



**Office of the Information and Privacy Commissioner for Nova Scotia
Report of the Commissioner (Review Officer) David Nurse**

WRITTEN REPORT ATD26-04

July 16, 2026

**Commissioner's Written Report on an Application to Disregard
Labour, Skills and Immigration**

Summary: The Commissioner approves the Department of Labour, Skills and Immigration's (the "public body's") application to disregard one access request received under the *Freedom of Information and Protection of Privacy Act (FOIPOP)*. The access request is part of a systematic pattern of access requests that amount to an abuse of process.

I impose the following conditions on the applicant's access requests to the public body:

1. The applicant will be prohibited from making any additional request for personal information for a 3-month period following the date of this decision; the applicant will be permitted to make one additional access request for their personal information during the 9 months following this 3-month "cooling off" period;
2. The applicant will be prohibited from making any additional general information access requests to the public body for a period of 12 months following the date of this decision.

INTRODUCTION:

[1] The applicant has filed seven access requests with the public body since January of 2026. Several of the requests relate to the applicant's personal information. However, a number of the requests relate to the public body's operations and would be considered general information requests.

[2] On July 6, 2026, the public body filed an application to disregard one access request recently submitted by the applicant.

[3] The public body raised five grounds to support their submission that the access request should be disregarded. Sections 6A(2)(a), 6A(2)(c)(i), 6A(2)(c)(ii), 6A(2)(c)(iii) and 6A(2)(d) read as follows:

- (2) The head of a public body may apply to the Review Officer for approval to disregard one or more requests for access if the head is of the opinion that

- (a) the requests are trivial, frivolous or vexatious;
- ...
- (c) the requests amount to an abuse of the right to make a request because they are
 - (i) unduly repetitive or systematic,
 - (ii) excessively broad or incomprehensible, or
 - (iii) otherwise not made in good faith; or
- (d) responding to the requests would unreasonably interfere with the operations of the public body and the requests are repetitious or systematic in nature.

ISSUE:

[4] Has the public body established that the applicant's request meets the requirements of section 6A of *FOIPOP* and may be disregarded?

ANALYSIS:

Applicant's personal circumstances provide context

[5] I am limited in what information I am able to share about the access applicant. However, certain information is relevant to the decision and may explain, in part, the applicant's conduct. The access applicant is a temporary resident of Canada and applied to the Nova Scotia Nominee Program ("NSNP") some time ago. No decision has yet been made on their immigration application. The applicant believes they have been unfairly treated by the public body and is concerned that their temporary status in Canada may expire before the public body decides on their NSNP application.

[6] In response to the public body's failure to move their application forward, the applicant has undertaken a persistent campaign against the public body, including seeking resolution with other administrative tribunals.

[7] I empathize with the applicant's frustration with the immigration system. It is reasonable and appropriate for the applicant to advocate strongly on their own behalf, and they would be wise in my view to engage legal counsel to assist them. Nevertheless, as I explain in detail below, the applicant's precarious immigration status does not excuse their abuse of the access to information system.

Requests are systematic

[8] As noted above, the public body raised several grounds to support their submission that the access request should be disregarded. I have decided this matter on section 6A(2)(c)(i):

(2) The head of a public body may apply to the Review Officer for approval to disregard one or more requests for access if the head is of the opinion that

- ...
- (c) the requests amount to an abuse of the right to make a request because they are
 - (i) unduly repetitive or systematic,
- ...

[9] The terms “unduly repetitive”, “repetitious” and “systematic” are discussed at length in numerous written decisions including WR25-06.¹ For the purposes of this written decision, I will focus on the concept of systematic requests. While the public body raised valid issues regarding overlap between the applicant’s various requests, the deciding issue is the systematic nature of the requests.

[10] As I stated in WR25-06:

[19] ...“Systematic” involves a pattern of conduct that is regular or deliberate. The number of requests of a similar scope over a period of time or a repeated request for substantially the same information may indicate a repetitive or systematic course of action. Access legislation was not intended to allow an applicant to resubmit the same or similar access requests to a public body simply because of dissatisfaction with a response.

...

[21] Systematic requests are requests made according to a method or plan of acting that is organized and carried out according to a set of rules or principles. Characteristics of systematic requests are

- a pattern of requesting more records, based on what the respondent sees in records already received
- combing over records deliberately in order to identify further issues
- revisiting earlier freedom of information requests
- systematically raising issues with the public body about their responses to freedom of information requests, and then often taking those issues to review by the Office of the Information and Privacy Commissioner (OIPC)
- behavior suggesting that a respondent has no intention of stopping the flow of requests and questions, all of which relate to essentially the same records, communications, people and events, and
- an increase in frequency of requests over time

[11] I have reviewed the public body’s submissions and the applicant’s submissions in full. Based on the criteria set above, I find that the applicant’s pattern of requests is systematic. The applicant’s requests meet all of the following criteria:

- a pattern of requesting more records, based on what the respondent sees in records already received

¹ WR 25-06, *Nova Scotia (Department of Justice) (Re)*, [2025 NSOIPC 16 \(CanLII\)](#).

- combing over records deliberately in order to identify further issues
- revisiting earlier freedom of information requests
- systematically raising issues with the public body about their responses to freedom of information requests, and then often taking those issues to review by the Office of the Information and Privacy Commissioner (OIPC)

[12] The applicant's requests are extremely long and detailed and regularly refer back to previous responses from the public body. One request was over 20 pages and referred to 24 separate categories or records. It is evident that the applicant is combing through previous disclosures from the public body and building additional questions and requests off of these responses. In the most recent case – which is the subject of this application to disregard – the applicant is essentially requesting a new wide-ranging search, dating back to October 2025, but characterizing it as a request only for those records that have not been provided in several previous requests. This is akin to saying: “search it all again, from the beginning, and let me know if you missed anything.” This latest request is clearly part of a systematic pattern of conduct by the applicant.

[13] The applicant has also systematically written to the public body's Minister (among others) advocating for a resolution of their immigration case, and posing numerous questions based on the public body's previous responses to access requests. The applicant's behaviour indicates that they have no intention of stopping the flow of requests and questions. The applicant has also repeatedly shown a limited willingness to clarify their requests or engage in discussions with the public body's IAP Administrator.

Request is an abuse of the right of access

[14] Per my analysis above, I am satisfied that the request is part of a pattern of requests that are systematic, and “amount to an abuse of the right to make a request” which meets the criteria of s. 6A(2)(c)(i) of *FOIPOP*.

[15] I have decided this matter based on s. 6A(2)(c)(i) of *FOIPOP*. It is therefore not necessary to consider the other grounds raised by the public body. The review process is intended to be a fast, no-cost alternative to court, and brief, plain language decisions that cut to the heart of the matter are appropriate.

Future remedy

[16] My authority to craft a future remedy is discussed at length in WR25-06. While I empathize with the applicant's frustration with the immigration system, it is evident that they have abused their right of access. If the applicant has a legitimate claim against the public body, that should be addressed in the proper forum, which may be court.

[17] From the date of this decision:

1. The applicant will be prohibited from making any additional request for personal information for a 3-month period following the date of this decision; the applicant will be permitted to make one additional access request for their personal information during the 9 months following this 3-month “cooling off” period;

2. The applicant will be prohibited from making any additional general information access requests to the public body for a period of 12 months following the date of this decision.

[18] In closing, as I have said in numerous prior written decisions, this is an important reminder that the right to access information is not absolute. The recent provisions added to the legislation recognize that certain individuals may use *FOIPOP* in a way that is contrary to its principles and purpose. As noted by the British Columbia Information and Privacy Commissioner in Order 110-1996: "...The Act must not become a weapon for disgruntled individuals to use against a public body for reasons that have nothing to do with the Act..." The system must not be misused as a tool of "information warfare."

[19] I hope that this decision will cause the applicant to pause and reflect on whether they have crossed the line into conducting "information warfare." It concerns me when an individual's engagement in the access to information system appears to be all-consuming. I encourage the applicant to seek advice – from family, friends, colleagues, and legal advisors – on how to most effectively pursue their key goal: to become a permanent resident of Canada.

CONCLUSION:

[20] I approve the public body's request to disregard one access request. The access request is part of a series of requests that are systematic in nature. As a result of this systematic nature, the request is also an abuse of process.

[21] I impose the following conditions on the applicant's access requests to the public body:

1. The applicant will be prohibited from making any additional request for personal information for a 3-month period following the date of this decision; the applicant will be permitted to make one additional access request for their personal information during the 9 months following this 3-month "cooling off" period;
2. The applicant will be prohibited from making any additional general information access requests to the public body for a period of 12 months following the date of this decision.

[22] Please inform the applicant of my decision in accordance with s. 6E of *FOIPOP*. The OIPC will also post a copy to its website, accessible through the "Reports and Court Decisions" page, under "Publicly Issued Reports", in due course.

July 16, 2026

David Nurse
Information and Privacy Commissioner for Nova Scotia

OIPC file: 26-00334