



The Correctional Investigator  
Canada

L'Enquêteur correctionnel  
Canada

**Annual Report to Parliament**  
**on the**  
***Access to Information Act***

**April 1, 2015 to March 31, 2016**

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## **INTRODUCTION**

The Office of the Correctional Investigator is pleased to submit to Parliament its Annual Report on the administration of the *Access to Information Act (ATIA)* for the fiscal year commencing on April 1, 2015 and ending March 31, 2016. This report is submitted in accordance with section 72 of the *Act*. This report is tabled in Parliament by the Minister of Public Safety and Emergency Preparedness.

The *Access to Information Act* took effect on July 1, 1983. The *ATIA* gives Canadian citizens, permanent residents and any person and corporation present in Canada a right of access to information contained in government records, subject to certain specific and limited exceptions.

## **OUR MANDATE**

The Office of the Correctional Investigator is mandated by Part III of the *Corrections and Conditional Release Act* as an Ombudsman for federal offenders. The primary function of the Office is to investigate and bring resolution to individual offender complaints. The Office as well, has a responsibility to review and make recommendations on the Correctional Service's policies and procedures associated with the areas of individual complaints to ensure that systemic areas of concern are identified and appropriately addressed.

## **OUR MISSION**

As the ombudsman for federally sentenced offenders, the Office of the Correctional Investigator serves Canadians and contributes to safe, lawful and humane corrections through independent oversight of the Correctional Service of Canada by providing accessible, impartial and timely investigation of individual and systemic concerns. While an independent organization, the Office of the Correctional Investigator is part of the Public Safety and Emergency Preparedness Portfolio.

## ACCESS TO INFORMATION ACTIVITIES

The Minister of Public Safety and Emergency Preparedness is the designated head of the institution for the *Access to Information Act*. The Correctional Investigator has been delegated full authority under the *Access to Information Act* by the Minister. Full authority under the *Act* has also been delegated to the Access to Information and Privacy Coordinator. The delegation of authority to administer the *Act* was confirmed by the Minister of Public Safety and Emergency Preparedness on November 30, 2015 (see Appendix B).

While the responsibilities of ATIP Coordinator are assigned to the Director of Corporate Services and Planning, the actual processing of requests and any associated activities are generally carried out by a consultant. Given the limited number of requests, it is felt that this is the most cost effective utilization of resources and delivery of these activities.

The ATIP Coordinator is accountable for the development, coordination and implementation of effective policies, guidelines, systems and procedures to ensure the responsibilities under the *Access to Information Act* are met and to enable appropriate processing and proper disclosure of information. The Coordinator is also responsible for related policies, systems and procedures emanating from the *Act*.

The main activities of the ATIP Coordinator include:

- Processing requests under the *Act*;
- Developing and maintaining policies, procedures and guidelines to ensure the *Act* is respected;
- Promoting awareness of the *Act* to ensure the OCI's responsiveness to the obligations imposed on the government;
- Monitoring the OCI's compliance with the *Act*, regulations and relevant procedures and policies;
- Preparing annual reports to Parliament and other statutory reports, as well as other material that may be required by central agencies;
- Representing the OCI in dealings with the Treasury Board Secretariat, the Information Commissioner and other government agencies regarding the application of the *Act* as they relate to the OCI; and

- Supporting the OCI in meeting its commitments in relation to greater openness and transparency through proactive disclosure of information and the disclosure of information through informal avenues.

During the Reporting Period:

Eleven (11) requests were received and three (3) were outstanding from the previous reporting period for a total of fourteen (14) requests. Seven (7) of these requests were disclosed in part, one (1) was disclosed entirely, three (3) were abandoned, one (1) was exempted in its entirety, none were transferred and one (1) was carried forward to the next reporting period. All but one (1) request was processed within the legislative time frame. Extensions were needed for eight (8) of the requests. There were no significant issues surrounding these eleven (11) requests.

Monitoring, by the ATIP Coordinator, of the time required to process these access requests was completed in preparing the historical trend analysis in this report; moreover, discussions with the consultant on this matter took place monthly with a view to improving response times. A clear improvement in this regard was noted over 2014-15.

A formal training session on “The Need to Know” was provided during the reporting period; a practical document entitled “ATIP Best Practices” was also shared with staff. Approximately 90% of staff attended all training. All training material is provided to staff following the session so that those who did not attend have access to it. Moreover, advice, guidance and recommendations were provided by the consultant on an as required basis to Management and staff.

There were no new OCI-specific access related procedures, policies or guidelines implemented. However, the customization and implementation of an electronic ATIP system was completed during the reporting period.

The OCI did not receive any complaints.

For 2015-16, the costs directly associated with the administration of the *Access to Information Act* are estimated at \$30,471.

Staff	\$6,092
Consultant fees	\$24,379

The associated employee resources for 2015-16 are estimated at 0.50 FTE for administering the *Access to Information Act*.

## HISTORICAL TREND ANALYSIS

Over a five year period, from 2011-12 to 2015-16, the OCI received an average of fourteen (14) requests annually; the lowest number of requests received in a reporting period was eight (8) and the highest number of requests received in a reporting period was seventeen (17). Over the last five years the OCI has maintained a 72.45% completion rate of requests processed between 1-60 days. The average completion time within 30 days was 47% of all requests; and, the average completion time within 60 days was 26% of all requests.

The Source of the Requests was most often the Public with an average of eight (8) requests followed by the Media with an average of four (4) requests. With regards to the number of pages processed, an average of three thousand six hundred and eighty-seven (3,687) was recorded; the highest number of pages processed in a reporting period was four thousand eight hundred and thirty-four (4,834); the lowest number of pages processed in a reporting period was two thousand two hundred and forty-one (2,241).

The most frequently used exemptions were:

- 19(1): 45%
- 16(1)(d): 16%
- 21(1)(b): 10%
- 16(1)(a): 7%

A total of thirty-nine (39) extensions for consultations were recorded for an average of eight (8) extensions per reporting period; the highest number of extensions in one reporting period was ten (10); the lowest number of extensions in one reporting period was four (4).

A total of thirty-six (36) consultations were received from other government organizations for an average of seven (7) consultations per reporting period.

This baseline data will continue to be used in future years to assess trends, inform ongoing improvement in the processing of ATI requests and implementing corrective measures where necessary.

# APPENDIX A

## Statistical Report



## Statistical Report on the Access to Information Act

Name of institution: Office of the Correctional Investigator

Reporting period: 2015-04-01 to 2016-03-31

### Part 1: Requests Under the Access to Information Act

#### 1.1 Number of requests

	Number of Requests
Received during reporting period	11
Outstanding from previous reporting period	3
<b>Total</b>	<b>14</b>
Closed during reporting period	13
Carried over to next reporting period	1

#### 1.2 Sources of requests

Source	Number of Requests
Media	4
Academia	0
Business (private sector)	0
Organization	2
Public	5
Decline to Identify	0
<b>Total</b>	<b>11</b>

#### 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	
10	0	0	0	0	0	0	10

**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							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	
All disclosed	0	0	1	0	0	0	0	1
Disclosed in part	0	1	3	2	1	0	0	7
All exempted	0	1	0	0	0	0	0	1
All excluded	0	0	0	0	0	0	0	0
No records exist	1	0	0	0	0	0	0	1
Request transferred	0	0	0	0	0	0	0	0
Request abandoned	2	1	0	0	0	0	0	3
Neither confirmed nor denied	0	0	0	0	0	0	0	0
<b>Total</b>	<b>3</b>	<b>3</b>	<b>4</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>13</b>

### 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)	1	20.1	0
13(1)(b)	0	16(2)(a)	0	18(b)	0	20.2	0
13(1)(c)	0	16(2)(b)	1	18(c)	0	20.4	0
13(1)(d)	0	16(2)(c)	1	18(d)	0	21(1)(a)	2
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	1
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)	9	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	0	23	0
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	2				
16(1)(b)	2						
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	1	0	0
Disclosed in part	6	1	0
<b>Total</b>	<b>7</b>	<b>1</b>	<b>0</b>

## 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	1110	1110	1
Disclosed in part	3464	2991	7
All exempted	54	0	1
All excluded	3	0	0
Request abandoned	0	0	3
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	0	0	0	0	0	0	1	1110	0	0
Disclosed in part	2	67	3	537	1	327	1	2060	0	0
All exempted	1	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	3	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>6</b>	<b>67</b>	<b>3</b>	<b>537</b>	<b>1</b>	<b>327</b>	<b>2</b>	<b>3170</b>	<b>0</b>	<b>0</b>

### 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	7	0	0	0	7
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	1	0	0	1
Neither confirmed nor	0	0	0	0	0
<b>Total</b>	<b>7</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>8</b>

### 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	0	0	1

#### 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	1	1
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
<b>Total</b>	<b>0</b>	<b>1</b>	<b>1</b>

### 2.7 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>

## 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	1	0	0	0
Disclosed in part	2	0	5	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
<b>Total</b>	<b>3</b>	<b>0</b>	<b>5</b>	<b>0</b>

### 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	2	0	3	0
31 to 60 days	1	0	2	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
<b>Total</b>	<b>3</b>	<b>0</b>	<b>5</b>	<b>0</b>

## Part 4: Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Number of Requests	Amount	Number of Requests	Amount
Application	9	\$45	3	\$15
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
<b>Total</b>	<b>9</b>	<b>\$45</b>	<b>3</b>	<b>\$15</b>

## 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	7	257	0	0
Outstanding from the previous reporting period	0	0	0	0
<b>Total</b>	7	257	0	0
Closed during the reporting period	7	257	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	3	0	0	0	0	0	0	3
Disclose in part	2	0	0	0	0	0	0	2
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	2	0	0	0	0	0	0	2
<b>Total</b>	7	0	0	0	0	0	0	7

### 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
<b>Total</b>	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
<b>Total</b>	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
<b>Total</b>	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**

<b>Expenditures</b>		<b>Amount</b>
Salaries		\$6,092
Overtime		\$0
Goods and Services		\$24,379
• Professional services contracts	\$24,379	
• Other	\$0	
<b>Total</b>		<b>\$30,471</b>

**9.2 Human Resources**

<b>Resources</b>	<b>Person Years Dedicated to Access to Information Activities</b>
Full-time employees	0.25
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.25
Students	0.00
<b>Total</b>	<b>0.50</b>

**Note:** Enter values to two decimal places.

# APPENDIX B

## Delegation Order



Access to Information Act Delegation Order

Arrêté sur la délégation en vertu de la  
Loi sur l'accès à l'information

The Minister of Public Safety and Emergency Preparedness, pursuant to section 73 of the Access to Information Act, hereby designates the persons holding the positions set out in the schedule hereto to exercise the powers and perform the duties and functions of the Minister as head of a government institution, that is, the Office of the Correctional Investigator, under the sections of the Act set out in the schedule opposite each position.

En vertu de l'article 73 de la Loi sur l'accès à l'information, le Ministre de la Sécurité publique et de la Protection civile délègue aux titulaires des postes mentionnés à l'annexe ci-après les attributions dont il est, en qualité de responsable d'une institution fédérale, c'est à dire, Bureau de l'enquêteur correctionnel, investi par les articles de la Loi mentionnés en regard de chaque poste.

Schedule

Annexe

Position

Sections of the Access to Information Act and  
Regulations

Poste

Articles de la Loi sur l'accès à l'information et  
Règlement

Correctional Investigator  
Enquêteur correctionnel

Full Authority  
Autorité absolue

Executive Director and General Counsel  
Directeur exécutif et avocat général

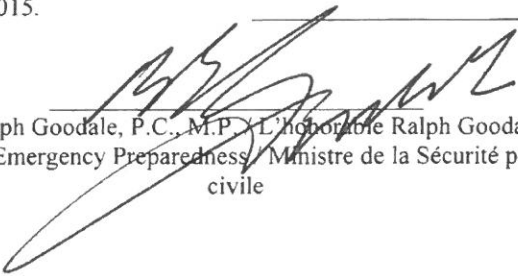
Full Authority  
Autorité absolue

Access to Information and Privacy Coordinator  
Coordonnateur, accès à l'information et protection  
des renseignements personnels

Full Authority  
Autorité absolue

Dated at the City of Ottawa this 30th day of  
Nov, 2015.

Daté en la ville d'Ottawa ce \_\_\_\_ ième jour de  
\_\_\_\_, 2015

  
The Honourable Ralph Goodale, P.C., M.P. / L'honorable Ralph Goodale, C.P., député  
Minister of Public Safety and Emergency Preparedness / Ministre de la Sécurité publique et de la Protection  
civile