



OFFICE OF THE INFORMATION
AND PRIVACY COMMISSIONER
NEWFOUNDLAND AND LABRADOR

Report A-2026-031

October 5, 2026

College of the North Atlantic

Summary:

The Complainant made two access to information requests under the **Access to Information and Protection of Privacy Act, 2015**, to the College of the North Atlantic seeking internal records and aggregate legal fees related to a number of court matters. The College responded by withholding all responsive records under section 30 (legal advice) of the Act. The Complainant was not satisfied with this response and filed a complaint with this Office. The College refused to provide any of the responsive records to this Office, including those over which it had claimed litigation privilege, despite this Office issuing a summons for those records. The Commissioner found that the College had not conducted a reasonable search for records, and that it had not met its burden with respect to the claims of solicitor – client privilege and litigation privilege. Therefore, the Commissioner recommended release of all responsive records to the Complainant.

Statutes Cited:

[Access to Information and Protection of Privacy Act, 2015](#), SNL 2015, c. A-1.2, ss. 13(1), 17(c), 30(1), 65(2), 97(3), 102(1)

Authorities Relied On: NL OIPC Reports [A-2025-10](#); [A-2024-048](#); [A-2023-045](#); [A-2018-017](#); [A-2026-030](#)
Reports from Other Jurisdictions: [Order F17-43](#)

[Maranda v. Richer \[2003\] 3 SCR 193](#)
[Newfoundland and Labrador \(Information and Privacy Commissioner\) v. College of the North Atlantic, 2013 NLTD 185](#)
[R. v. Cunningham, 2010 SCC 10](#)
[Newfoundland and Labrador Legal Aid Commission \(Re\), 2019 NLSC 171](#)
[Newfoundland and Labrador \(Information and Privacy Commissioner\) v. Newfoundland and Labrador \(Justice and Public Safety\), 2023 NLCA 27](#)

Newfoundland and Labrador (Office of Women and Gender Equality) v. Newfoundland (Information and Privacy Commissioner), 2025 NLSC 70(CanLII)

Blank v. Canada (Minister of Justice), 2006 SCC 39

Alberta v. Suncor Inc 2017 ABCA 221

BACKGROUND

- [1] The Complainant, on June 15, 2026, made two related access requests under the **Access to Information and Protection of Privacy Act, 2015** (the “Act”) to the College of the North Atlantic (the College) seeking the following:

(OIPC File 0020-060-26-060)

Email communications to College of the North Atlantic administrators that discuss progress or court decisions in any of the following cases. Meeting minutes where senior College of the North Atlantic administrators discuss progress or legal decisions in any of the following cases.

In the Court of Appeal of Newfoundland and Labrador:

Thorne v. College of the North Atlantic, 2002 NLCA 31 (CanLII).

Thorne v. College of the North Atlantic, 2017 NLCA 30 (CanLII)

In the Supreme Court of Newfoundland and Labrador:

Thorne v. College of the North Atlantic, 2021 NLSC 74 (CanLII)

Thorne v. College of the North Atlantic, 2019 NLSC 157 (CanLII)

Thorne v. College of the North Atlantic, 2016 CanLII 68561 (NL SC)

Thorne v. College of the North Atlantic, 2015 CanLII 24480 (NL SC)

Thorne v. College of the North Atlantic, 2015 CanLII 13334 (NL SC)

Thorne v. College of the North Atlantic, 2014 CanLII 53036 (NL SC)

(OIPC File 0020-060-26-061)

The total amount paid in legal fees by the College of the North Atlantic for each of the following cases:

In the Court of Appeal of Newfoundland and Labrador:

Thorne v. College of the North Atlantic, 2002 NLCA 31 (CanLII).

Thorne v. College of the North Atlantic, 2017 NLCA 30 (CanLII)

In the Supreme Court of Newfoundland and Labrador:

Thorne v. College of the North Atlantic, 2021 NLSC 74 (CanLII)

Thorne v. College of the North Atlantic, 2019 NLSC 157 (CanLII)

Thorne v. College of the North Atlantic, 2016 CanLII 68561 (NL SC)

Thorne v. College of the North Atlantic, 2015 CanLII 24480 (NL SC)

Thorne v. College of the North Atlantic, 2015 CanLII 13334 (NL SC)

Thorne v. College of the North Atlantic, 2014 CanLII 53036 (NL SC)

- [2] In its response to the Complainant, the College responded to both access requests with the same language: “Please be advised that the Associate Vice-President of Public Affairs and Advancement has reviewed your request and has made the decision to refuse access to these records in accordance with” section 30(1) of the Act. The College clarified with this Office that it was claiming solicitor-client privilege over the aggregate legal bills records and litigation privilege over the e-mail correspondences and meeting minutes. As a result, the Complainant has not received any records.
- [3] The Complaint was not satisfied with this response and filed a complaint with this Office.
- [4] As informal resolution was unsuccessful, the complaint proceeded to formal investigation in accordance with section 44(4) of *ATIPPA, 2015*.

PUBLIC BODY’S POSITION

- [5] In its submissions to the OIPC, the College stated that the request seeking the aggregate legal bills was denied as that information is protected from disclosure by solicitor-client privilege. Furthermore, based on jurisprudence limiting the Commissioner’s oversight function relating to claims of solicitor-client privilege, the College stated that it was under no obligation to provide those records to the OIPC for review.
- [6] With respect to the access complaint involving email correspondence and meeting minutes, the College initially claimed that all such information was covered by a claim of litigation privilege. The College also asserted that it was under no obligation to provide such records to the OIPC for review. This Office advised the College that there was no legal authority to refuse to provide to the Commissioner records over which it was claiming litigation privilege, yet the College persisted in its refusal to provide the records for review. As part of the investigation process, the Commissioner, on August 11, 2026, served upon the College a Summons to Produce for those records. On August 25, 2026, the College replied that all records covered by the Summons were also now being withheld under solicitor-client privilege and that the College was not required to provide the records to the OIPC for review.

COMPLAINANT'S POSITION

[7] The Complainant asserts that they were not seeking records covered by solicitor-client privilege. They were seeking records for which privilege does not apply as well as records, such as emails between employees or minutes of meetings during which the cases in question were discussed and which were never covered under any privilege because they were aggregate legal bills or no longer covered by section 30(1). The Complainant also questioned the lack of records and whether the College had conducted a reasonable search.

[8] The Complainant's position relied upon recent reports by the OIPC regarding access to information requests and legal bills. As set forth in those reports, legal bills are recognized as being presumptively protected by solicitor-client privilege, though this presumption can be rebutted. With respect to the request for emails and meeting minutes, the Complainant stated that it was highly unlikely that all such records of the College's senior administrators over the past twelve years were covered under solicitor-client or litigation privilege. As such, responsive records not subject to a privilege should exist and should be disclosed.

DECISION

[9] This report is divided into four sections – the first considers the failure of the College to produce records to this Office, the second whether the College conducted a reasonable search for responsive records; the third considers whether the College properly applied section 30(1)(a) (solicitor-client privilege) to the Complainant's request for aggregate legal bills; and the fourth considers the College's position that all the responsive records of the Complainant's access request for emails and meeting minutes are covered under a claim of litigation privilege, which is also listed in section 30(1)(a) of the Act.

Production of Records

[10] In its submissions to the OIPC, the College stated that the request seeking the aggregate legal bills was denied as that information is protected from disclosure by solicitor-client privilege. Furthermore, based on jurisprudence limiting the Commissioner's oversight function

relating to claims of solicitor-client privilege, the College stated that it was under no obligation to provide these records to the OIPC for review and it did not do so.

[11] With respect to the access complaint involving emails, reports, and meetings, the College initially claimed that all such information was covered by a claim of litigation privilege. The College also asserted that it was under no obligation to provide such records to the OIPC for review. The OIPC advised the College that while the courts have determined that the OIPC has no authority to compel production of records for which a public body has asserted a claim of solicitor-client privilege, that the same is not accurate for claims of litigation privilege. The College continued to refuse production of records relating to its claim of litigation privilege to this Office and the Commissioner issued a Summons pursuant to section 97 of the Act demanding production. Following receipt of the Summons, the College advised the OIPC that it was extending its claim of solicitor and client privilege over all the records and again refused production to the OIPC for review.

[12] The position of the College to refuse production of records to this Office for review is based upon two recent decisions of the Newfoundland and Labrador Court of Appeal - [*Newfoundland and Labrador \(Information and Privacy Commissioner\) v. Newfoundland and Labrador \(Justice and Public Safety\)*](#), 2023 NLCA 27 [hereinafter JPS] and [*Newfoundland and Labrador \(Office of Women and Gender Equality\) v. Newfoundland \(Information and Privacy Commissioner\)*](#), 2025 NLSC 70(CanLII) [hereinafter OWGE].

[13] These court decisions were recently discussed in [Report A-2026-030](#). Paragraph 20 of that Report states:

Recent court decisions have effectively reversed the statutory burden of proof when there is a claim of solicitor client privilege. Rather than the public body needing to prove that section 30 applies, the burden of proof now rests with the complainant or the Commissioner, to establish that solicitor client privilege was wrongly claimed. Such a burden would rarely be possible to meet given that the evidence would likely be contained within the records themselves, which courts have decided that no one, but the public body may see. A circumstance where the Commissioner may have reason to believe that the privilege has been wrongly claimed could only arise where the Commissioner has some knowledge about the content of the redacted records.

[14] On the facts of this case, even without being able to review the records, I am of the view that this is one of those rare cases where I believe that there is a strong likelihood that the College has claimed section 30(1) inappropriately. We know enough about the nature of the request that the Complainant is requesting aggregate billing records of the College for some matters that are over 10 years old. We know from the case law that aggregate legal bills can be subject to solicitor-client privilege, however, that presumption can be rebutted. If this request were for something other than aggregate legal bills, we would be faced with the same dilemma as Report A-2026-030 where we could not recommend disclosure where courts have given us no choice but to accept claims of solicitor-client privilege without evidence to support the claim.

Duty to Assist

[15] Section 13(1) states:

13.(1) The head of a public body shall make every reasonable effort to assist an applicant in making a request and to respond without delay to an applicant in an open, accurate and complete manner.

[16] As this Office has stated in numerous reports, the duty to assist is a fundamental component of the access to information process. A key part of the duty to assist is ensuring that the public body conducts a reasonable search for responsive records based on the applicant's request. A public body's search does not have to be perfect, but a reasonable effort must be made to locate responsive records.

[17] What constitutes a reasonable search has also been explained by the OIPC in many past reports, such as [A-2025-010](#). In that decision, a reasonable search involved reaching out to relevant subject-matter experts to help identify potential locations of responsive records, while also conducting key word searches of emails, servers, and physical records. Such a search should be conducted under the supervision of the ATIPP coordinator.

[18] The search conducted by the College in this matter was inadequate. Regarding physical records, as part of the search, the ATIPP coordinator consulted with “relevant executives on documents, that would include meeting minutes, decisions, and internalized reports.” We were advised by the College that no other persons were consulted, and no further information was provided on how they reached a conclusion on what was deemed privileged under section 30.

[19] Unfortunately, the search for electronic records is even more concerning. According to the College, “Regarding the email portion of the search, a search request form was submitted to our internal IT department to yield the necessary emails from our solicitor’s office.” As has explained by the College, the only email search was focused exclusively on the solicitor’s office. It is unclear why the College determined that office would be the only potential source of records. There is also the issue of “necessary emails” referenced by the College. In this matter, there are no “necessary emails”, just responsive records. There was also no reference to any search for electronic records in other databases, hard drives, directories, etc. From the perspective of the OIPC, the search for electronic records in this matter was unduly limited in scope. In general, the search conducted by the College was inadequate in light of the information requested by the Complainant in their access request.

[20] There is also the issue of the disposal of records that the College explained while detailing its search for responsive records. According to the College, its policy regarding the records of former employees, including emails, is that access to that employee is revoked and removed six months after the employee’s employment ends. These emails would no longer show up on a search, and, depending on the program used, could be destroyed.

Aggregate Legal Bills

[21] Solicitor-client privilege in the context of an access to information request is governed by section 30(1) of ATIPPA, 2015, which states:

- 30.(1) The head of a public body may refuse to disclose to an applicant information
- (a) that is subject to solicitor and client privilege or litigation privilege of a public body;

[22] Records relating to legal billing is an area of jurisprudence that has evolved with considerable nuance, and this is the focus of one of the Complainant's requests. The issue was addressed in 2003 by the Supreme Court of Canada in [*Maranda v. Richer* \[2003\] 3 SCR 193](#), which involved the confiscation by police of the legal bills of a lawyer. In determining whether this was a legitimate seizure of information, Justice LeBel, writing for the majority, elaborated on what could be the multi-faceted relationship between a lawyer and his client:

[30] . . . The protection conferred by the privilege covers primarily acts of communication engaged in and for the purpose of enabling the client to communicate and obtain the necessary information or advice in relation to his or her conduct, decisions or representation in the courts. The distinction is made in an effort to avoid facts that have an independent existence being inadmissible to evidence (Stevens, *supra*, at para. 25) It recognizes that not everything that happens in the solicitor-client relationship falls within the ambit of privileged communication, as it has been held in cases where it was found that counsel was acting not in that capacity but simply as a conduit for transfers of funds. (*Re Ontario Securities Commission and Greymac Credit Corp.* (1983), 1983 CanLII 1894 (ON HCJ), 41 O.R. (2d) 328 (Div. Ct.); *Joubert*, *supra*).

[...]

[32] While this distinction in respect of lawyers' fees may be attractive as a matter of pure logic, it is not an accurate reflection of the nature of the relationship in question. As this Court observed in *Mierzwinski*, there may be widely varying aspects to a professional relationship between solicitor and client. Issues relating to calculation and payment of fees constitute an important element of that relationship for both parties. The fact that such issues are present frequently necessitate a discussion of the nature of the services and the manner in which they will be performed. The legislation and codes of professional ethics that govern the law societies in Canada include often complex mechanisms for defining the obligations and rights of the parties in this respect . . .

[33] . . . Because of the difficulties inherent in determining the extent to which the information contained in lawyers' bills of account is neutral information, and the importance of the constitutional values that disclosing it would endanger, recognizing a presumption that such information falls *prima facie* within the privileged category will better ensure that the objectives of this of this time-honoured privilege are achieved. That presumption is also more consistent with the aim of keeping impairments of solicitor-client privilege to a minimum . . .

[23] *Maranda* established one important concept with respect to solicitor-client privilege and legal bills: that there is a presumption of solicitor-client privilege attached to legal bills, not an irrefutable claim.

[24] In 2013, the Supreme Court of this Province, in [*Newfoundland and Labrador \(Information and Privacy Commissioner\) v. College of the North Atlantic*, 2013 NLTD 185](#) addressed the attachment of solicitor-client privilege to legal bills. The procedure followed by Chief Justice Orsborn was that he reviewed the records personally and relied upon the principles for solicitor-client privilege and legal bills as set forth in *Maranda*.

[25] In his assessment of whether the disclosure of legal bills was limited by solicitor-client privilege, the Chief Justice applied a contextual approach on the issue that concurred with the position recently established by the Supreme Court of Canada in [*R. v. Cunningham*, 2010 SCC 10](#). Paragraph 30 of that decision stated:

[30]...I take the law to be that administrative information relating to the solicitor-client relationship – including the identity of the person paying the lawyer’s bill – is presumptively privileged. The presumption may be rebutted by evidence showing (a) that there is no reasonable possibility that disclosure of the requested information will lead, directly or indirectly, to the revelation of confidential solicitor-client communications; or (b) that the requested information is not linked to the merits of the case and its disclosure would not prejudice the client.

[26] In conducting his own contextual assessment in *College of the North Atlantic*, Chief Justice Orsborn found that the most important factor in favour of confirming the claim of solicitor-client privilege put forward by the College was the fact that there was ongoing litigation between the complainant and the College. The Chief Justice determined:

[41] The information requested, particularly the amounts spent, both as to amount and as to timing, could be used by a diligent and persistent inquirer armed with the public court record to make inferences about the level of effort by COA in defending the claim and in dealing with various aspects of the litigation as they arise from time to time. Such level of effort, as reflected by the amounts charged for legal services could reasonably be considered as being based on instructions and communications from the client, in this case CONA.

[27] The decision in *College of the North Atlantic* also stood for the need for a third party to assess whether the claimed privilege persists and in what form. Chief Justice Orsborn noted that the case could not be about placing an onus on the party seeking disclosure of the legal bills as that party would not have access to the information to the records and could not put forward an informed rebuttal. Thus, an independent review is necessary to provide such an assessment. In *College of the North Atlantic*, the Chief Justice served as the independent third party reviewing the records.

[28] In the 2019 decision of [*Newfoundland and Labrador Legal Aid Commission \(Re\)*, 2019 NLSC 171](#), the matter of the disclosure of legal bills in the context of an access to information request in this province was again addressed. The judicial review arose from a 2018 Report from the OIPC recommending the release of specific parts of the legal bill paid out by Legal Aid over the course of ten years.

[29] Justice Orsborn also heard that matter. This time he came to a different conclusion, setting a standard for considering whether parts of a legal bill are subject to a claim of solicitor-client privilege. In essence, Justice Orsborn endorsed the conclusion from a decision of the Ontario Court of Appeal while providing clarification on the position he took in *College of the North Atlantic*. With respect to the Ontario Court of Appeal, Justice Orsborn adopted the following:

[12] The presumption [of solicitor-client privilege attaching to a legal bill] will be rebutted if there is no reasonable possibility that disclosure of the amount of the fees paid will directly or indirectly reveal any communication protected by the privilege...If there is a reasonable possibility that the assiduous inquirer, aware of background information available to the public, could use the information requested concerning the amount of fees paid to deduce or otherwise acquire communications protected by the privilege, then the information is protected by the client/solicitor privilege and cannot be disclosed. If the requested satisfies the IPC that no such reasonable possibility exists, information as to the amount of fees paid is properly characterized as neutral and disclosable without impinging on the client/solicitor privilege.

[30] While *Legal Aid* is referenced primarily for the concept of the “assiduous inquirer” when assessing if or what parts of a legal bill should remain subject to solicitor-client privilege, there were also other determinations germane to this matter. First, public bodies in the context of an access request pursuant to the Act could no longer claim blanket solicitor-client privilege

over legal bills since these records were limited to a rebuttable presumption of that privilege. A Complainant has a right to try to rebut such a presumption. Second, Justice Orsborn asserted that there was a need for an independent third party to assess whether legal bills can be released without violating solicitor-client privilege.

[31] Over the past seven years, the OIPC has developed, with guidance from its previous reports and the decisions of other jurisdictions, criteria to consider when determining if a claim of solicitor-client privilege for legal bills can be sustained. In Report [A-2024-048](#), this Office set forth the considerations used by the OIPC in determining whether and what to disclose when faced with a claim for disclosure of a legal bill.

[32] We find it unbelievable that aggregate legal billing from some cases that are concluded or many years old would not be disclosed. However, without being able to see the bills we have no option but to recommend disclosure and if the College disagrees then the matter would proceed to court.

Litigation Privilege and Late Claims of Exception to Access

[33] Litigation privilege is addressed in section 30(1) of the Act. The Supreme Court of Canada decision in [Blank v. Canada \(Minister of Justice\)](#), 2006 SCC 39 (“Blank”) expressed the most oft-cited explanation of litigation privilege. In that decision, Justice Fish stated:

The litigation privilege and the solicitor-client privilege are driven by different policy consideration and generate different legal consequences. Litigation privilege is not directed at, still less restricted to, communications between solicitor and client. It contemplates, as well, communications between a solicitor and third parties...The purpose of the litigation privilege is to create a zone of privacy in relation to pending or apprehended litigation. The common law litigation privilege comes to an end, absent closely related proceedings, upon the termination of the litigation that gave rise to the privilege. Unlike the solicitor client-client privilege, it is neither absolute in scope nor permanent in duration.

Litigation privilege should attach to documents created for the dominant purpose of litigation. The dominant purpose test is more compatible with the contemporary trend favouring increased disclosure. Though it provides narrower protection than would a substantial purpose test, the dominant purpose standard is consistent with the notion that the litigation privilege

should be viewed as a limited exception to the principle of full disclosure and not as an equal partner of the broadly interpreted solicitor-client privilege.

[34] As was stated in [Order F17-43](#) of the Information and Privacy Commissioner of British Columbia, litigation privilege requires two elements be present:

1. Litigation is ongoing or is reasonably contemplated at the time the document was created; and
2. The dominant purpose for creating the document subject to a claim of litigation privilege is to prepare for that litigation.

[35] There are other aspects of litigation privilege that are important to consider in this matter. In our Report [A-2018-017](#), the Commissioner explained that litigation privilege is a rule of procedure and does not enjoy the near constitutional protection of solicitor-client privilege. The Report also noted that a public body cannot assert a blanket claim of litigation privilege over all records at issue. This point was adopted from the decision of the Alberta Court of Appeal in [Alberta v. Suncor Inc](#) 2017 ABCA 221, where it was stated that “the purpose behind the creation of a record does not change simply because the record is forwarded to, or through, in-house counsel or because in-house counsel directs that all further investigation records should come to him or her.”

[36] The OIPC has served as the independent third-party reviewer in many access to information complaints involving litigation privilege. One of our more comprehensive decisions relating to a claim of litigation privilege was Report [A-2023-045](#), which also involved the College. In that matter, and contrary to its current position, the College disclosed to the OIPC all 473 pages of responsive records, including those over which it had made a claim of litigation privilege. In the end, the Commissioner recommended that much of the information be withheld and that the remainder be released. Amongst the primary issues considered in that report was how litigation privilege is applied to the potential for future litigation. In its decision, this Office determined that, “While mere speculation of litigation is insufficient, it does not need to be the case that litigation will occur with absolute certainty”. In A-2023-045, the OIPC accepted the College’s argument of future litigation as a reason for continuing to withhold some responsive records.

[37] In this matter, the College used litigation privilege to justify not releasing any records to the Complainant or to the OIPC for review. When advised that neither *JPS* nor *OWGE* addressed litigation privilege and that records for which such a claim was made must be provided to the OIPC for review in accordance with the Commissioner's authority in section 97 of ATIPPA, 2015, the College simply changed its position and asserted that all records for which it had claimed litigation privilege was then now also being withheld pursuant to solicitor-client privilege. This change was a late claim of a discretionary exception. This change did not seem to be the product of a mistake or oversight, rather it appeared that this was a change in tactic employed by the College when it realized the legal authorities it relied upon did not support their position on litigation privilege.

[38] Public bodies are always provided with this Office's complaint guidelines at the start of any investigation. Included in those guidelines is a note about late claimed exceptions, which states:

If the public body intends to apply any discretionary exceptions to access that you did not apply in your final response to the complainant's access request, you must inform the complainant and our Office within 10 business days of receiving notice of our investigation. OIPC will not consider any discretionary exceptions that the public body raises after this period.

[39] Pursuant to section 17(c)(i) of ATIPPA, 2015, a Public Body's decision letter is to provide "the reason for the refusal and the provision of this Act on which the refusal is based." Essentially, except in certain, limited circumstances, a public body cannot change or add an exception to access once the final response explaining its decision has been given to the Complainant. This provides procedural fairness if the person receiving a refusal of access decision decides to file a complaint – they need to know the reasons for such a refusal, and it is unfair to them if the reasons can be changed midway through the complaint process. Similarly, the OIPC does not permit a Complainant to broaden the scope of their access request when submitting a complaint to this Office. To permit either is not fair to the Public Body or Complainant.

[40] The OIPC does not, therefore, accept the late claim of solicitor-client privilege over the email communications and meeting minutes put forward by the College. The attempt at a late claim of the College exemplifies why section 17 of ATIPPA, 2015 exists.

[41] Even without seeing the records, the OIPC has several issues with the College's claim that all records requested by the Complainant are subject to litigation privilege. The first involves how litigation privilege is determined. As set forth in *Blank*, litigation privilege is broader in scope than solicitor-client privilege but is shorter in duration and expires at the end of the litigation. The College appears to be taking the position that every single record for the legal matters at issue, which go back to 2014, are still covered by litigation privilege. Moreover, the College asserts that every single note or communication in a meeting, email, letter or any other kind of record discussing any of the legal decisions in question are covered by litigation privilege and were made for the dominant purpose of such litigation. The facts of this matter make this a difficult assertion to accept, but without a thorough review of the actual records to substantiate the assertion, the Office has no option but to recommend disclosure.

[42] We remind the College that Section 65(2) of the Act states that records subject to an access request shall be retained until such time as the Complainant has, with respect to that particular access request, exhausted all recourse available under the Act.

RECOMMENDATIONS

[43] Under the authority of section 47 of the **Access to Information and Protection of Privacy Act, 2015**, I recommend as follows:

1. that the College of the North Atlantic, within 20 business days of the issuance of this report release to the Complainant all responsive records responsive to OIPC file 0020-060-26-060.
2. that the College of the North Atlantic, within 20 business days of the issuance of this report, release the aggregate legal fees paid by the College for each of the decisions set forth in OIPC file 0020-060-26-061.

3. it is recommended that the College confirm that the practice of destroying/deprovisioning emails of former employees will remain paused until all aspects of OIPC files 0020-060-26-060 and 0020-060-26-061 are concluded.

[44] As set out in section 49(1)(b) of *ATIPPA, 2015*, the head of the College of the North Atlantic must give written notice of his or her decision with respect to these recommendations to the Commissioner and any person who was sent a copy of this Report within 10 business days of receiving this Report.

[45] Dated at St. John's, in the Province of Newfoundland and Labrador, this 5th day of October 2026.



Kerry Hatfield
Information and Privacy Commissioner
Newfoundland and Labrador