



Public Prosecution
Service of Canada

Service des poursuites
pénales du Canada

Annual Report on the *Access to Information Act*

Public Prosecution Service of Canada

2018-2019



Canada 

Annual Report on the *Access to Information Act* (Public Prosecution Service of Canada), 2018-2019

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1 Introduction

The *Access to Information Act* (the *Act*) came into force on July 1, 1983. The purpose of the *Act* is to provide a right of access to information in records under the control of a government institution in accordance with the following principles:

- Government information should be available to the public;
- Necessary exceptions to the right of access should be limited and specific; and
- Decisions on the disclosure of government information should be reviewed independently of government.

The Public Prosecution Service of Canada (PPSC) became subject to the *Act* when it was established as an independent organization on December 12, 2006, with the coming into force of the *Director of Public Prosecutions Act* (Part 3 of the *Federal Accountability Act*).

Pursuant to section 72 of the *Act*, this 2018-2019 Annual Report on the *Act* has been prepared for tabling in the House of Commons and the Senate. This Report provides an analysis of the information contained in the PPSC's Statistical Report on the *Act*. In addition, it reports on emerging trends, training activities, internal policies, guidelines and procedures with respect to the PPSC's administration of the *Act*.

2 The Public Prosecution Service of Canada

The PPSC's mandate is set out in the *Director of Public Prosecutions Act* (*DPPA*). The *DPPA* empowers the Director of Public Prosecutions (DPP), as Deputy Attorney General of Canada, to:

- Initiate and conduct federal prosecutions;
- Intervene in proceedings that raise a question of public interest that may affect the conduct of prosecutions or related investigations;
- Issue guidelines to federal prosecutors;
- Advise law enforcement agencies or investigative bodies on general matters relating to prosecutions and on particular investigations that may lead to prosecutions;
- Communicate with the media and the public on all matters that involve the initiation and conduct of prosecutions;
- Exercise the authority of the Attorney General of Canada in respect of private prosecutions; and
- Exercise any other power or carry out any other duty or function assigned by the Attorney General of Canada that is compatible with the office of the DPP.

The *DPPA* also empowers the DPP to:

- Initiate and conduct prosecutions under the *Canada Elections Act*, and
- Act, when requested by the Attorney General of Canada, in matters under the *Extradition Act* and the *Mutual Legal Assistance in Criminal Matters Act*.

- The DPP has the rank and status of a deputy head of a department, and in this capacity is responsible for the management of the PPSC as a distinct government institution.

3 The Commissioner of Canada Elections

The Commissioner of Canada Elections (CCE) is responsible for ensuring compliance with and enforcement of the *Canada Elections Act* and the *Referendum Act*.

As of April 1, 2019, the CCE left the PPSC and joined the Office of the Chief Electoral Officer, with the coming into force of *An Act to amend the Canada Elections Act and other Acts and to make certain consequential amendments*. During the 2018-2019 fiscal period, while the CCE was part of the PPSC, the Office remained operationally independent. The PPSC's Access to Information and Privacy (ATIP) Office processed all access to information requests and consultations regarding the CCE.

4 The ATIP Office

The ATIP Office holds primary responsibility for the implementation and administration of the *Access to Information Act*. The Office deals directly with the public in relation to access to information requests, liaises with Offices of Primary Interest to prepare responses, and serves as the centre of expertise for ATIP within the PPSC.

The ATIP Office fulfills its responsibilities by:

- Processing access to information requests in accordance with the *Act*, the *Access to Information Regulations* (the *Regulations*) and the Treasury Board of Canada Secretariat (TBS)'s policies, directives and guidelines;
- Responding to consultations submitted by other federal institutions or other levels of government on PPSC records being considered for release;
- Providing advice to PPSC managers and employees regarding the application and interpretation of the *Act*, the *Regulations* and the TBS's policies, directives and guidelines;;
- Responding to requests received from other government institutions for the review of solicitor-client privilege in records related to criminal proceedings in which the PPSC is involved;
- Reviewing PPSC policies, procedures and agreements to ensure that they comply with the requirements of the *Act* and making recommendations for amendments;
- Monitoring the PPSC's compliance with the *Act*, the *Regulations* and the TBS's policies, directives and guidelines;
- Communicating with investigators of the Office of the Information Commissioner of Canada (OIC) to resolve complaints filed against the PPSC;

- Reviewing documents relevant to proactive disclosure, such as audits and evaluations as well as contracts over \$25,000, prior to their publication on the PPSC's website, to ensure that they do not contain information that is subject to exemptions or exclusions under the *Act*;
- Delivering training sessions intended to familiarize the PPSC's managers and employees with the requirements of the *Act*, the *Regulations* and the TBS's policies, directives and guidelines;
- Updating the PPSC's chapter of the federal government's *Information About Programs and Information Holdings* publication (formerly known as *Info Source: Sources of Government and Employee Information*);
- Submitting an annual statistical report on the administration of the *Act* to the TBS;
- Preparing an annual report on the administration of the *Act* for tabling in both Houses of Parliament; and
- Posting summaries of completed access to information requests on the Open Government portal.

4.1 Organizational structure

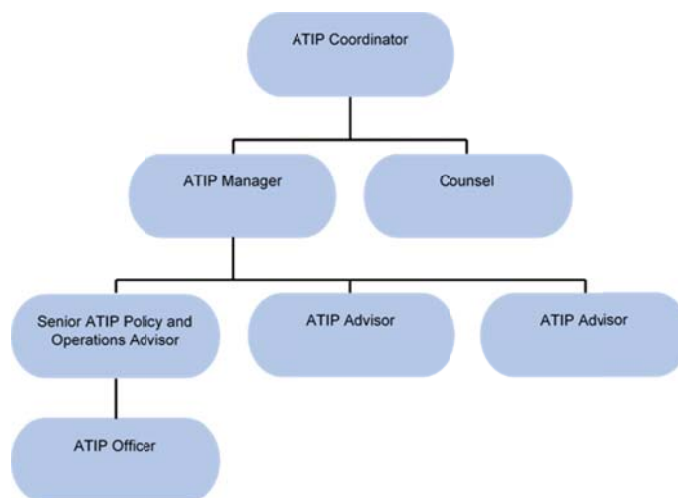
The Executive Director, Corporate Planning and External Relations Division (CPERD), acts as the PPSC's ATIP Coordinator.

During the period from April 1, 2018, to March 31, 2019, the ATIP Office comprised a Manager, a Senior Advisor, two Advisors and an ATIP Officer. Before their departure to another organization, Counsel for the CPERD provided legal advice to the ATIP Coordinator, the ATIP Office and PPSC managers on the application and interpretation of the *Act* and relevant case law.

During this fiscal year, the ATIP Office had the additional support of a part-time casual employee.

The following chart outlines the organizational structure of the ATIP Office in 2018-2019:

Figure 1: Organizational structure



5 Delegated authorities

Pursuant to section 73 of the *Act*, the head of a government institution may designate one or more officers or employees of that institution, by order, to exercise or perform any of the powers, duties or functions of the head of the institution under the *Act*.

The DPP, as the “head of institution,” has designated the authority to exercise the powers and perform the duties and functions conferred to her under the *Act* to the Executive Director, CPERD, as well as the Senior Director General, Corporate Services, and the ATIP Manager (Delegation Order in Appendix A). The ATIP Manager exercises this authority in the absence of the Executive Director, CPERD. The Senior Director General, Corporate Services, exercises this authority in the absence of both the Executive Director, CPERD, and the ATIP Manager.

6 Interpretation of the statistical report

The following section provides a summary and analysis of the information contained in the 2018-2019 Statistical Report on the *Act* in Appendix B of this report.

6.1 Requests received under the *Act*

6.1.1 Number of requests

The PPSC received 54 formal access to information requests in 2018-2019, 26% more requests than in the previous fiscal year. The increase is due to greater public attention on the organization towards the end of the fiscal year, following extensive media reporting on a few high-profile criminal prosecutions that were ongoing throughout the year.

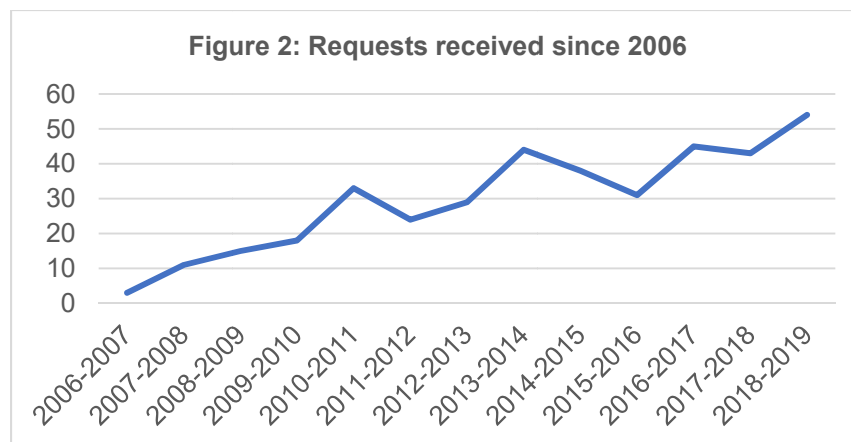
Additionally, six (6) requests were carried over from fiscal year 2017-2018. Altogether, the PPSC had 60 requests to process in 2018-2019.

Since its creation in December 12, 2006, the PPSC has received 388 access to information requests in total. Despite some fluctuations, overall, the number of requests received each fiscal year has continued to increase.

The PPSC received 44% of its access to information requests **online** this fiscal year.

Further information on the new online service is available under section 8.3 (Initiatives) of this report.

The following chart illustrates this trend:



Note: As the PPSC was created on December 12, 2006, data for 2006-2007 only reflects a three-month period. Additionally, since 2014-2015, the number of requests received no longer includes those that are treated informally. These requests are now reported separately as informal requests.

6.1.2 Subject matter

The subject matter of the 54 requests received in 2018-2019 is varied and often involved overlapping categories. However, a few key themes can be observed:

- Reflecting the mandate of the PPSC, 56% of requests received related to criminal and regulatory prosecutions and investigations.
- Notably, applicants were also interested in records on the following subjects: investigations conducted by or on behalf of the CCE; media relations, social media and other communications topics; and data on a variety of topics, such as legal costs, criminal charges and prosecution trends.

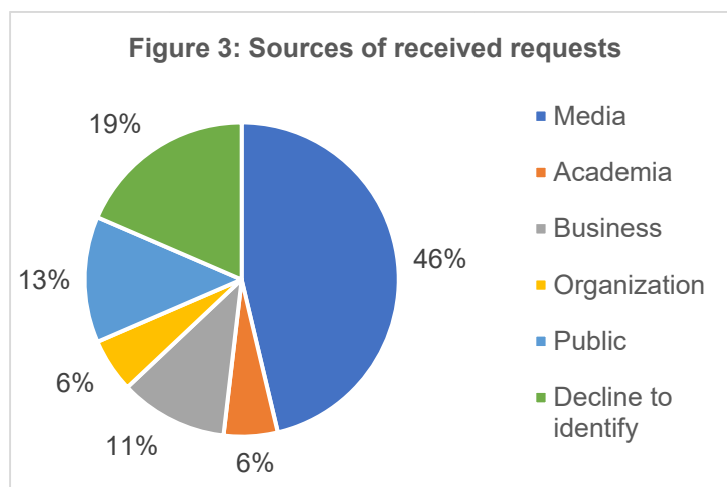
6.1.3 Sources

During the 2018-2019 fiscal period, 46% of the 54 requests received were from the media. This is a sharp departure from the general trend of the previous four fiscal years, where the greatest proportion of the PPSC's requests typically originated from the general public. Only 13% of applicants identified themselves as part of the general public in 2018-2019. This shift

could be attributed to the increased media attention on the organization and recent high-profile prosecutions.

The next greatest source of applicants for access to information requests in 2018-2019 were the ten (10) that declined to identify themselves. This is the first time in the past five (5) fiscal years where applicants have chosen this option.

The following chart outlines the distribution of all requests received in 2018-2019 by source:



6.1.4 Informal requests

An informal request is any request for information made to the ATIP Office of a government institution that is not processed under the *Act*. Fees cannot be charged for informal requests, and there are no deadlines for response. Additionally, the applicant has no statutory right of complaint to the OIC.

The PPSC receives the majority of informal requests through the online Open Government portal, where the PPSC publishes a monthly summary of completed access to information requests. Applicants have the ability to submit an informal request through the Portal for any records that were released in response to completed requests.

During the 2018-2019 fiscal period, the PPSC received and responded to 62 informal requests, 88% more than in the previous period.

In 2018-2019, the PPSC responded to all (100%) of the 62 informal requests within the first 15 days of receipt, as compared with 85% of informal requests within the same timeframe last fiscal year.

Throughout 2018-2019, the ATIP Office also prepared responses to Parliamentary Questions, and provided advice and recommendations to PPSC employees

This is the first year that the PPSC has received **more** informal than formal requests.

Applicants are becoming familiar with the range of government tools that are available for accessing information under the organization's control.

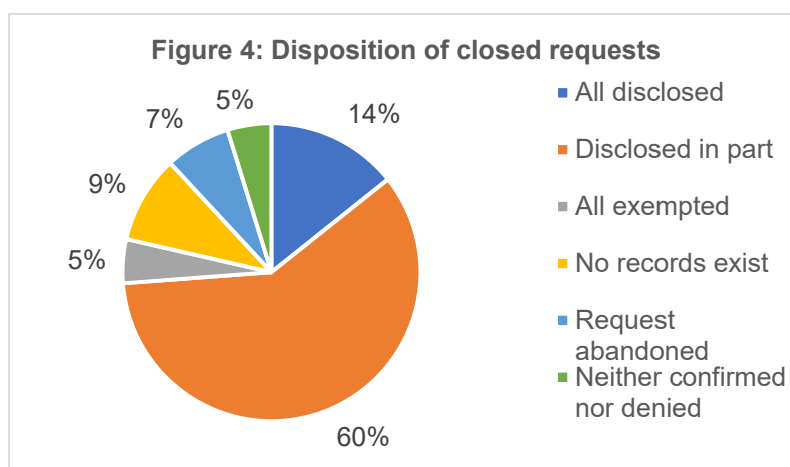
regarding reports on proactive disclosure, audit, harassment, and administrative investigations. The ATIP Office reviewed these reports to ensure that sensitive information, such as solicitor-client privileged and personal information, was identified and protected prior to publication or disclosure to the relevant parties.

6.2 Requests closed during the fiscal year

6.2.1 Disposition of requests

The PPSC responded to 42 formal access to information requests, which is 14% fewer than in 2017-2018. This decrease is the result of the PPSC having received 43% of its requests at the very end of the fiscal year and before the initial statutory deadline of 30 days for responding could be reached. As a result, 18 requests remained outstanding by March 31, 2019, and were carried forward to the next fiscal year.

The disposition of requests closed in 2018-2019 was as follows:



Of the 42 closed in 2018-2019, records were fully or partially disclosed in 74% of cases. This is an 11% proportional increase from the previous period. Overall, 69% of requests closed over the past five (5) fiscal years have resulted in a full or partial disclosure of records to applicants.

During the 2018-2019 reporting period, the PPSC closed two (2) requests in which all records were exempted. Other requests that did not result in the disclosure of records were as follows:

No records exist

Four (4) requests could not be processed because relevant records under the control of the PPSC did not exist. Where possible, applicants were advised of other government institutions that may have records and were provided with contact information accordingly.

Request abandoned

Three (3) requests were abandoned by applicants. In most abandoned cases, clarification is needed from the applicant in order to process their request. When the applicant does not provide clarification, the request is deemed as abandoned.

Neither confirmed nor denied

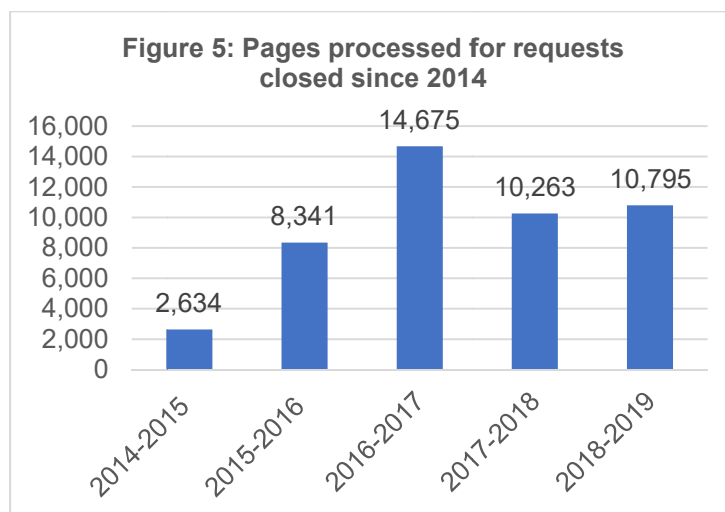
Subsection 10(2) of the *Act* was invoked in two (2) requests, where the PPSC could neither confirm nor deny that records existed. In these cases, the PPSC advised the applicants that if the relevant records did exist, they would qualify for exemption under section 16.31 of the *Act*. Further information on section 16.31 is available in section 6.2.4 (Exemptions) of this report.

6.2.2 Number of pages processed

For the 42 cases closed in 2018-2019, the PPSC processed 10,795 pages responsive to the requests, representing a 5% increase in volume from the previous fiscal year.

The PPSC ATIP Office also reviewed an additional 1,704 pages received from across the organization that were ultimately deemed as not relevant to the requests, and were therefore not included as part of the responses.

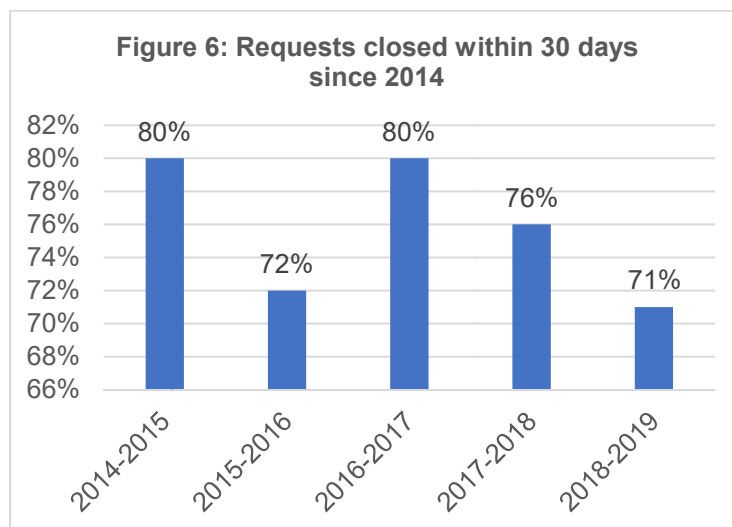
The following is a summary of the relevant pages processed by the PPSC over the last five (5) fiscal years:

**6.2.3 Completion time**

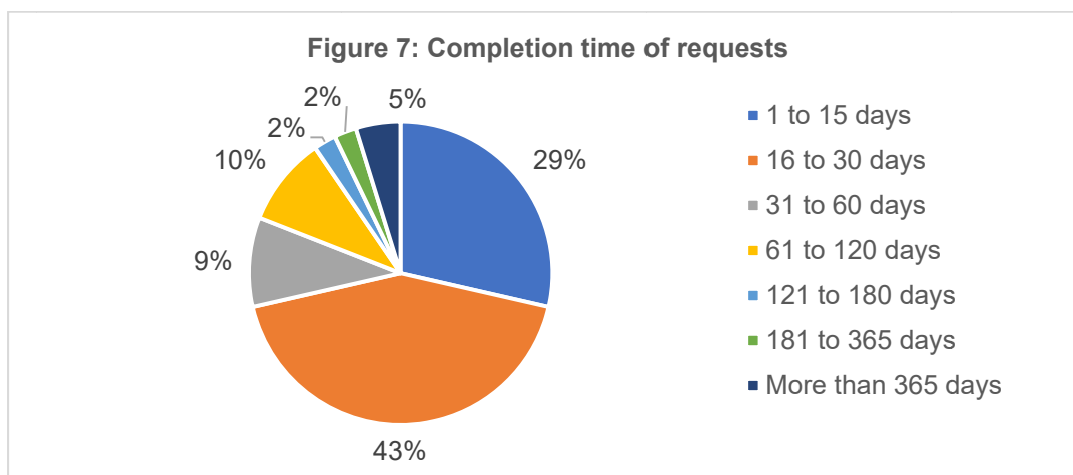
Of the 42 requests closed in 2018-2019, 71% were processed within the initial 30-day statutory deadline.

Overall, the PPSC has processed 76% of the access to information requests closed over the last five (5) fiscal years within 30 days of receipt.

The proportion of requests closed within this timeframe in recent years is as follows:



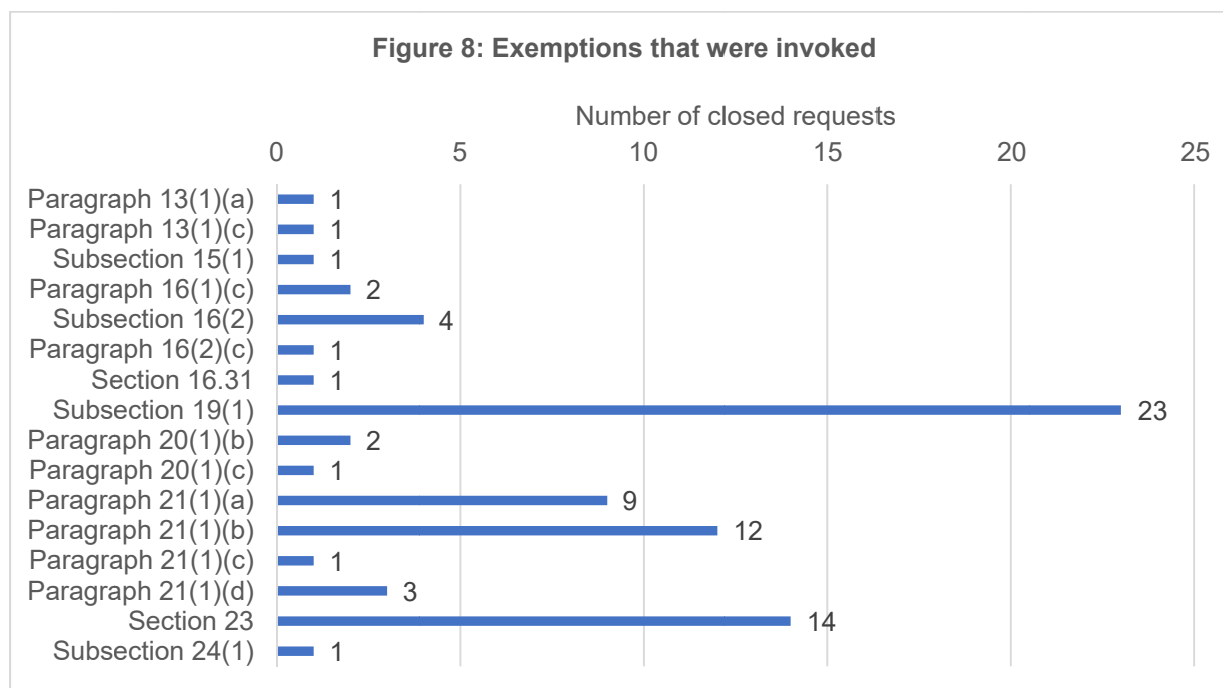
The following is a breakdown of the number of days taken to respond to all requests closed in 2018-2019:



6.2.4 Exemptions

The right of access to information in government records is subject to limited and specific exceptions. Limitations to the right of access are set out in sections 13 through 24 of the *Act*. Section 26 also sets out an administrative exception relating to the publication of information.

The following is a breakdown of the exemptions applied by the PPSC in 2018-2019 for closed requests:



Over the last five (5) fiscal years, subsection 19(1) [Personal information] and section 23 [Solicitor-client privilege] of the *Act* were most often invoked by the PPSC when exempting information from disclosure. This reflects the mandate of the PPSC to conduct federal prosecutions, which often involve personal information about individuals, and to provide legal advice to law enforcement agencies and investigative bodies on matters relating to prosecutions.

Section 16.31 of the *Act* was enacted on October 1, 2014. It authorized the DPP to refuse the disclosure of any records requested under the *Act* that contain information that was obtained or created by, or on behalf of, a person who conducts an investigation, examination or review supporting the functions of the CCE set out in the *Canada Elections Act*. This is the third fiscal period in which the PPSC exercised its authority under section 16.31 of the *Act* to refuse disclosure.

With the CCE's departure on April 1, 2019, from the organization and the subsequent repeal of s. 16.31, the PPSC will no longer invoke this exemption going forward.

6.2.5 Exclusions

Records or parts thereof to which the *Act* does not apply are considered to be "excluded". Pursuant to section 68, the *Act* does not apply to published material or material available for purchase by the public, library or museum material preserved solely for public record or material placed in Library and Archives Canada. Records containing confidences of the

Queen's Privy Council for Canada that have been in existence for less than 20 years are also excluded from the *Act* pursuant to section 69.

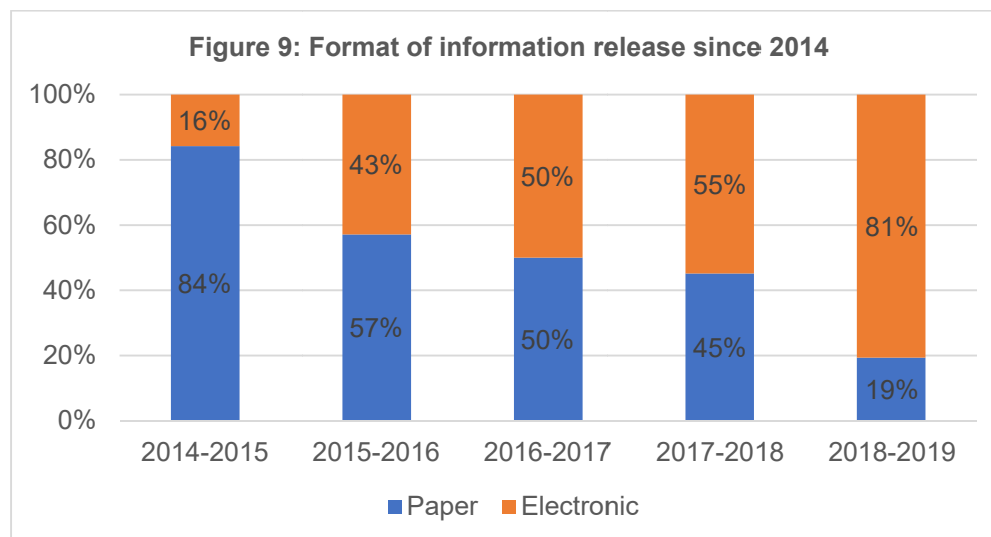
No exclusions were applied by the PPSC in 2018-2019.

6.2.6 Format of information released

Of the 31 requests where the PPSC fully or partially disclosed records in 2018-2019, information was released to the applicant electronically, by email or on compact disk, 81% of the time. This is a 26% increase in the proportion of electronic releases as compared with the previous fiscal year.

The PPSC provided paper copies of records in response to the remaining six (6) requests at the request of the applicants.

This is the second fiscal year in a row in which electronic releases outnumbered paper-based. The following illustrates the gradual shift in format over the last five (5) fiscal years:



6.2.7 Complexity

Due to the nature of the PPSC's work, processing requests can be challenging, and requests are regularly deemed "complex" based on a number of factors:

- Records held by the PPSC often contain information relating to criminal or regulatory investigations or prosecutions that also frequently involve other organizations at the federal, provincial or territorial level. Consultations were the main factor driving complexity in five (5) requests closed in 2018-2019.
- Requests to the PPSC often pertain to high-profile or sensitive topics, and legal advice is often sought in such matters. This was the predominant source of complexity in one (1) case.
- For 22 requests, representing 52% of closed requests, the main source of complexity was a need to retrieve records from across the country.

6.2.8 Deemed refusals

Requests that are not closed within the initial 30-day statutory deadline or within a timeframe covered by an extension provided by the *Act* are referred to as “deemed refusals.” Further information on the circumstances in which an extension to the original deadline is permitted by the *Act* is available in section 6.3 (Extensions) of this report.

There was one (1) request closed as a deemed refusal in 2018-2019, due to an extended consultation with another government institution. The institution’s input was required since the records had originated from within their organization. This request was closed 21 days past deadline.

Over the last five (5) fiscal years, only **three (3)** access to information requests were closed past the initial statutory deadline or within a timeframe covered by an extension.

6.2.9 Requests for translation

Just as it had been the case in the last five (5) fiscal years, the PPSC did not receive any requests from applicants to translate records from one official language to the other in 2018-2019.

6.3 Extensions

Section 9 of the *Act* allows government institutions to extend the 30-day statutory deadline for processing a request in cases where institutions are required to review or search through a large number of records, or when consultations with other institutions or third parties are necessary.

The PPSC extended the initial deadline in 17 cases during the 2018-2019 reporting period. This is a 21% increase from the previous fiscal year. This appears to be another indication that requests have become increasingly complex to process, whether due to the volume of pages to process, extensive search for relevant records, or consultations with other government institutions. In comparison, over the last five (5) fiscal years, the PPSC has taken an average of 11 extensions each fiscal year.

Of the 17 extensions taken in 2018-2019, 76% were for 120 days or less.

The following table summarizes the length of the extensions taken and reasons:

Table 1: Extensions

Length of extensions	Reasons for extensions		
	Paragraph 9(1)(a) - Interference with operations	Paragraph 9(1)(b) - Consultation	Paragraph 9(1)(c) - Third-party notice
30 days or less	4	2	0
31 to 60 days	3	2	0
61 to 120 days	1	1	0
121 to 180 days	0	0	0
181 to 365 days	0	4	0
365 days or more	0	0	0
Total	8	9	0

6.4 Fees

The *Act* authorizes the collection of fees for certain activities related to the processing of formal requests for information. In addition to the \$5.00 application fee, costs related to the search, preparation and reproduction of records may be recovered in accordance with the *Regulations*.

It should be noted that the Treasury Board's *Interim Directive on the Administration of the Access to Information Act*, which came into effect on May 5, 2016, directs government institutions to waive all fees prescribed by the *Act* and the *Regulations*, other than the application fee set out in paragraph 7(1)(a) of the *Regulations*.

The PPSC collected a total of \$265.00 in application fees for 53 requests received in fiscal year 2018-2019. The organization waived the \$5.00 application fee in one (1) other case.

Per the *Interim Directive*, no production, programming, preparation or search fees were collected.

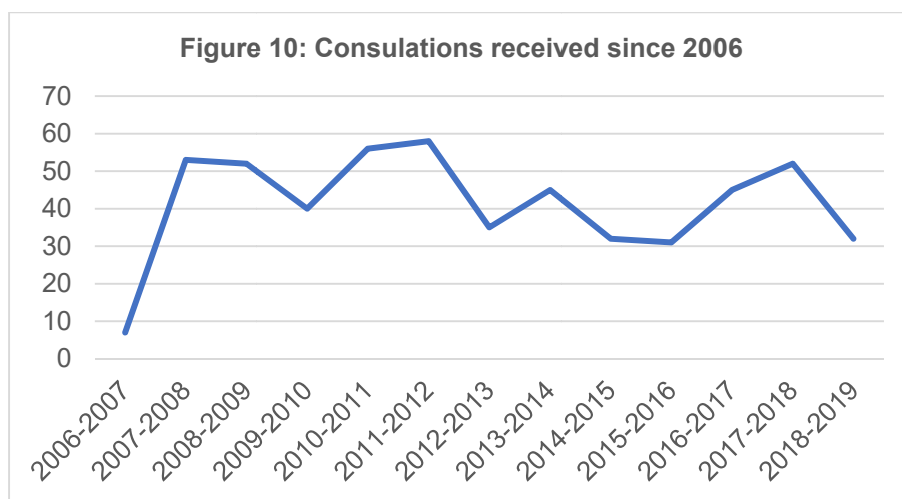
6.5 Consultations received from other institutions

6.5.1 Number of consultations

The PPSC received 32 consultations from other government institutions and organizations for processing under the *Act* in 2018-2019. This is 38% fewer than in the previous fiscal year. Additionally, five (5) consultations were carried forward from 2017-2018. Altogether, the PPSC had 37 consultations to process in 2018-2019.

Since December 12, 2006, the PPSC has received 538 access to information consultations in total.

The following chart illustrates the varying number of consultations received by the PPSC each fiscal year since its creation in 2006:



Note: As the PPSC was created on December 12, 2006, data for 2006-2007 only reflects a three-month period.

6.5.2 Sources of consultations

Approximately one third of the consultations received by the PPSC in 2018-2019 originated from the TBS. This is similar to the number of consultations received from TBS during the previous fiscal year, where TBS was also the top source for consultations. Typically, these consultations do not involve many pages or complex subject matter.

The number of consultations forwarded by any given government institution or organization does not reflect the actual amount of work required to process them. For example, the other major sources of consultations received in 2018-2019 pertained to prosecutions. Unlike TBS consultations, consultations related to these topics involve a greater volume of records and increased complexity.

The following table identifies the number of consultations sent by each government institution:

Table 2: Sources of consultations

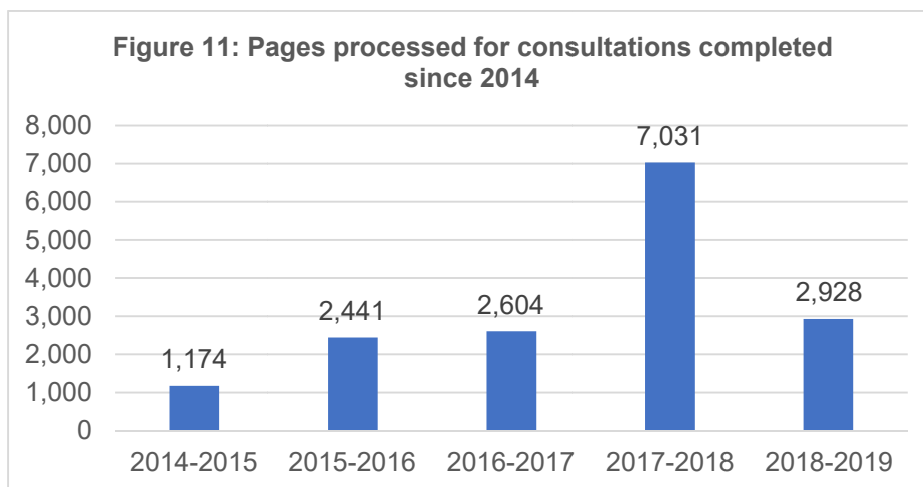
Source	Number of consultations	%
Treasury Board of Canada Secretariat	10	31%
Department of Justice Canada	6	19%
Privy Council Office	3	9%
Royal Canadian Mounted Police	2	6%
Health Canada	2	6%
National Defence of Canada	2	6%
Environment and Climate Change Canada	1	3%
Public Safety Canada	1	3%
Employment and Social Development Canada	1	3%
Fisheries and Oceans Canada	1	3%
Public Service Commission of Canada	1	3%
Canada Border Services Agency	1	3%
Canadian Security Intelligence Service	1	3%
Total	32	100%

6.5.3 Disposition and recommendations

Out of the 37 received or carried over to 2018-2019, the PPSC responded to 35 consultations. Two (2) consultations remained outstanding as of March 31, 2018, and were carried forward to the next fiscal year.

A total of 2,928 pages were processed, a significant decrease from the number of pages processed during the previous fiscal year, but also comparable to the typical number of pages processed each year since 2014-2015, at an average of 3,236 pages.

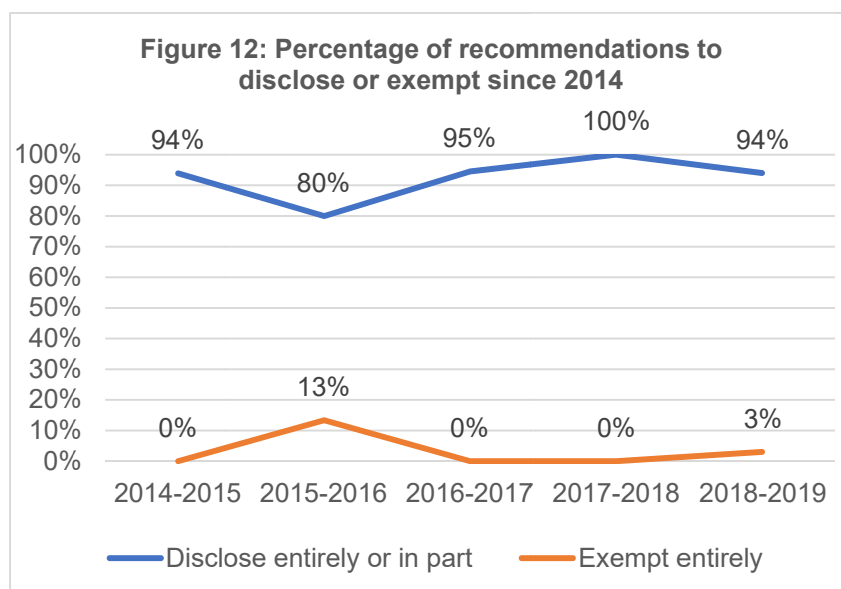
The number of pages processed each year over the last five (5) fiscal periods is as follows:



Of the 35 consultations completed in 2018-2019, the PPSC recommended that the other government institutions disclose records entirely in 16 cases. The organization also recommended that records be partially disclosed in 17 cases. Recommendations for full exemption were made in one (1) case, and the other remaining consultation was discontinued by the consulting institution.

Overall, the PPSC completed 203 consultations over the last five (5) fiscal years. In recent fiscal years, on average, the PPSC's recommendations with respect to consultations have trended towards increased disclosure, whether in full or in part, rather than full exemption of records.

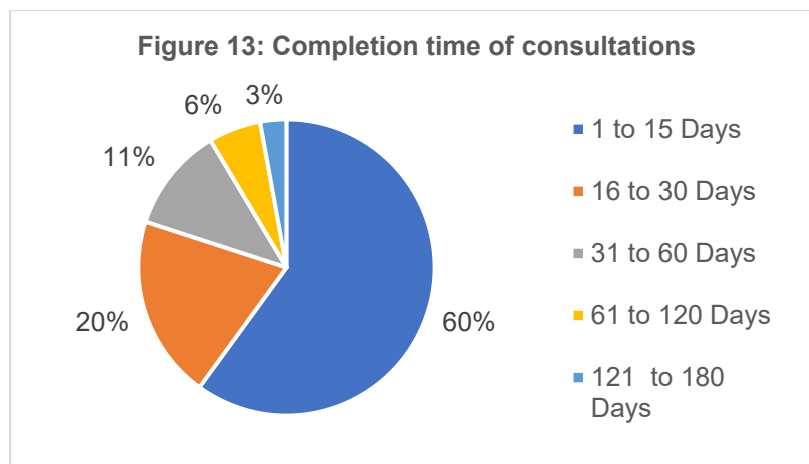
The following chart illustrates this trend:



6.5.4 Completion time

Of the 35 consultations completed in 2018-2019, 80% were processed within 30 days of receipt. Of the remaining consultations, four (4) were processed with 31 to 60 days, two (2) within 61 and 120 days, and one (1) within 121 to 180 days.

The following breaks down the proportion of consultations completed within each timeframe:



6.6 Consultations on Cabinet confidences

No consultations on the application of subsection 69(1) [Cabinet confidence] of the *Act* were carried out during fiscal year 2018-2019.

6.7 Resources related to the *Act*

In the 2018-2019 fiscal year, the PPSC spent a total of \$217,213 administering the *Act*, of which salaries accounted for 99% (\$215,867) of expenditures, while goods and services accounted for the remaining 1% (\$1,346).

No overtime expenditures were incurred during this period.

7 Training activities

One (1) formal ATIP awareness session was delivered to approximately 15 PPSC employees in 2018-2019.

ATIP personnel also provided informal learning to employees on an *ad hoc* basis regarding various matters related to access to information, and regularly provided advice to PPSC officials on responding to requests and the interpretation of the *Act*.

8 Policies, guidelines, procedures and initiatives

8.1 ATIP governance structure

The PPSC *ATIP Governance Structure* was approved by the PPSC's Executive Council in October 2011. It outlines the reporting relationships within the PPSC and establishes clear responsibilities for decision-making for the purposes of administering the *Act*.

8.2 Information about Programs and Information Holdings

Information about Programs and Information Holdings (formerly known as *Info Source: Sources of Government and Employee Information*) is published on the Government of Canada's canada.ca website. It provides information about the functions, programs, activities and related information holdings of government institutions subject to the *Access to Information Act* and the *Privacy Act*.

Each year, the PPSC ATIP Office updates information about the PPSC's activities and information holdings in the publication.

8.3 Initiatives

The PPSC implemented one (1) new initiative relating to access to information during the 2018-2019 fiscal year. A first for the organization, the Government of Canada's ATIP Online Request Service now provides applicants with the opportunity to submit access to information requests to the PPSC online.

The PPSC expects to develop new and revised policies and procedures related to access to information throughout the next fiscal year in preparation for government-wide reform, open government initiatives, and the continuing modernization of ATIP digital services.

As part of a pilot led by the TBS, the PPSC was **one (1) of eight (8)** government institutions that participated in the launch of the online request service when it went live in October 2018.

Access to information tools were also updated as required so that the organization may continue to process requests efficiently and in compliance with the *Act* and related policies.

9 Complaints, audits and investigations

Decisions made under the *Act* are subject to a right of review. This ensures government institutions' compliance with their access to information obligations as well as fair treatment for all applicants. The first level of review is a formal complaint to the OIC; the second level is an application for judicial review to the Federal Court. The PPSC reviews the outcomes of all OIC investigations and incorporates lessons learned into business processes, where appropriate.

Four (4) complaints pertaining to four (4) requests were filed with the OIC against the PPSC in 2018-2019, all of which were still under investigation as of March 31, 2019.

The PPSC also received findings or recommendations from the Commissioner in 2018-2019 upon the completion of investigations into four (4) other complaints that were carried over from previous fiscal years. All four (4) complaints were deemed to be well-founded and resolved. The reasons are as follows:

- Two (2) complaints pertained to a refusal to process two requests identical to a request previously submitted to the PPSC, in which records had already been released to the applicant. The PPSC agreed to process the new requests, upon which no additional records were found.
- One (1) complaint pertained to the application of subsection 19(1) of the *Act* to the records, relating to the protection of personal information. The PPSC agreed to release some of the information to the applicant, while the OIC agreed that the application of subsection 19(1) on the remainder of the information was appropriate.
- One (1) complaint pertained to the application of section 16.31, relating to investigations conducted by or on behalf of the CCE, and subsection 19(1) of the *Act* to the records. The PPSC agreed to release some additional information to the applicant. Regarding the remaining information, the OIC agreed that the application of sections 16.31 and 19(1) was appropriate.

There were no recommendations regarding the PPSC's access to information activities raised by other Agents of Parliament in 2018-2019.

The following table summarizes the reasons for the complaints received by the PPSC in fiscal year 2018-2019 as well as the OIC's findings for concluded investigations:

Table 3: Complaints and investigations

Reason for complaint	Number of complaints	Results of investigations			
		Well-founded	Not well-founded	Discontinued	OIC has yet to issue its findings
Refusal – Exemptions	4	2	0	0	2
Refusal – General	2	2	0	0	0
Extension	2	0	0	0	2
Total	8	4	0	0	4

10 Court action

There were no applications for judicial review filed with the Federal Court pursuant to sections 41, 42 and 44 of the *Act* in 2018-2019.

11 Monitoring compliance

The ATIP Office maintains a comprehensive statistical reporting and performance measurement system. The ATIP Manager meets with the ATIP Coordinator weekly on the status of active requests, complaints and any issues that have arisen.

The ATIP Office also provides reports to the PPSC's senior management on its access to information activities, caseload and trends on an *ad hoc* basis.

12 Reading room

Section 8 of the *Regulations* requires that government institutions maintain a reading room where the public can examine records.

The PPSC's main reading room is located at 160 Elgin Street, Ottawa, Ontario. Individuals who wish to examine records must schedule an appointment with the ATIP Office. Individuals located outside of the National Capital Region can make arrangements through the ATIP Office to examine records at one of its regional offices.

13 Appendix A – Delegation order

Access to Information Act and Privacy Act Delegation Order

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

<p>The Director of Public Prosecutions, pursuant to section 73 of the <i>Access to Information Act</i> and section 73 of the <i>Privacy Act</i>, hereby designates the persons holding the positions set out in the schedule hereto to exercise the powers, duties and functions of the Director of Public Prosecutions as the head of the Office of the Director of Public Prosecutions, under the provisions of the Acts and related regulations set out in the schedule opposite each position. This designation replaces all previous delegation orders.</p>	<p>En vertu de l'article 73 de la <i>Loi sur l'accès à l'information</i> et de l'article 73 de la <i>Loi sur la protection des renseignements personnels</i>, la directrice des poursuites pénales délègue aux titulaires des postes mentionnés à l'annexe ci-après les attributions dont la directrice des poursuites pénales est, en qualité de responsable du Bureau du directeur des poursuites pénales, investi par les dispositions des Lois ou de leur règlement mentionnées en regard de chaque poste. Le présent document remplace et annule tout arrêté antérieur.</p>
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Schedule/Annexe

Position/Poste	<i>Access to Information Act and Regulations / Loi sur l'accès à l'information et règlements</i>	<i>Privacy Act and Regulations / Loi sur la protection des renseignements personnels et règlements</i>
Senior Director General, Corporate Services / Directeur général principal, Services ministériels	Full authority/Autorité absolue	Full authority/Autorité absolue
Executive Director, Corporate Planning and External Relations Division / Directeur exécutif, Direction de la planification ministérielle et des relations externes	Full authority/Autorité absolue	Full authority/Autorité absolue
Manager, ATIP, ATIP Office / Gestionnaire, AIPRP, Bureau de l'AIPRP	Full authority/Autorité absolue	Full authority/Autorité absolue

Dated, at the City of Ottawa, this <u>3rd</u> day of <u>October</u> , 2018	Daté, en la ville d'Ottawa, ce <u>3^e</u> jour de <u>octobre</u> 2018
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Kathleen Roussel
Director of Public Prosecutions
Directrice des poursuites pénales

14 Appendix B – Statistical report on the Access to Information Act



Statistical Report on the Access to Information Act

Name of institution: Public Prosecution Service of Canada

Reporting period: 2018-04-01 to 2019-03-31

Part 1: Requests Under the Access to Information Act

1.1 Number of requests

	Number of Requests
Received during reporting period	54
Outstanding from previous reporting period	6
Total	60
Closed during reporting period	42
Carried over to next reporting period	18

1.2 Sources of requests

Source	Number of Requests
Media	25
Academia	3
Business (private sector)	6
Organization	3
Public	7
Decline to Identify	10
Total	54

1.3 Informal requests

Completion Time							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	
62	0	0	0	0	0	0	62

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	3	3	0	0	0	0	0	6
Disclosed in part	2	13	3	3	1	1	2	25
All exempted	0	0	1	1	0	0	0	2
All excluded	0	0	0	0	0	0	0	0
No records exist	3	1	0	0	0	0	0	4
Request transferred	0	0	0	0	0	0	0	0
Request abandoned	3	0	0	0	0	0	0	3
Neither confirmed nor denied	1	1	0	0	0	0	0	2
Total	12	18	4	4	1	1	2	42

2.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	1	16(2)	4	18(a)	0	20.1	0
13(1)(b)	0	16(2)(a)	0	18(b)	0	20.2	0
13(1)(c)	1	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	0	16(2)(c)	1	18(d)	0	21(1)(a)	9
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	12
14	0	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	1
14(a)	0	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	3
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	0
15(1)	1	16.1(1)(d)	0	19(1)	23	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	0	23	14
15(1) - Def.*	0	16.3	0	20(1)(b)	2	24(1)	1
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)	1		
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)	2						
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	4	2	0
Disclosed in part	2	23	0
Total	6	25	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	16	16	6
Disclosed in part	10336	3585	25
All exempted	248	0	2
All excluded	0	0	0
Request abandoned	195	0	3
Neither confirmed nor denied	0	0	2

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	6	16	0	0	0	0	0	0	0	0
Disclosed in part	11	241	7	1063	5	1154	2	1127	0	0
All exempted	1	0	1	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	2	0	1	0	0	0	0	0	0	0
Neither confirmed nor denied	2	0	0	0	0	0	0	0	0	0
Total	22	257	9	1063	5	1154	2	1127	0	0

2.5.3 Other complexities

Disposition	Consultation Required	Assessment of Fees	Legal Advice Sought	Other	Total
All disclosed	0	0	0	5	5
Disclosed in part	5	0	1	14	20
All exempted	0	0	0	2	2
All excluded	0	0	0	0	0
Request abandoned	0	0	0	1	1
Neither confirmed nor	0	0	0	0	0
Total	5	0	1	22	28

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
1	0	1	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	1	1
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	1	1

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	0	0	0
Disclosed in part	8	0	6	0
All exempted	0	0	2	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	1	0
Total	8	0	9	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	4	0	2	0
31 to 60 days	3	0	2	0
61 to 120 days	1	0	1	0
121 to 180 days	0	0	0	0
181 to 365 days	0	0	4	0
365 days or more	0	0	0	0
Total	8	0	9	0

Part 4: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Number of Requests	Amount	Number of Requests	Amount
Application	53	\$265	1	\$5
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	53	\$265	1	\$5

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	32	2,246	0	0
Outstanding from the previous reporting period	5	687	0	0
Total	37	2933	0	0
Closed during the reporting period	35	2928	0	0
Pending at the end of the reporting period	2	5	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	13	2	1	0	0	0	0	16
Disclose in part	7	5	3	1	1	0	0	17
Exempt entirely	1	0	0	0	0	0	0	1
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	1	0	0	0	1
Total	21	7	4	2	1	0	0	35

5.3 Recommendations and completion time for consultations received from other organizations

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	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
4	1	0	5

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		\$215,857
Overtime		\$0
Goods and Services		\$1,345
• Professional services contracts	\$0	
• Other	\$1,346	
Total		\$217,213

9.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	2.36
Part-time and casual employees	0.09
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
Total	2.45

Note: Enter values to two decimal places.