



Military Police
Complaints Commission
of Canada

Commission d'examen des plaintes
concernant la police militaire
du Canada

Access to Information Act

Annual Report

April 1, 2017 – March 31, 2018

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1. Introduction

Purpose of the *Access to Information Act*

The *Access to Information Act* (ATIA) provides a right of access to information in records under the control of a government institution in accordance with the principles that government information should be available to the public, that necessary exceptions to the right of access should be limited and specific, and that decisions on the disclosure of government information should be reviewed independently of government.

The ATIA is intended to complement and not replace existing procedures for access to government information and is not intended to limit in any way access to the type of government information that is normally available to the general public.

The Annual Report to Parliament on the ATIA is prepared and tabled in Parliament in accordance with section 72 of the ATIA.

Military Police Complaints Commission of Canada

The Mandate

The Military Police Complaints Commission of Canada (MPCC) provides independent civilian oversight of the Canadian Armed Forces (CAF) Military Police (MP) and carries out its quasi-judicial functions pursuant to the powers conferred under Part IV of the *National Defence Act*.

The MPCC reviews and investigates complaints concerning MP conduct and investigates allegations of interference in MP investigations. The MPCC reports its findings and makes recommendations directly to the MP and national defence leadership.

The Mission

The mission of the MPCC is to promote and ensure the highest standards of conduct of MP in the performance of policing duties, and to discourage interference in any MP investigation.

2. Application of the *Access to Information Act*

Institutional Organization of Activities

The Organization

The Military Police Complaints Commission of Canada (MPCC) is a micro-agency consisting of 25 planned full-time equivalents with an ongoing annual budget of \$4.7M.

As Deputy Head, the Chairperson is supported by the General Counsel, the Chief of Staff (CoS), up to four part-time Governor-in-Council (GIC) appointed Commission Members, MPCC personnel and consultants.

MPCC Access to Information and Privacy (ATIP) Program

The MPCC ATIP program provides services/products under the ATIA and *Privacy Act* (PA), but also provides services/products during the phases of large Public Interest Hearings (PIH) and investigations. Furthermore, the MPCC has developed an *Access to Information Framework – Plans and Strategies* encompassing documented processes and management accountability to strengthen the integrity of the ATIP program.

MPCC Access to Information and Privacy Coordinator and Personnel

The ATIP Coordinator for the MPCC is the CoS who is supported by the ATIP Officer. The Senior Planning & Administrative Officer (SPAO) serves as back-up to the ATIP Officer. The MPCC also engages an ATIP consultant, as required. As such, ATIP requests are a shared responsibility between three delegated salaried employees, a consultant and an assistant who provides administrative support to the Offices of Primary Interest (i.e. Operations, Registrar, Finance, the Records and Information Management Officer, etc.) who also perform ATIP duties in addition to their regular workload.

The main activities of the individual handling ATIP requests are the following;

- Handles assigned cases, analyzes purpose/history of request, interprets legislation and determines information that may be disclosed, exempted and excluded;
- Provides advice and consultation to requesters and third party stakeholders and MPCC management and employees, responds to questions and concerns and ensures that they have a clear understanding of legislation and MPCC policies and procedures for handling requests and other ATIP related issues, including document security classification;
- Conducts research and consultations with other departments and third parties to prepare responses to requesters;
- Analyzes and provides recommendations in the preparation of exhibits for disclosure during a PIH in accordance with ATIP legislation, Open Court Principles and other related policies and procedures; and
- Prepares reports for MPCC management on ATIP requests, other ATIP related issues, including statistical reports and the Annual Reports for submission to Parliament and Info Source.

The MPCC does not have any regional offices.

3. Delegation

Pursuant to section 73 of the ATIA, the Chairperson appointed the CoS, the ATIP Officer and the SPAO with the duty to exercise certain powers and to perform duties and functions under the ATIA and Regulations. (**Appendix A – Access to Information Act Delegation Order**).

4. Access to Information Act Statistics

During this review period, the MPCC received seven requests and closed seven requests. Of these requests, one was received from the public and six were from businesses.

The MPCC responded to six of the requests within the legislated 30-day timeline; one request (14%) was responded to within 60 days.

For additional information, please refer to **Appendix B**.

Extensions

One extension was used under Section 9 of the ATIA due to the volume of records and to external consultations.

Consultations from Other Institutions

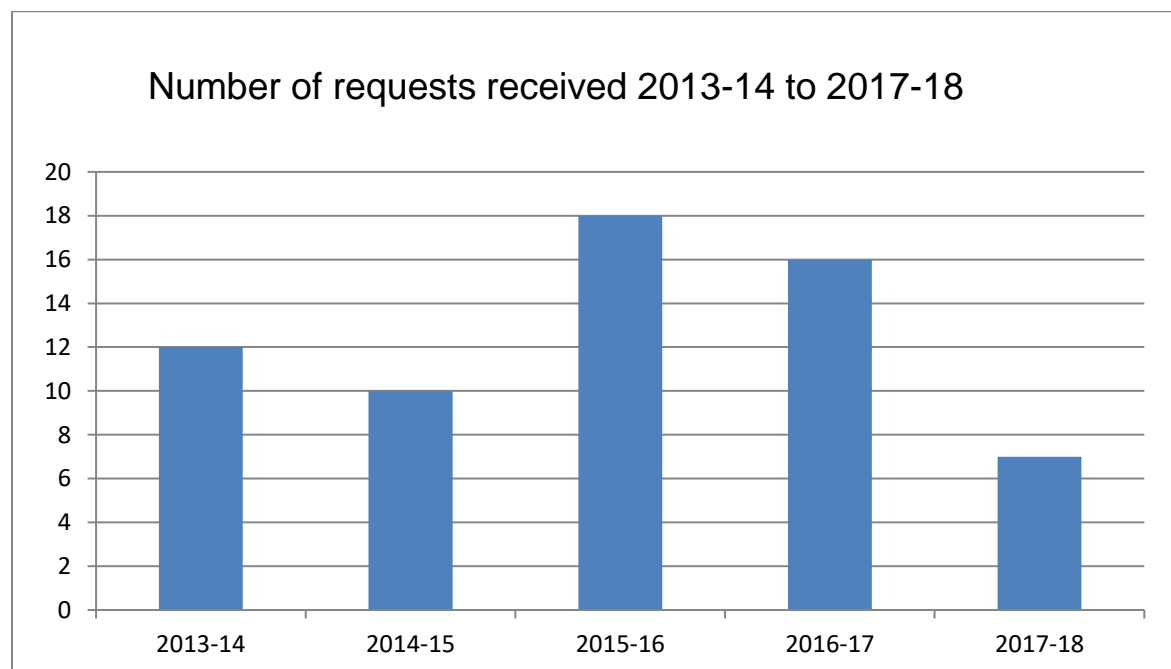
The MPCC received and closed three consultations received from other government departments within a 30 day timeframe.

Exemptions Invoked

The MPCC invoked exemptions pursuant to section 19(1) (personal information) and section 23 (solicitor/client privilege).

Multi-Year Trends

Due to the generally small numbers of requests, it is difficult to extrapolate trends. Although there was a 80% increase from 2014-15 to 2015-16, the number of requests received for 2016-17 was slightly lower when compared to 2015-16. In 2017, the number of requests continued to decrease to the point where they reached the lowest level of the last five years.



5. Training

In addition to completing two mandatory online courses through the Canada School of Public Service, Access to Information and Privacy Fundamentals (I015) and Fundamentals of Information Management (I301)), 100% of MPCC employees received an ATIP awareness session. The session provided general information related to the ATIA and roles and responsibilities of institutions and employees.

6. Institutional Policies and Procedures

During the reporting period, the MPCC implemented a manual Tickler system (time limit reminder) to more efficiently respond to files within legislative deadlines. Procedures for processing Access to Information were updated and provided to staff during ATIP training sessions. The MPCC also began the process of acquiring ATIP-specific software to administer the ATIA.

Handling of Formal Requests

The MPCC has adopted the following process to handle formal requests:

1. Receive and acknowledge receipt of the ATIA request;
2. Create a file and register the request including capturing and updating the information in the Report on the ATIA;
3. Review the request and determine next steps;
4. Gather and review all documents including redacting the information if required;
5. Validate and approve the release of the information; and
6. Audits.

7. Complaints, Audits and Investigations

No complaints were received by the Office of the Information Commissioner of Canada, no audits were conducted and no appeals concerning ATIA requests with the MPCC were filed in Federal Court during the reporting period.

8. Monitoring

All ATIP requests are monitored by the CoS/ATIP Coordinator throughout the year and information such as the statistics and time to process ATI requests are captured in an ATIP report. This monitoring occurs from the receipt to the closure of all ATIP requests.

On a quarterly basis, the CoS/ATIP Coordinator submits the ATIP reports (i.e. ATI and PA Annual Reports and Statistical Reports, Info Source, Personal Information Bank etc.), to the Executive Committee as a standing agenda item. The Executive Committee consists of the Chairperson (Deputy Head), CoS/ATIP Coordinator and the General Counsel. The report is tabled, discussed and approved at these quarterly meetings.

Appendix A



Military Police
Complaints Commission
of Canada

Commission d'examen des plaintes
concernant la police militaire
du Canada

Access to Information Act and Privacy Act Delegation Order

The Chairperson of the Military Police Complaints Commission of Canada, pursuant to section 73 of the *Access to Information Act* and section 73 of the *Privacy Act*, hereby designates the persons holding the positions set out in the schedule hereto, or the persons occupying on an acting basis those positions, to exercise the powers, duties and functions of the Chairperson as the head of Military Police Complaints Commission of Canada, under the provisions of the Act and related regulations set out in the schedule opposite each position. This designation replaces all previous delegation orders.

Arrêté de délégation en vertu de la Loi sur l'accès à l'information et de la Loi sur la protection des renseignements personnels

En vertu de l'article 73 de la *Loi sur l'accès à l'information* et de l'article 73 de la *Loi sur la protection des renseignements personnels*, la présidente de la Commission d'examen des plaintes concernant la police militaire du Canada délègue aux titulaires des postes mentionnés à l'annexe ci-après, ainsi qu'aux personnes occupant à titre intérimaire lesdits postes, les attributions dont le/la président(e) est, en qualité de responsable de Commission d'examen des plaintes concernant la police militaire du Canada, investi[e] par les dispositions de la Loi ou de son règlement mentionnées en regard de chaque poste. Le présent document remplace et annule tout arrêté antérieur.

La présidente de
La Commission d'examen des plaintes concernant la police militaire du Canada

Hilary McCormack
Chairperson
Military Police Complaints Commission of Canada

Signed in Ottawa, Ontario, Canada this 12th day of May, 2016
Signé à Ottawa, Ontario, Canada le 12^{ième} jour de mai 2016

Canada

Access to Information Act Delegation Order

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Access to Information Act

Provision	Description	Chairperson	Chief of Staff	Access to Information and Privacy Officer	Senior Planning and Administrative Officer
4(2.1)	Responsibility of head of institution	•	•	•	•
7(a)	Notice where access requested	•	•	•	•
7(b)	Giving access to the record	•	•	•	•
8(1)	Transfer of request	•	•	•	•
9	Extension of time limits	•	•	•	•
10(1)(a)(b)	Where access is refused	•	•		
11(1), (3), (4), (5), (6)	Additional Fees	•	•	•	•
12(2)(b)	Language of Access	•	•	•	•
12(3)(b)	Access in an alternative format	•	•	•	•
Exemption Provisions of the Access to Information Act					
Provision	Description	Chairperson	Chief of Staff	Access to Information and Privacy Officer	Senior Planning and Administrative Officer
13	Exemption - Information obtained in confidence	•	•		
14	Exemption - Federal-provincial affairs	•	•		
15	Exemption - International affairs and defence	•	•		
16	Exemption - Law enforcement and investigations	•	•		
16.5	Exemption - <i>Public Servants Disclosure Protection Act</i>	•	•		
17	Exemption - Safety of individuals	•	•		
18	Exemption -	•	•		

	Economic interests of Canada				
19	Exemption – Personal Information	•	•		
20	Exemption – Third-party information	•	•		
21	Exemption – Operations of Government	•	•		
22	Exemption – Testing procedures, tests and audits	•	•		
22.1	Exemption – Internal Audits	•	•		
23	Exemption – Solicitor-client privilege	•	•		
24	Exemption – Statutory prohibitions	•	•		
Other Provisions of the Access to Information Act					
Provision	Description	Chairperson	Chief of Staff	Access to Information and Privacy Officer	Senior Planning and Administrative Officer
25	Severability	•	•	•	•
26	Refusal of access where information to be published	•	•	•	•
27(1),(4)	Third party notification	•	•	•	•
28(1)(b), (2), (4)	Third party notification	•	•	•	•
29(1)	Notice of decision to disclose	•	•	•	•
33	Notice to Information Commissioner of notices to third parties	•	•	•	•
35(2)(b)	Right to make representations	•	•		
37(1)(b)	Findings and recommendations of information Commissioner	•	•	•	•
37(4)	Access to be given to complainant	•	•	•	•
43(1)	Notice to third party of application to Federal Court for review	•	•	•	•
44(2)	Notice to requester of application for review by third party	•	•	•	•

52(2)	Special rules for hearings	•	•		
52(3)	<i>Ex parte</i> representations	•	•		
71(1)	Facilities for inspection of manuals	•	•		
71(2)	Exempt information may be excluded	•	•		
72	Annual report to Parliament	•	•		
Access to Information Regulations					
Provision	Description	Chairperson	Chief of Staff	Access to Information and Privacy Officer	Senior Planning and Administrative Officer
6(1)	Transfer of request	•	•		
7(2)	Search and preparation fees	•	•		
7(3)	Production and programming fees	•	•		
8	Method of access	•	•	•	•
8.1	Limitations in respect of format	•	•		

Dated, at the City of Ottawa this 12th day of May 2016.



Hilary C. McCormack
Chairperson
Military Police Complaints Commission of Canada

Statistical Report on the *Access to Information Act*

Name of institution: MPCC

Reporting period: 2017-04-01 to 2018-03-31

Part 1: Requests Under the Access to Information Act

1.1 Number of requests

	Number of Requests
Received during reporting period	7
Outstanding from previous reporting period	0
Total	7
Closed during reporting period	7
Carried over to next reporting period	0

1.2 Sources of requests

Source	Number of Requests
Media	0
Academia	0
Business (private sector)	6
Organization	0
Public	1
Decline to Identify	0
Total	7

1.3 Informal requests

Completion Time							
1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total
6	0	1	0	0	0	0	7

Note: All requests previously recorded as “treated informally” will now be accounted for in this section only.

Part 2: Requests Closed During the Reporting Period

2.1 Disposition and completion time

Disposition of Requests	Completion Time							
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total
All disclosed	1	0	0	0	0	0	0	1
Disclosed in part	0	0	1	0	0	0	0	1
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	5	0	0	0	0	0	0	5
Request transferred	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	6	0	1	0	0	0	0	7

2.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	0	16(2)	0	18(a)	0	20.1	0
13(1)(b)	0	16(2)(a)	0	18(b)	0	20.2	0
13(1)(c)	0	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	0	16(2)(c)	0	18(d)	0	21(1)(a)	0
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	0
14	0	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	0
14(a)	0	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	0
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	0
15(1)	0	16.1(1)(d)	0	19(1)	1	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	0	23	1
15(1) - Def.*	0	16.3	0	20(1)(b)	0	24(1)	0
15(1) - S.A.*	0	16.4(1)(a)	0	20(1)(b.1)	0	26	0
16(1)(a)(i)	0	16.4(1)(b)	0	20(1)(c)	0		
16(1)(a)(ii)	0	16.5	0	20(1)(d)	0		
16(1)(a)(iii)	0	17	0				
16(1)(b)	0						
16(1)(c)	0						
16(1)(d)	0						

* I.A.: International Affairs Def.: Defence of Canada S.A.: Subversive Activities

2.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
68(a)	0	69(1)	0	69(1)(g) re (a)	0
68(b)	0	69(1)(a)	0	69(1)(g) re (b)	0
68(c)	0	69(1)(b)	0	69(1)(g) re (c)	0
68.1	0	69(1)(c)	0	69(1)(g) re (d)	0
68.2(a)	0	69(1)(d)	0	69(1)(g) re (e)	0
68.2(b)	0	69(1)(e)	0	69(1)(g) re (f)	0
		69(1)(f)	0	69.1(1)	0

2.4 Format of information released

Disposition	Paper	Electronic	Other Formats
All disclosed	0	1	0
Disclosed in part	0	1	0
Total	0	2	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Disposition of Requests	Number of Pages Processed	Number of Pages Disclosed	Number of Requests
All disclosed	1	1	1
Disclosed in part	1993	835	1
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	0
Neither confirmed nor denied	0	0	0

2.5.2 Relevant pages processed and disclosed by size of requests

Disposition	Less Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
All disclosed	1	1	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	1	835	0	0	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	1	1	0	0	1	835	0	0	0	0

2.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	1	0	1	0	2
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
Total	1	0	1	0	2

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

Number of Requests Closed Past the Statutory Deadline	Principal Reason			
	Workload	External Consultation	Internal Consultation	Other
0	0	0	0	0

2.6.2 Number of days past deadline

Number of Days Past Deadline	Number of Requests Past Deadline Where No Extension Was Taken	Number of Requests Past Deadline Where An Extension Was Taken	Total
1 to 15 days	0	0	0
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	0	0	0

2.7 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
Total	0	0	0

Part 3: Extensions

3.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	9(1)(a) Interference With Operations	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
All disclosed	0	1	0	0
Disclosed in part	0	0	0	0
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
Total	0	1	0	0

3.2 Length of extensions

Length of Extensions	9(1)(a) Interference With Operations	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
30 days or less	0	1	0	0
31 to 60 days	0	0	0	0
61 to 120 days	0	0	0	0
121 to 180 days	0	0	0	0
181 to 365 days	0	0	0	0
365 days or more	0	0	0	0
Total	0	1	0	0

Part 4: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Number of Requests	Amount	Number of Requests	Amount
Application	7	\$35	0	\$0
Search	0	\$0	0	\$0
Production	0	\$0	0	\$0
Programming	0	\$0	0	\$0
Preparation	0	\$0	0	\$0
Alternative format	0	\$0	0	\$0
Reproduction	0	\$0	0	\$0
Total	7	\$35	0	\$0

Part 5: Consultations Received From Other Institutions and Organizations

5.1 Consultations received from other Government of Canada institutions and organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during reporting period	3	17	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	3	17	0	0
Closed during the reporting period	3	17	0	0
Pending at the end of the reporting period	0	0	0	0

5.2 Recommendations and completion time for consultations received from other Government of Canada institutions

Recommendation	Number of Days Required to Complete Consultation Requests							Total
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	
Disclose entirely	0	3	0	0	0	0	0	3
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	3	0	0	0	0	0	3

5.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of Days Required to Complete Consultation Requests							
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

Part 6: Completion Time of Consultations on Cabinet Confidences

6.1 Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

6.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

Part 7: Complaints and Investigations

Section 32	Section 35	Section 37	Total
0	0	0	0

Part 8: Court Action

Section 41	Section 42	Section 44	Total
0	0	0	0

Part 9: Resources Related to the Access to Information Act

9.1 Costs

Expenditures		Amount
Salaries		\$0
Overtime		\$0
Goods and Services		\$6,265
• Professional services contracts	\$6,265	
• Other	\$0	
Total		\$6,265

9.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	0.00
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.02
Students	0.00
Total	0.02

Note: Enter values to two decimal places.