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KRAMER, Victor

Applicant

v.

**COMMISSION SCOLAIRE
MARIE-VICTORIN**

Respondent

THE APPLICATION FOR REVIEW

Mr. Victor Kramer requested, on September 20, 2001, from the Commission scolaire Marie-Victorin (the school board):

« A paragraph of the letter of the ...(illegible) Carra and therefore request each of the Annual reports above absences as irrefutable proof & my status as a teacher for each year ...(elligible). »

On October 12, 2001, he made an application for review to the Commission d'accès à l'information (the Commission) on the grounds that these documents had not been given to him.

THE PETITION OF THE RESPONDENT

In this file, counsel remarks that the documents pertaining to the record of absences at the CARRA were thoroughly canvassed in the Commission's preceding decisions, 00 05 08, 00 16 25, 00 18 25 and 00 20 68, where several requests were grouped together for decision.

Counsel for the respondent school board asked the Commission to examine Mr. Kramer's application in the light of article 130.1 of the *Act respecting Access to documents held by public bodies and the Protection of personal information*¹ which states:

130.1 The Commission may refuse or cease to examine a matter if it has reasonable cause to believe that the request is frivolous or made in bad faith or that its intervention would clearly serve no purpose.

THE OBSERVATIONS OF THE APPLICANT

Mr. Kramer justifies his new request by the fact that in his previous requests, he did not obtain the documents he sought which appear to be missing. He requires the documents for a Superior Court case and using the Commission is a way to obtain the necessary documentation without charge.

THE CONCLUSION

In the Commission's previous decision of September 11, 2001, Mr. Kramer's requests for documents concerning his absences, letters to the CARRA, annual reports to the CARRA, days of sick leave, etc. were extensively reviewed during the hearing (pp. 5, 6, 10, 11)². The Commission has taken note of the school board personnel's testimony concerning the existence and inexistence of documents relating to absences and records sent by the school board to the CARRA. It came to the conclusion that the school board had given all the relevant documents in its possession to Mr. Kramer.

CONSEQUENTLY, and for reasons discussed in Mr. Kramer's case n° 01 14 43 against the same respondent, it is not in the public interest for the Commission to reexamine questions of the non-existence of documents already noted in previous decisions.

¹ R.S.Q. c. A-2.1.

² *Kramer c. Commission scolaire Marie-Victorin*, C.A.I. Montréal, n° 00 05 68, 00 16 25, 00 18 25, 00 20 68, 11 septembre 2001, c. Stoddart.

Having examined the evidence I conclude that the Commission has reasonable grounds to decide that its intervention would clearly serve no purpose and **CLOSES** the file.

Montreal, August 15, 2002

JENNIFER STODDART
Commissioner

M^c Gilles Paquette
Attorney of Respondent