

## CHRONOLOGY OF EVENTS FOLLOWING ACCESS REQUEST PERTAINING TO LAWSUITS

- **August 12, 2004:** Filed access request (Request #04-2055) with City of Toronto Corporate Access and Privacy Office for records of:
  - Number of lawsuits filed against the City in the years 1980, 1990, 1995, 1996 through 2004;
  - Breakdown re: the type of City facility or property on which the alleged injuries occurred;
  - The status of this litigation, e.g. number of lawsuits in each category that are/were:
    1. being actively litigated;
    2. in settlement negotiations;
    3. settled, by agreement between the City and the party concerned;
    4. the subject of a court order for damages;
    5. discontinued;
  - Amount of City's funds paid: for deductibles, to settle litigation, or to pay court awarded damages;
  - Dollar amount of claims paid by insurance companies for settlement or court awarded damages.
- **September 20, 2004:** Received a letter from the Toronto's Corporate Access and Privacy Office, stating that the 30-day time limit for a decision would be extended by an additional thirty days.
- The extended time period passed without any reply from the Corporate Access and Privacy Office, so we filed an appeal with the provincial Information and Privacy Commissioner.
- **November 17, 2004:** Received a letter from the office of Information and Privacy Commissioner, notifying us that an inquiry would be launched.
- **December 1, 2004:** Received a decision letter from the Office of the Information and Privacy Commissioner stating that the City would have to issue a decision on our access request by December 8, 2004.
- **December 8, 2004:** Received a letter from the Corporate Access and Privacy Office stating that they had received some records from the City of Toronto Legal Department for pre-amalgamation claims for the former city of Toronto. But they not yet received any records from the Finance Department, and that therefore "we have to assume that such records do not exist." Results for 1989 to 1996: one playground injury claim: "*playground equip – superv. \$23,570.*" No other injuries in playgrounds. Most claims were for damage caused by Parks and Rec vehicles, some very large (highest payouts were for \$3,187,096 in 1995 and \$1,038,362 in 1994).
- **January 18, 2005:** Submitted an appeal with the Information and Privacy Commissioner, for post-amalgamation information. Reduced the question: "We would be satisfied if we could obtain this information only in reference to grounds or facilities administered through the City's Parks and Recreation Division) i.e. all parks including playgrounds, all community centres).

- **January 25, 2005:** Received a letter confirming our appeal from the Office of the Information and Privacy Commissioner.
- **March 31, 2005:** Received a letter from the City of Toronto Corporate Access and Privacy Office stating that a manual search would be necessary to retrieve the information that we had requested, and that this would cost us \$1,050.
- **April 7, 2005:** Received a Mediator’s Report from the Office of the Information and Privacy Commissioner. This report clarified some of the questions in our request, but stated that the fee of \$1,050 could not be resolved through the mediation, and that the matter would go to an inquiry.
- **April 12, 2005:** We sent a letter to the Corporate Access and Privacy Office directly, requesting that the fee of \$1,050 be waived.
- **May 9, 2005:** Received a letter from the Corporate Access and Privacy Office stating that they had amended their decision, and that they had determined that a manual search would not be necessary to locate the records; they now denied access to the records on the grounds that releasing them would be injurious to the economic interests of the City.
- **June 23, 2005:** We hand-delivered a letter to the Office of the Information and Privacy Commissioner stating that the City’s latest decision was not satisfactory, and that we wanted to appeal this decision.
- **July 24, 2005:** Letter from the Office of the Information and Privacy Commissioner stating that our previous appeal had been closed, and that our new appeal of the City’s most recent decision would be opened. Since the City gave new grounds for refusing access, our original IPC appeal (started Jan.18) was cancelled, and we had to start over with IPC, from the beginning.
- **July 26, 2005:** Received a letter from the Corporate Access and Privacy Office stating that, pursuant to [ORDER MO-1947](#) of the Information and Privacy Commissioner, access would be granted in full to the records we had requested. These were the records we received: (note the error in the grand total; should be \$268,468.60):

**PARKS AND RECREATION PLAYGROUND INJURIES – 1998-2005**

	<b>Cause</b>	<b>Count</b>	<b>Paid</b>
<b>Loss date: 1998</b>	Playground	1	\$3,618.10
	Other	10	\$17,704.18
	<b>Total</b>	<b>11</b>	<b>\$21,322.28</b>
<b>Loss date: 1999</b>	Other	57	\$34,585.01
	<b>Total</b>	<b>57</b>	<b>\$34,585.01</b>
<b>Loss date: 2000</b>	Other	71	\$67,031.15
	<b>Total</b>	<b>71</b>	<b>\$67,031.15</b>
<b>Loss date: 2001</b>	Other	51	\$37,637.91
	<b>Total</b>	<b>51</b>	<b>\$37,637.91</b>
<b>Loss date: 2002</b>	Playground	1	\$4,361.00
	Other	35	\$32,953.85
	<b>Total</b>	<b>36</b>	<b>\$37,314.85</b>

<b>Loss date: 2003</b>	Playground	3	\$2,817.00
	Other	61	\$38,539.83
	<b>Total</b>	<b>64</b>	<b>\$41,356.83</b>
<b>Loss date: 2004</b>	Playground	1	\$667.00
	Other	53	\$29,220.57
	<b>Total</b>	<b>54</b>	<b>\$29,220.57</b>
	<b>Grand Totals</b>	<b>344</b>	<b>\$848,744.05</b>

- Aug.3: Jutta sent an e-mail to City of Toronto Corporate Access and Privacy Office: “what does ‘other’ refer to?” Reply: “All claims for injuries that are not related to the playground [but occurred] within a park.”
- Sept.2: E-mail to City of Toronto C.A.P. office: “the total parks-related claims paid out is listed as \$848,744.05. When I add up the numbers myself the total is \$268,468.60. Why the discrepancy?”
- Sept.12: E-mail from C.A.P. staff; “I have checked with the insurance and Risk Management Office and they have advised that the total of \$268,468.60 is correct. When the spreadsheet was prepared, the figures were totaled incorrectly in error.”