

# 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)



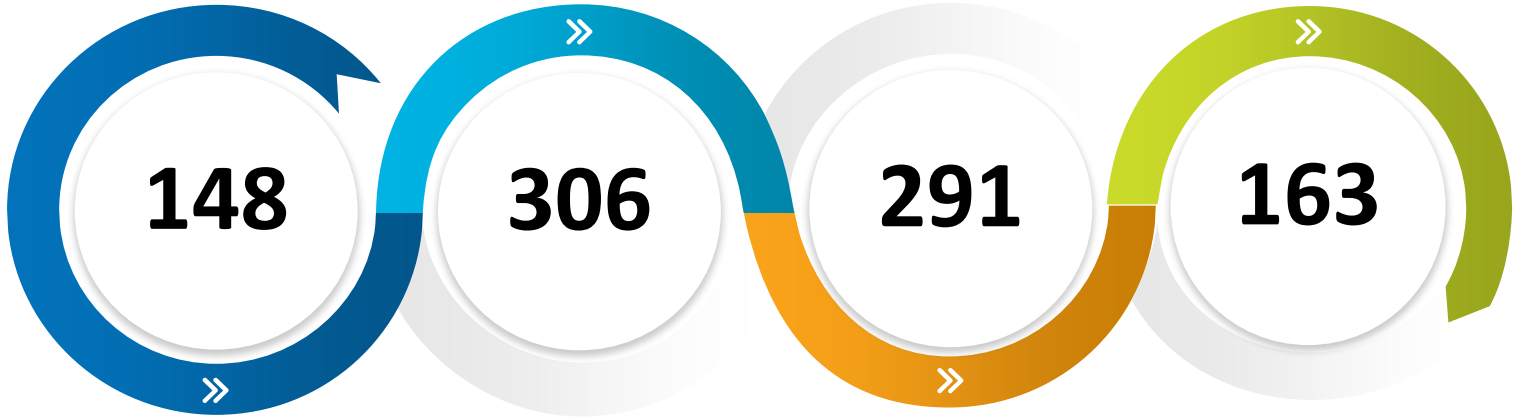
## OVERVIEW OF CASES – YEAR TO DATE (01 JANUARY – 30 SEPTEMBER 2023)

## 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

<b>MALADMINISTRATION</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>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

<b>POLICE COMPLAINTS</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>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>

<b>WHISTLEBLOWER 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>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>