



RCMP External
Review Committee

Comité externe
d'examen de la GRC

Access to Information Act

RCMP External Review Committee

Annual Report
2019-20

Catalogue number PS20-3E-PDF
ISSN 2561-8512

Report on Access to Information Act 2019-20

1. Introduction

The *Access to Information Act* gives the public a broad right of access to information contained in federal government records, subject to certain limited and specific exceptions.

Section 94 of the *Access to Information Act* requires that the head of every government institution prepare an annual report to be tabled in Parliament regarding the administration of the *Act* by that institution during the financial year. This report describes how the RCMP External Review Committee (ERC) administered the *Access to Information Act* throughout financial year 2019-20.

Mandate of the RCMP External Review Committee

Established in 1986 under Part II of the *Royal Canadian Mounted Police Act*, the RCMP External Review Committee (ERC) contributes to fair and equitable labour relations and accountability within the RCMP through its independent and impartial review of appeal case files. The ERC issues findings and recommendations to the Commissioner of the RCMP for final decisions to be made in appeals regarding critically important matters (e.g. appeals of decisions in harassment complaints and of decisions to dismiss or demote an RCMP member for misconduct, to stop a member's pay and allowances when a member is suspended from duty or to discharge a member for medical or performance reasons). The RCMP is required to refer appeal case files to the ERC for its review, findings and recommendations pursuant to the *Royal Canadian Mounted Police Act* and the *Royal Canadian Mounted Police Regulations*. The ERC reports directly to Parliament through the Minister of Public Safety and Emergency Preparedness.

2. ERC's Organizational Structure To Fulfill Its Access To Information Act Responsibilities

Given the small size of the ERC (less than 20 FTEs) and the small number of requests it receives, all access to information functions are performed by the Executive Director and the Director of Corporate Services. The ERC has no regional offices. The ERC processes requests as follows:

- the requested information is identified;
- the requests are examined to determine if they should be transferred to another government institution with a "greater interest";
- possible exemptions are considered;
- a copy of the non-exempt information is prepared and forwarded to the requester with a transmittal letter; and,
- the requests and all related documentation are filed in the ERC's Access to Information and Privacy (ATIP) registry.

The ERC relies on existing Treasury Board guidelines regarding access to information.

Public Reading Room

The *Access to Information Act* requires that institutions maintain a reading room where the public can review records that have been disclosed by the ERC over the past three years. Records are available for review at no charge. Photocopying costs are applied at \$0.20 per page. The ERC's public reading room is located at 60 Queen Street, Room 600, in Ottawa and is open from 10:00 a.m. to 3:00 p.m., Monday to Friday. Individuals who wish to review records must schedule an appointment with the ERC by contacting the generic email at erc.corporateandhrservices-servicesgenerauxetrh.cee@canada.ca or reception number at 613-998-2134.

3. Delegation Order

The Minister of Public Safety and Emergency Preparedness Canada, pursuant to section 95 of the *Access to Information Act*, designates the Chair, the Executive Director and the ATIP coordinator of the ERC to exercise the powers and perform the duties of the Minister as the head of a government institution (the RCMP External Review Committee) under certain sections of the *Act*. Responsibilities associated with the administration of the *Access to Information Act* include notifying applicants of extensions and transferring requests to other institutions (see Annex A, Delegation Order).

4. Highlights of the Statistical Report, 2019-20

During fiscal year 2019-20, the ERC received five requests and completed four requests under the *Access to Information Act* in the reporting period. The disposition of these five requests was:

All disclosed	0
Disclosed in part	1
All exempted	0
All excluded	0
No records exist	0
Request transferred	3
Request abandoned	0
Neither confirmed nor denied	0
Carried over to next reporting period	1
Total	5

Disposition of Requests

Three requests related to records that did not belong to the ERC. These requests were transferred to the departments with control of those records. Completion time for the three requests was between one to 15 days. One request was completed between 31 to 60 days and

one request was carried over to next reporting period for completion.

Source of Requests

Of the five requests received during the reporting period, two requests were from the media, and two were received from the public and one was received from a business (private sector).

Consultations from Other Institutions

During the reporting period, the ERC received twelve consultations regarding formal requests received by other government organizations and institutions. In all the consultation requests, the ERC did not object to the disclosure of any part of the requested information under the *Access to Information Act*. The completion time for ten of the consultations was between 1 and 15 days and between 16 to 30 days for two consultation.

Informal Processes

Whenever possible, information is provided informally to the public by ERC employees. Additionally, the ERC's website serves as a valuable source of information on the ERC program, including annual reports to Parliament and financial information. Given the sensitivity of much of the information in the RCMP internal files that are referred to the ERC, there are few opportunities to disclose other program information informally.

There were no informal releases made during the reporting period.

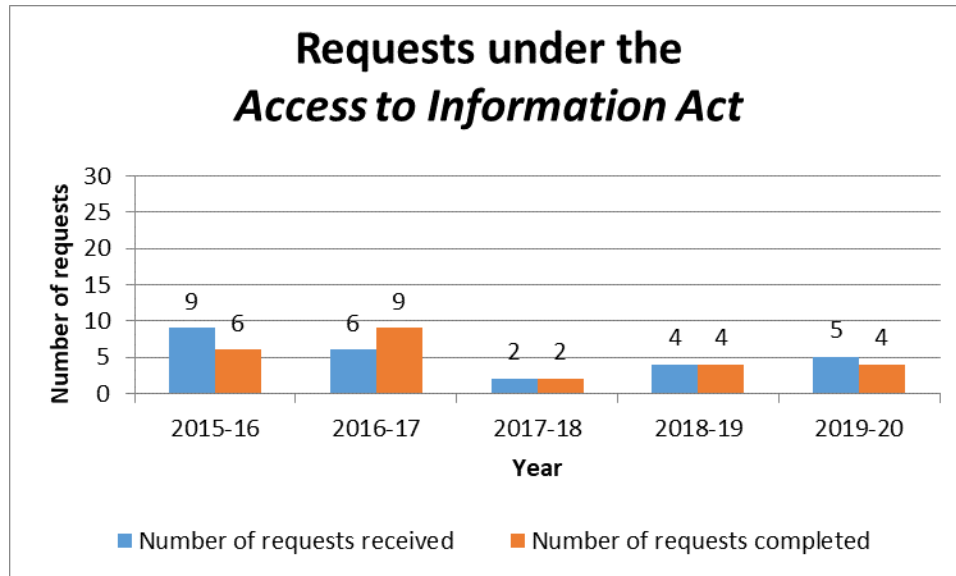
Other Consultations

There were no consultations on Cabinet Confidences under the *Access to Information Act*.

Annex B provides a summarized statistical report on *Access to Information Act* requests processed by the ERC between April 1, 2019 and March 31, 2020.

Multi-Year Trends

Evaluation of multi-year trends is difficult given the very small number of requests received each year by the ERC. The number and kinds of requests and consultations dealt with by the ERC in 2019-20 were typical of and generally consistent with previous years. An average of 5.2 requests per year were received and completed over the past five years (see Figure).



5. Reporting on Access to Information fees for the purposes of the *Service Fees Act*

The *Service Fees Act* requires a responsible authority to report annually to Parliament on the fees collected by the institution.

With respect to fees collected under the *Access to Information Act*, the information below is reported in accordance with the requirements of section 20 of the *Service Fees Act*.

- Enabling authority: *Access to Information Act*
- Fee amount: \$10
- Total revenue: \$0
- Fees waived: \$0
- Cost of operating the program: \$6,000.

6. Training and Awareness

No formal ATI training was provided to ERC staff during the reporting period. Some ERC legal counsel have legal training in ATIP matters as the assessment of some requests may require legal analysis or advice.

Information about the ATI program and activities is routinely circulated to ERC staff in the course of normal operations.

7. Policies, Guidelines, Procedures and Initiatives

The ERC did not implement any new or revised access to information-related policies, guidelines, procedures or initiatives during the reporting period.

8. Summary of Key Issues and Actions taken on Complaints or Audits

The ERC received no complaints during the reporting period from the Office of the Information Commissioner regarding access to information files and no audits or investigations were concluded.

There were no applications/appeals to the Federal Court in respect of access to information files received by the ERC for fiscal year 2019-20.

9. Monitoring Compliance

Monitoring of the time to process access to information requests during the reporting period was carried out on a case-by-case basis. Time to process requests is also discussed in the responsible management committee when required.