

NOVA SCOTIA COURT OF APPEAL

Citation: Coates v. Capital District Health Authority, 2012 NSCA 4

Date: 20120120

Docket: CA 344161

Registry: Halifax

Between:

Roseanne Coates

Appellant

v.

Capital District Health Authority
Dr. Anil Rickhi and Dr. Stephen Sheehan

Respondents

Judge: The Honourable Justice Duncan R. Beveridge

Appeal Heard: September 21, 2011

Subject: *Freedom of Information and Protection of Privacy Act*, S.N.S.
1993, c.5

Summary: The appellant brought an application for disclosure of her personal information from by her employer, particularly the information gathered by an investigator hired by the employer. The investigator had been hired by the employer to investigate complaints of workplace harassment between the appellant and one of the named respondents. The application ended up as an appeal before the Nova Scotia Supreme Court pursuant to s. 41 of the *Act*. The appeal to that court was dismissed. The appellant then appealed to the Court of Appeal.

Issue: Did the appeal judge of the Supreme Court err in her conduct of the appeal process or in her decision declining to order any further disclosure by the respondent CDHA?

Result: There was no error in principle or injustice in how the Supreme Court Judge conducted the appeal process. The appeal judge carried out the mandate dictated by the *Act* in reviewing the

redactions made by the respondent CDHA in providing documents to the appellant. She made no error in concluding that the statutory requirements had been made out by the respondent. The appeal was therefore dismissed with costs.

This information sheet does not form part of the court's judgment. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 16 pages.