complaints which are time barred, appeals have not been exhausted, cases referred to another agency, the issue/entity is not subject to investigation or a Schedule 2 restriction exists

| POLICE COMPLAINTS                                  |                     |                     |                     |
|----------------------------------------------------|---------------------|---------------------|---------------------|
|                                                    | 1 <sup>ST</sup> QTR | 2 <sup>ND</sup> QTR | 3 <sup>RD</sup> QTR |
| <b>Inquiries Answered</b>                          | <b>19</b>           | <b>12</b>           | <b>13</b>           |
| <b>Presentations</b>                               | <b>0</b>            | <b>0</b>            | <b>1</b>            |
| <b>Cases Carried Forward from Previous Quarter</b> | <b>24</b>           | <b>28</b>           | <b>28</b>           |
| <b>Complaints Received</b>                         | <b>10</b>           | <b>11</b>           | <b>13</b>           |
| <b>Cases Resolved</b>                              | <b>6</b>            | <b>11</b>           | <b>11</b>           |
| <b><i>Assessment/Disposition</i></b>               | <b>3</b>            | <b>6</b>            | <b>8</b>            |
| Non-Jurisdictional                                 | 1                   | 2                   | 6                   |
| Investigation Time Barred                          | 1                   | 0                   | 0                   |
| Investigation Refused (s. 3(2)(g))                 | 0                   | 1                   | 1                   |
| Complaint Withdrawn                                | 0                   | 1                   | 0                   |
| Complaint Abandoned                                | 1                   | 2                   | 1                   |
| Other                                              | 0                   | 0                   | 0                   |
| <b><i>Informal Resolution</i></b>                  | <b>1</b>            | <b>0</b>            | <b>1</b>            |
| Successfully Resolved                              | 1                   | 0                   | 1                   |
| Other                                              | 0                   | 0                   | 0                   |
| <b><i>Investigation</i></b>                        | <b>2</b>            | <b>5</b>            | <b>2</b>            |
| Supported                                          | 0                   | 2                   | 0                   |
| Not Supported                                      | 2                   | 2                   | 1                   |
| Complaint Withdrawn                                | 0                   | 0                   | 0                   |
| Complaint Abandoned                                | 0                   | 0                   | 1                   |
| Other                                              | 0                   | 1                   | 0                   |
| <b>Outstanding Referrals to RCIPS</b>              | <b>4</b>            | <b>4</b>            | <b>9</b>            |
| <b>Open OMB Files</b>                              | <b>24</b>           | <b>24</b>           | <b>21</b>           |
| <b>Total Open Cases</b>                            | <b>28</b>           | <b>28</b>           | <b>30</b>           |

| WHISTLEBLOWER PROTECTION                           |                     |                     |                     |
|----------------------------------------------------|---------------------|---------------------|---------------------|
|                                                    | 1 <sup>ST</sup> QTR | 2 <sup>ND</sup> QTR | 3 <sup>RD</sup> QTR |
| <b>Inquiries Answered</b>                          | <b>1</b>            | <b>1</b>            | <b>0</b>            |
| <b>Cases Carried Forward from Previous Quarter</b> | <b>3</b>            | <b>4</b>            | <b>5</b>            |
| <b>Complaints Received</b>                         | <b>3</b>            | <b>2</b>            | <b>1</b>            |
| <b>Cases Resolved</b>                              | <b>2</b>            | <b>1</b>            | <b>3</b>            |
| <b><i>Assessment/Disposition</i></b>               | <b>1</b>            | <b>1</b>            | <b>2</b>            |
| Non-Jurisdictional                                 | 1                   | 1                   | 2                   |
| Referred to Another Agency                         | 0                   | 0                   | 0                   |
| <b><i>Investigation</i></b>                        | <b>1</b>            | <b>0</b>            | <b>1</b>            |
| Supported                                          | 1                   | 0                   | 0                   |
| Not Supported                                      | 0                   | 0                   | 0                   |
| Referred to Another Agency                         | 0                   | 0                   | 1                   |
| <b>Open Cases</b>                                  | <b>4</b>            | <b>5</b>            | <b>3</b>            |