



Department of Justice
Canada

Ministère de la Justice
Canada

ANNUAL REPORT TO PARLIAMENT 2022-2023

Access to Information Act

Information contained in this publication or product may be reproduced, in part or in whole, and by any means, for personal or public non-commercial purposes, without charge or further permission, unless otherwise specified.

You are asked to:

exercise due diligence in ensuring the accuracy of the materials reproduced;

indicate both the complete title of the materials reproduced, as well as the author organization; and

indicate that the reproduction is a copy of an official work that is published by the Government of Canada and that the reproduction has not been produced in affiliation with, or with the endorsement of the Government of Canada.

Commercial reproduction and distribution is prohibited except with written permission from the Department of Justice Canada. For more information, please contact the Department of Justice Canada at: www.justice.gc.ca.

© His Majesty the King in Right of Canada, represented by the Minister of Justice and Attorney General of Canada, 2023

ISSN 2369-2618

Cat. No. J1-15E-PDF

Table of Contents

INTRODUCTION	2
Purpose of the <i>Access to Information Act</i>	2
Mandate of the Department of Justice	2
ORGANIZATIONAL STRUCTURE	2
DELEGATION ORDER	4
PERFORMANCE AND STATISTICS	4
The ATIP Office post COVID-19 Pandemic	4
Number of Requests	5
Compliance Rate, Completion Times and Extensions	5
Deemed Refusal Rate	7
Outstanding Requests	7
Disposition of Completed Requests	8
Requests, Exemptions and Exclusions	8
Informal Requests	9
Sources and Types of Requests	10
Format of Information Released	10
Consultations	10
Active Complaints	11
Fees and Costs	12
TRAINING AND AWARENESS ACTIVITIES	12
POLICIES, GUIDELINES, PROCEDURES AND INITIATIVES	13
Advice	14
COMPLAINTS, INVESTIGATIONS AND FEDERAL COURT CASES	14
Complaints Filed	14
Completed investigations	14
Review by the Federal Court of Canada	15
MONITORING COMPLIANCE	15
ANNEX A – DELEGATION ORDER	16
ANNEX B – ANNUAL STATISTICAL REPORT	17

INTRODUCTION

We are pleased to table the Annual Report to Parliament on the administration of the *Access to Information Act* (the *Act*) for fiscal year 2022-2023, as required under section 94 of the *Act*. This report is also prepared and tabled in accordance with section 20 of the *Service Fees Act*.

Purpose of the *Access to Information Act*

The *Act* was proclaimed into force on July 1, 1983.

The *Act* gives Canadian citizens, permanent residents and any person and corporation present in Canada the right to seek access to federally-controlled information and records, subject to specific and limited exceptions. The *Act* complements but does not replace existing procedures for obtaining government information. It is not intended to limit in any way the access to government information that is normally available to the public upon request. Section 94 of the *Act* requires that the head of every government institution prepare for submission to Parliament an annual report on the administration of the *Act* within the institution during each fiscal year.

This 40th Annual Report on the administration of the *Act* is intended to describe how the Department of Justice (hereinafter referred to as “the Department”) administered its responsibilities during the 2022-2023 fiscal year (hereinafter “during the reporting period”).

Mandate of the Department of Justice

The Department of Justice has the mandate to support the dual roles of the Minister of Justice and the Attorney General of Canada.

Under Canada's federal system, the administration of justice is an area of shared jurisdiction between the federal government and the provinces and territories. The Department supports the Minister of Justice in his responsibilities for 49 statutes and areas of federal law by ensuring a bilingual and bijural national legal framework principally within the following domains: criminal justice (including youth criminal justice), family justice, access to justice, Aboriginal justice, public law and private international law.

The Department also supports the Attorney General as the chief law officer of the Crown, both in terms of the ongoing operations of government and of the development of new policies, programs and services for Canadians. The Department provides legal advice to the Government and federal government departments and agencies, represents the Crown in civil litigation and before administrative tribunals, drafts legislation and responds to the legal needs of federal departments and agencies.

ORGANIZATIONAL STRUCTURE

The Access to Information and Privacy (ATIP) Office is responsible for the administration of the *Act* including the processing of access to information and privacy requests and complaints, and consultations with other government departments and third parties, and monitoring compliance to meet statutory obligations and timelines.

In 2022-23, the Director of the ATIP Office reported to the Chief Information Officer of the Information Solutions Branch under the direction of the Assistant Deputy Minister and Chief Financial Officer of the Management Sector. The Director is accountable for the development, coordination and implementation of effective policies, guidelines, systems and procedures to efficiently process requests under the *Act*.

During the reporting period, the Department's ATIP Office had a total of 29.019 full-time equivalent (FTE) positions working on access to information requests and privacy files. Of which 2 FTE is professional services.

The ATIP Office staffing structure consists of one director, one legal counsel, five managers, two team leaders, five senior advisors, eight analysts, three intake officers, one administrative assistant and one system administrator.

The ATIP Office is organized into three units:

- The Operational Unit works with the department to process incoming access to information and privacy requests.
- The Privacy, Policy and Programs Unit develops ATIP policies, provides advice on privacy related matters, updates annual reports and other statutory reports.
- The Complaints Unit processes complaints and works closely with the Office of the Information Commissioner (OIC) and the Office of the Privacy Commissioner (OPC).

In addition, the ATIP Office is currently working on modernizing its ATIP management system in order to achieve better performance and is building a team with information technology experts. The team will prepare and better assist the transition to the new platform.

Under section 96 of the *Act* institutions reporting to the same minister can partner to share request-processing services. The Department of Justice has not entered into any such service sharing agreements.

The Department's ATIP Office is comprised of a dedicated workforce committed to access to information and the protection of privacy. This work includes:

- The timely processing of requests under the *Act* and assisting clients in accordance with the principles for assisting applicants.
- Processing consultation requests submitted by other federal institutions on Department of Justice documents located in their files and on records that may be subject to solicitor-client privilege.
- Providing advice and guidance to senior management and all employees of the Department on ATIP-related matters, as well as training and awareness sessions.
- Responding to complaints and negotiating with the Information Commissioner and Privacy Commissioner.
- Liaison on behalf of the Department with the Treasury Board Secretariat (TBS), the Information and Privacy Commissioners of Canada and other government departments

and agencies regarding the application of the *Act*;

- Coordinating, reviewing, approving and publishing statutory reports such as the Annual Reports to Parliament;
- Developing, coordinating and implementing policies, procedures and guidelines for the orderly implementation of the *Act* by the Department;
- Modernizing ATIP processes and the ATIP Management Technologies by building a small team that evaluates new digital solutions that can reduce business processes, reduce time needed for requests, increase quality and helps all stakeholders more easily engage in the process.

The work of the ATIP Office is supported by 26 offices of primary interest (OPIs) within the Department. These offices are responsible for locating and providing the records responsive to requests and providing recommendations about the disclosure of records in compliance with the provisions of the *Act*.

DELEGATION ORDER

The ATIP Director has full authority delegated by the Minister for the administration of the *Act*. For the purpose of increased executive oversight, full authority is also conferred to the Deputy Minister, the Associate Deputy Minister, the Assistant Deputy Minister and Chief Financial Officer, Management Sector, and the Chief Information Officer. A copy of the Department's Delegation Order can be found in Annex A of this report.

PERFORMANCE AND STATISTICS

The Department is committed to transparency and accountability under the *Act* and continues to work to improve its performance to deliver the highest standards of service for access to information requests. The Department's performance for this reporting year should be understood within the context of the pandemic and its ongoing impact on ATIP operations. For additional statistics, a copy of the Department's annual Statistical Report for fiscal year 2022-2023 is included in Annex B of this report.

The ATIP Office post COVID-19 Pandemic

- ATIP employees have returned on-site in a hybrid model in September 2022. The Department continues to use its mechanism to facilitate the collection, consultation and processing of sensitive information electronically even with the return to work.
- The Department has continued to meet its publication requirements in this reporting period. The Department has published [briefing material titles](#) submitted to the Minister and Deputy Minister on a monthly basis as well as the summaries of the completed requests on the [Open Government Portal](#), thereby continuing to improve communication with applicants and promoting transparency.
- The Department continued to use the Microsoft Office 365 tools, to communicate internally and engage with key stakeholders. The ATIP office also uses these tools for the transfer of information with the OPIs to allow for business continuity following the

pandemic.

- To better serve our clients, the Department is part of the [Access to Information and Privacy Online Request Service](#). Our clients can submit requests under the *Act* through this online channel administered by TBS.
- The pandemic substantially reduced the paper consumption. During this reporting period, the office mostly receives electronic requests and records, as well as provides release packages electronically to applicants in almost all cases as the office continued to use the delivery via Epost Connect, which was implemented in February 2020.

Number of Requests

Overview of requests received and completed by the Department pursuant to the *Act*:

<i>Fiscal Year</i>	<i># of Requests Received</i>	<i># of Requests Completed</i>	<i># of Pages Processed</i>	<i># of Pages Released</i>
2022-23	392	308	76,344	21,074
2021-22	440	403	143,828	14,763
2020-21	477	436	174,615	22,707

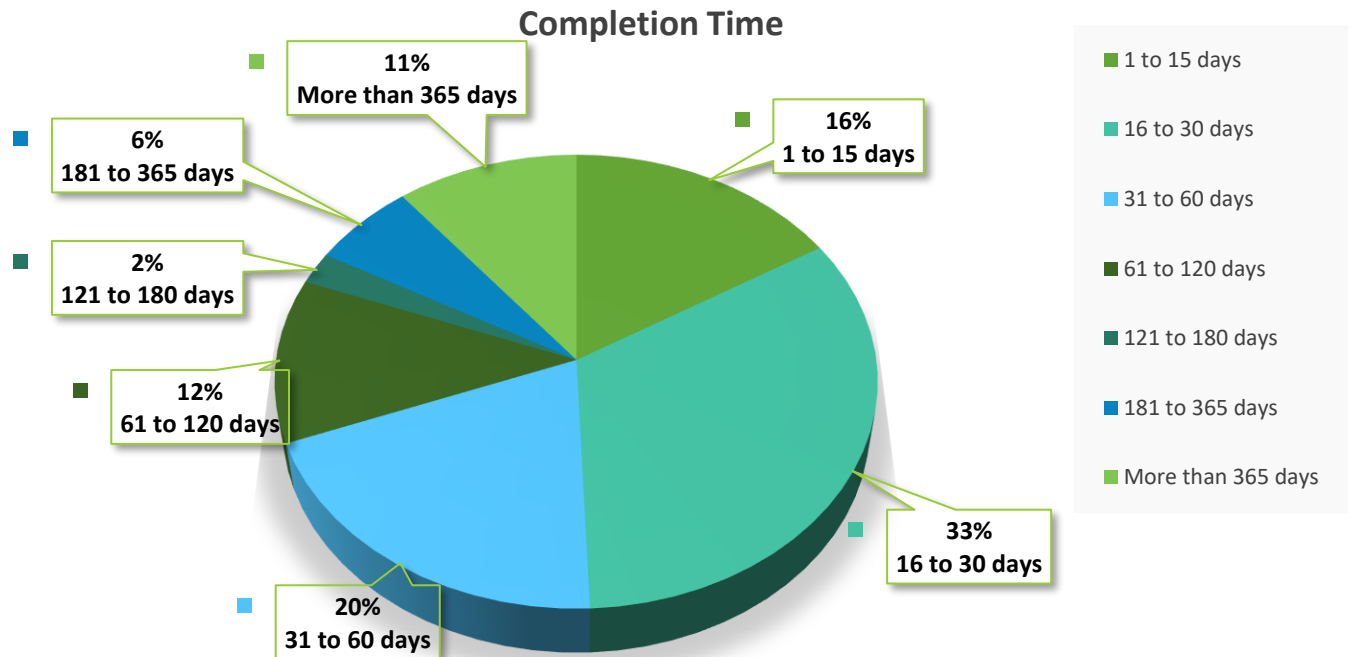
The Department received 392 requests during the reporting period, a decrease of 11 % compared to the previous reporting period. In addition, 365 outstanding requests from previous years were carried over for a total of 757 active requests in 2022-2023.

During the reporting period, 308 requests were completed, a small decrease compared to the previous reporting period. In addition, 449 requests were carried-forward into fiscal year 2023-2024. Responding to formal access to information requests involved the review of 76,344 pages, of which 21,074 pages were partially disclosed. The number of pages processed in this reporting period only captures pages from closed files. In 2022-2023, a large number of pages were processed on files that are not yet closed, these will be captured in future reports. Additionally, 127,491 pages were processed and released informally.

Compliance Rate, Completion Times and Extensions

Of the 308 requests, 214 requests (69.5%) were completed within the legislated timelines under the *Act*. During the reporting period, the Department was able to close a total of 50 requests in 15 days or less (16%), 102 requests within 16 to 30 days (33 %), 61 requests within 31-60 days

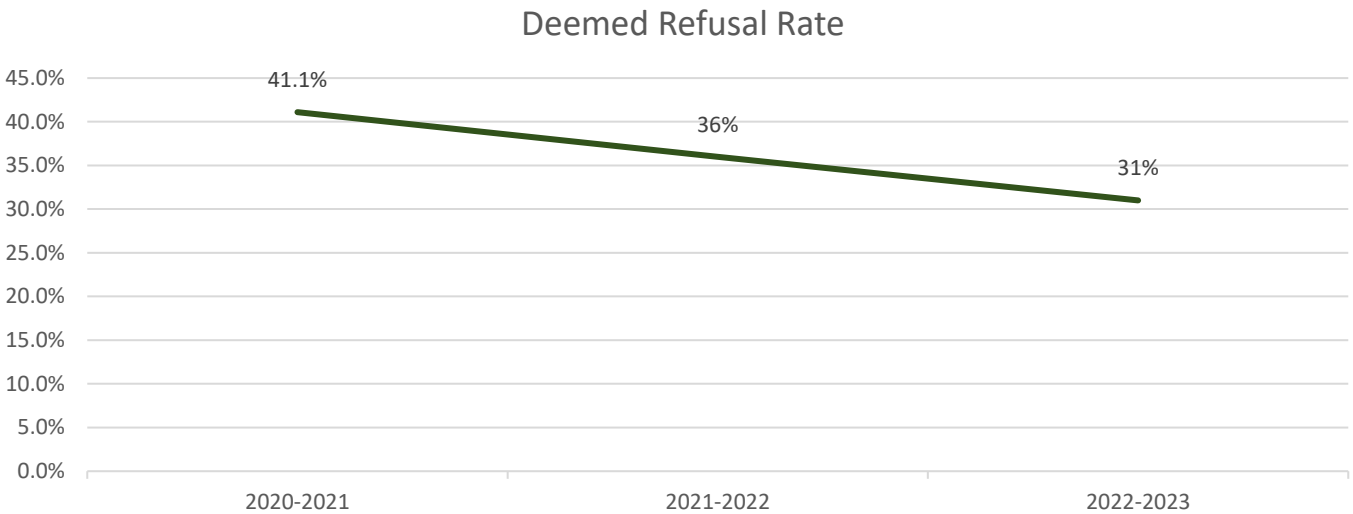
(20 %), 36 requests within 61-120 days (12 %), 7 requests within 121-180 days (2%), 19 requests within 181-365 days (6%), and 33 requests took over 365 days to complete (11%). The chart below represents the number of requests completed (with percentage) per completion time for all completed requests.



The Department found it necessary to seek extensions in 139 requests of which 58 extensions were taken under section 9(1)(a) for interference with operations, 79 extensions were invoked under section 9(1)(b) for required consultations, and 2 extensions were taken under section 9(1)(c) for third party consultations.

Deemed Refusal Rate

The Department's deemed refusal rate in this reporting period (i.e., the percentage of Access to Information requests that received a response beyond the deadline required under the Act) was 31%, which means that 94 requests were closed past legislative timelines. The deemed refusal rate for the 2022-2023 reporting period decreased by 5% compared to the 2021-2022 reporting period.



Outstanding Requests

TBS collects statistical data from specific institutions (the Department is one of these) on the volume of their outstanding access to information requests and requests for personal information. The department carried-forward 449 requests or 60% of requests over to the next reporting period.

The Department saw an increase of 194% in closed complaints. The ATIP office has dedicated and prioritized these files during the reporting period. This significantly decreased the number of files carried forward as the 115 closed complaints represent a large volume of files completed within the institution.

Fiscal year open requests were received	Open requests that are within legislated timelines as of March 31, 2022	Open requests that are beyond legislated timelines as of March 31, 2022	Total
Received in 2022-2023	89	360	449
Received in 2021-2022	75	81	156
Received in 2020-2021	3	77	80
Received in 2019-2020	1	71	72

Received in 2018-2019	0	36	36
Received in 2017-2018	0	16	16
Received in 2016-2017	0	3	3
Received in 2015-2016 or earlier	0	2	2
Total	168	646	814

Disposition of Completed Requests

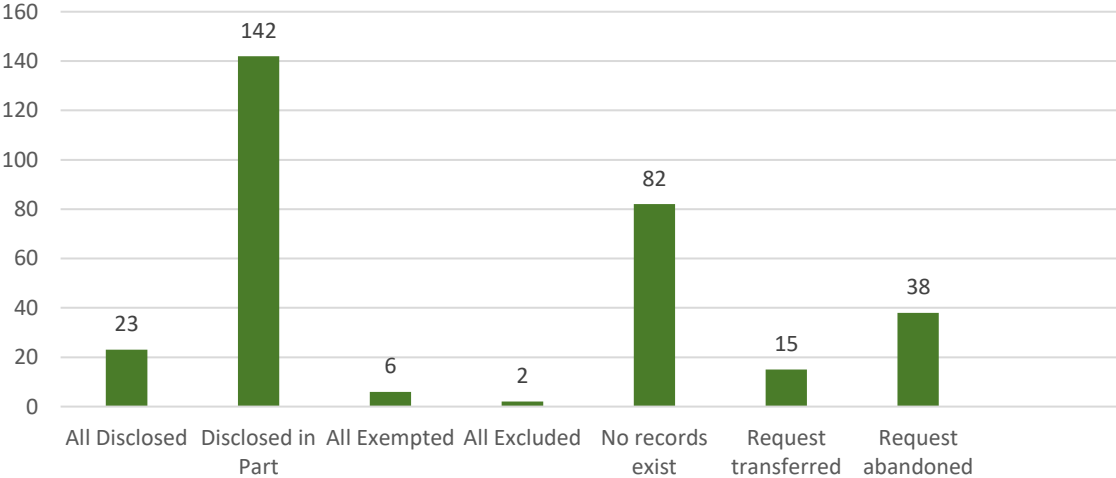
Of the 308 requests completed this reporting period:

- 82 requests (27%) the Department did not have responsive records to provide; and
- 38 requests (12%) were abandoned by the applicant.

The remaining 188 requests were completed as follows:

- 23 requests (7.5%) were fully disclosed;
- 142 requests (46%) were partially disclosed;
- 6 requests (2%) were exempted in their entirety;
- 2 requests (less than 1%) were neither confirmed nor denied; and
- 15 requests (5%) were transferred to other government departments.

Disposition of completed requests



Requests, Exemptions and Exclusions

Exemptions invoked

The Department used exemptions 461 times under the *Act* for 308 requests. The majority of exemptions invoked fell under three sections of the *Act*:

- Section 21, which exempts information relating to the internal decision-making processes of government was used in 136 files;
- Section 23, which exempts information relating to solicitor-client privilege, was used in

- 109 files; and
- Section 19, which exempts personal information, was used in 77 files.

Of note, more than one section of the *Act* (exemption) can be applied to a specific access request. For further details regarding the exemptions invoked during the fiscal reporting year, please refer to the Statistical Report in Annex B of this report.

Exclusions Cited

Exclusions were invoked in 13 requests pursuant to section 68 of the *Act* (published material or material available for purchase by the public) and in 62 requests pursuant to section 69 (confidences of the Queen's Privy Council for Canada) of the *Act*.

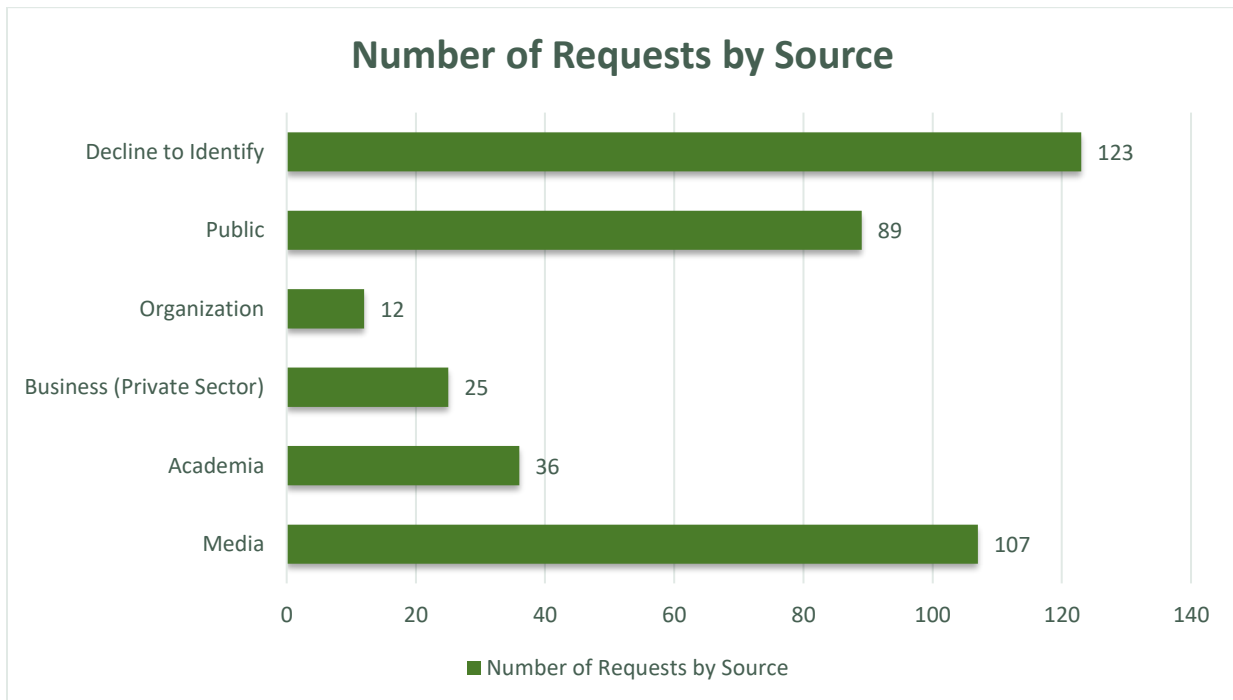
Informal Requests

The Department proactively publishes on the [Open Government Portal](#) summaries of completed access to information requests that do not contain personal or third party information. Members of the public can submit informal requests for a copy of the previously released information without having to pay the application fee.

During the 2022-2023 reporting period, the ATIP Office received 272 informal requests, 37 were outstanding from previous reporting periods for a total of 309 informal requests. The ATIP Office completed 297 requests, which represents an increase of 6% from the 280 informal requests completed during the 2021-2022 reporting period. The ATIP Office re-released 152,622 pages which is a significant increase from the last reporting year of 35,848 pages. This number does not include emails or telephone calls from potential applicants who the ATIP Office responded to or redirected to other institutions.

Sources and Types of Requests

During the 2022-2023 reporting period, the Department received the majority (81%) of its 392 access to information requests from three sources: 123 requesters who declined to identify themselves (31%), 107 requests by the media (27%), and 89 requests by members of the public (23%).



Format of Information Released

Most applicants chose to receive information in an electronic format at no extra charge as the Department continued to use the delivery via Epost Connect, a service offered at no charge to the applicant and is now the office's primary method of record delivery. It allows for secure delivery of records in an electronic format and circumvents the issue of email size restrictions and the need for the recipient to have a compatible device to access the records.

Consultations

During the 2022-2023 reporting period, the Department received 246 consultations from other government institutions and 4 from organizations for a total of 250 consultations for records relating to the Department's activities. There were 89 consultations outstanding from previous years, which were carried over for a total of 335 consultations from other government institutions and 4 from other organizations to process.

<i>Fiscal Year</i>	# of Requests Received	# Pages to review	# of Requests Completed	# of Pages Reviewed
2022-2023	250	20,614	236	9,885
2021-2022	211	4,093	209	4,988
2020-21	167	3,372	188	11,347
2019-20	512	12,837	484	16,324

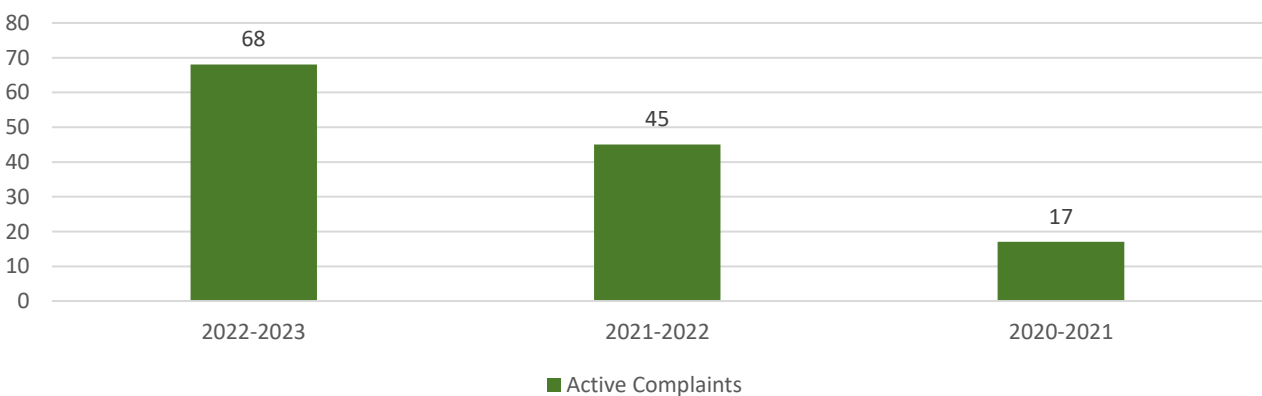
Of the 335 consultations, 233 were completed during the reporting period (9,873 pages) and the remaining 102 were carried forward to be completed in fiscal year 2023-2024 which represents an increase of 14% over last fiscal year. The completion times for the 233 consultations were the following:

- 56 consultations were completed between 1 to 30 days;
- 53 were completed within 31-60 days;
- 42 were completed between 61 to 120 days; and
- the remaining 82 were completed past 121 days.

Active Complaints

The chart below represents the number of active complaints with the OIC that are outstanding from previous reporting periods, broken down by fiscal year in which they were received. A total of 68 complaints remain active after the 2022-2023 reporting period. Most complaints that remain active were received in the last two reporting periods, 2021-2022 and 2020-2021.

Active Complaints



Fees and Costs

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

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*.

Fees Collected

In accordance with the *Interim Directive on the Administration of the Access to Information Act*, issued on May 5, 2016, and the changes to the *Act* that came into force on June 21, 2019, the Department may only charge an application fee of \$5.00, as set out in paragraph 7(1)(a) of the Regulations. During the 2022-2023 reporting period, the Department collected the application fee in 229 requests for a total revenue of \$1,145 with refunds for 77 requests for a total of \$385.

Fees Waived

Pursuant to section 11 of the *Act*, institutions can waive the application fee as deemed appropriate. In addition, the department waives all fees, other than the \$5 application fee, that may have been applicable to requests received prior to June 21, 2019. This is in accordance with the *Interim Directive on the Administration of the Access to Information Act* that was in effect May 5, 2016, to July 12, 2022. During the 2022-2023 reporting period, fees were waived for 86 requests.

Cost of Operating the Program

The total cost for administering the *Act* during the 2022-2023 reporting period was \$2,839,392. This cost includes \$2,300,852 in salaries and overtime, as well as operating costs totaling \$538,540, which include \$507,981 in professional service contracts.

These costs do not include resources expended by the Department's other sectors to meet the requirements under the *Act*.

TRAINING AND AWARENESS ACTIVITIES

The employees of the ATIP office regularly provide advice and informal training on the application of ATIP legislation to departmental employees who must review relevant records requested under the *Act*.

Formal awareness information sessions are offered to other sectors within the Department in order to address the specific business and operational needs of the individual groups. Particular emphasis is placed on those aspects of the *Act* that are directly related to the employees' areas of responsibility.

The Centre for Information and Privacy Law (CIPL), in the Public Law and Legislative Sector of the Department, is responsible for providing legal advice to all departments on the interpretation and application of the *Access to Information* and *Privacy Act*. It also offered training to

departmental employees, including through the Department's Learning Program and to employees from other government departments:

- Fundamentals of Solicitor-Client Privilege in the Government Context – 1 session – 105 participants
- ATIP Fundamentals for Litigators – 2 sessions – 73 participants
- Introduction to *Privacy Act* – 1 session – 18 participants
- Introduction to the Access to Information – 2 sessions – 185 participants

The ATIP Fundamentals Course (COR502) at the Canada School of Public Service was also completed by 124 employees for the 2022-2023 reporting period.

ATIP training is part of the recommended courses under the values and ethics component of the Department's Roadmap for new managers. An electronic orientation deck is posted on the Department's Intranet site as a resource for employees.

ATIP employees participated in collective awareness sessions with ATIP counsel to review recent jurisprudence and case law related to the *Act*. The ATIP counsel participated in monthly ATIP Practice Group meetings during which information was exchanged and viable solutions proposed. The Practice Group is open to all departmental counsel, including those from Legal Services Units, and its mandate is to discuss questions such as the right of access to information or privacy issues.

In addition to mentorship and partnership relationships, workshops and presentations were regularly provided within the ATIP Office on various topics concerning the application of the *Act* and related policy and procedures. This allowed ATIP employees to benefit from each other's respective levels of experience and knowledge. In addition, internal training initiatives offered to the ATIP staff this year included proactive publication workshops offered by an experienced manager within the ATIP team.

Finally, ATIP employees participated in training sessions, conferences and seminars organized by the TBS or by various associations on matters relating to both access and privacy. These exchanges provided updates for employees in the development of ATIP and upcoming trends in this area.

POLICIES, GUIDELINES, PROCEDURES AND INITIATIVES

- The Department monitored guidelines and service standards for the federal government ATIP community that clarify the ATIP Office's role in requests that have been received by other federal government institutions pursuant to the *Act*.
- The Department participated in inter-departmental working groups on ATIP related matters, mostly led by the TBS, to remain up to dated on changes to TBS policies, guidelines and directives.
- The Department continued to develop internal guidance documents, internal procedures

and tools to ensure consistency within the office and document best practices and lessons learned. In addition, the Department continued to share best practices with other government institutions.

- The Department met its obligations under Part II – proactive publication.
- The Department promoted the rights to Access to Information during annual awareness events such as the Right to Know Week.

Advice

The ATIP Office acted as a resource on several occasions for departmental officials, as well as those from other government institutions, offering advice and guidance on the provisions of the legislation and related policies.

COMPLAINTS, INVESTIGATIONS AND FEDERAL COURT CASES

Complaints Filed

The ATIP Office created a dedicated team to manage complaints which serves as the primary liaison between the Department and the OIC. The team continues to work to strengthen relationships and improve the Department's ATIP program performance.

During the 2022-2023 reporting period, the Department received 52 new Notices of Intention to investigate from the OIC, which represents a 13% decrease relative to the 2021-2022 reporting period in which 60 notices were received. The reasons for the complaints were as follows:

- 25 related to delay
- 2 related to the extension
- 5 reasonable search
- 1 was miscellaneous;¹ and
- 19 concerned the exemption or exclusion of information

Completed investigations

A total of 115 investigations were completed during the reporting period, some of which had been carried forward from previous years. This represents a significant increase (195%) compared to last reporting period where only 39 investigations were completed. Of the 115 investigations, nine complaints were well founded with recommendations, 23 were well founded without recommendation, 14 were not well founded, 63 were discontinued, and six were resolved. No key issues were raised as a result of these complaints.

¹ A [miscellaneous complaint](#) is defined by the Office of the Information Commissioner as any matter “related to requesting or obtaining access to records under the *Access to Information Act*. For instance, you disagree with the format or language in which the institution provided the records”.

Complaint findings are defined as follows:

Well founded with recommendations: If the head of the institution accepted the OIC recommendations and remedial action was taken by the institution to the satisfaction of the OIC, the matter is considered resolved and no further action by the OIC is necessary;

Well founded without recommendations: The institution took remedial action to the satisfaction of the OIC during the course of the investigation. The OIC did not need to provide a recommendation to the head of the institution.

Well founded with order: The OIC has found the complaint well-founded, and has issued an order to the institution to take certain actions to address the complaint.

Not well founded: As a result of the investigation, the OIC found that the institution applied the ATIA correctly.

Discontinued: The complaint was withdrawn or abandoned by the complainant before allegations were fully investigated. In some cases, the complainant did not respond to the OIC's request for representations within a reasonable time, or cannot be located.

Resolved: The complainant is satisfied with the resolution achieved through the OIC's intervention, or the matter central to the complaint is no longer at issue before the complaint has been fully investigated.

Review by the Federal Court of Canada

No applications were filed before the Federal Court pursuant to section 41 of the *Act* during the 2021-2022 reporting period.

MONITORING COMPLIANCE

The ATIP Office regularly monitors compliance with statutory requirements and timeliness associated with the processing of requests through ongoing communication with senior management and OPIs.

The workload was assessed, through the ATIP Case Management System, on a daily basis in order to ensure that workload was evenly distributed and effectively managed to meet statutory deadlines.

The reading rooms at the Department's headquarters in Ottawa and those located in the regional offices across Canada make available to the public the most recent published version of [Info Source](#), as well as departmental publications and manuals. Many of these publications can be found on the [Department's website](#) and the [Treasury Board Secretariat's websites](#).

ANNEX A – DELEGATION ORDER

Delegation Order for the *Access to Information Act* and *Privacy Act*
 Arrêté de délégation en vertu de la *Loi sur l'accès à l'information* et
 la *Loi sur la protection des renseignements personnels*

The Minister of Justice of Canada, pursuant to subsections 95(1) of the *Access to Information Act* and 73(1) of the *Privacy Act*, hereby delegates any powers, duties and functions under the Acts to the persons holding the positions set out in the schedule hereto, as well as to the persons occupying those positions on an acting basis. This delegation order replaces any previous delegation order.

En vertu des paragraphes 95(1) de la *Loi sur l'accès à l'information* et 73(1) *Loi sur la protection des renseignements personnels*, le ministre de la Justice du Canada délègue les attributions suivantes aux titulaires des postes mentionnés à l'annexe ci-après, ainsi qu'aux personnes occupant à titre intérimaire lesdits postes. Le présent arrêté de délégation remplace et annule tout autre arrêté de délégation.

Schedule/Annexe

POSITION/POSTE	<i>Privacy Act</i> and Regulations/ <i>Loi sur la protection des renseignements personnels</i> et règlements	<i>Access to Information Act</i> and Regulations/ <i>Loi sur l'accès à l'information</i> et règlements
The Deputy Minister and Associate Deputy Minister / Sous-ministre et Sous-ministre délégué	Full authority/Autorité absolue	Full authority/Autorité absolue (including for the Act as it was prior to June 21, 2019/incluant la Loi telle qu'elle existait avant le 21 juin 2019)
The Director, Access to Information and Privacy Office/Le directeur, Bureau de l'accès à l'information et de la protection des renseignements personnels	Full authority/Autorité absolue	Full authority/Autorité absolue (including for the Act as it was prior to June 21, 2019/incluant la Loi telle qu'elle existait avant le 21 juin 2019)
The Assistant Deputy Minister Management Sector and Chief Financial Officer/Le Sous-ministre adjoint, Secteur de la gestion et dirigeant principal des Finances	Full authority/Autorité absolue	Full authority/Autorité absolue (including for the Act as it was prior to June 21, 2019/incluant la Loi telle qu'elle existait avant le 21 juin 2019)
The Chief Information Officer / Le Dirigeant principal de l'information	Full authority/ Autorité absolue	Full authority/ Autorité absolue (including for the Act as it was prior to June 21, 2019/incluant la Loi telle qu'elle existait avant le 21 juin 2019)
The Chief of Operations, Chief of Policy and Legal Counsel, Access to Information and Privacy Office / Le Chef des opérations, Chef des politiques et le Conseiller juridique, Bureau de l'accès à l'information et de la protection des renseignements personnels	15, and the mandatory provisions of section 26 for all records / 15 et les dispositions obligatoires de l'article 26 pour tous les documents	8(1), 9, 11, and the mandatory provisions of section 19 for all records / 8(1), 9, 11 et les dispositions obligatoires de l'article 19 pour tous les documents
The Senior Access to Information and Privacy Advisors / Les conseillers principaux en accès à l'information et protection des renseignements personnels	15 for all records/15 pour tous les documents	8(1) and 9 for all records/8(1) et 9 pour tous les documents

Dated, at the City of Ottawa, this 16th day of October, 2020

Daté, en la ville d'Ottawa, ce 16 jour de octobre 2020



MINISTRE DE LA JUSTICE
 THE HONOURABLE



L'HONORABLE
 MINISTER OF JUSTICE

ANNEX B – ANNUAL STATISTICAL REPORT



Government of Canada
Gouvernement du Canada

Statistical Report on the *Access to Information Act*

Name of institution: Department of Justice

Reporting period: 4/1/2022 to 3/31/2023

Section 1: Requests Under the *Access to Information Act*

1.1 Number of requests

		Number of Requests
Received during reporting period		392
Outstanding from previous reporting periods		365
• Outstanding from previous reporting period	156	
• Outstanding from more than one reporting period	209	
Total		757
Closed during reporting period		308
Carried over to next reporting period		449
• Carried over within legislated timeline	89	
• Carried over beyond legislated timeline	360	

1.2 Sources of requests

Source	Number of Requests
Media	107
Academia	36
Business (private sector)	25
Organization	12
Public	89
Decline to Identify	123
Total	392

1.3 Channels of requests

Source	Number of Requests
Online	282
E-mail	110
Mail	0
In person	0
Phone	0
Fax	0
Total	392

Section 2: Informal Requests

2.1 Number of informal requests

		Number of Requests
Received during reporting period		272
Outstanding from previous reporting periods		37
• Outstanding from previous reporting period	29	
• Outstanding from more than one reporting period	8	
Total		309
Closed during reporting period		297
Carried over to next reporting period		12

2.2 Channels of informal requests

Source	Number of Requests
Online	220
E-mail	52
Mail	0
In person	0
Phone	0
Fax	0
Total	272

2.3 Completion time of 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
183	27	31	45	5	6	0	297

2.4 Pages released informally

Less Than 100 Pages Released		100-500 Pages Released		501-1000 Pages Released		1001-5000 Pages Released		More Than 5000 Pages Released	
Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released
0	0	0	0	0	0	0	0	0	0

2.5 Pages re-released informally

Less Than 100 Pages Re-released		100-500 Pages Re-released		501-1000 Pages Re-released		1001-5000 Pages Re-released		More Than 5000 Pages Re-released	
Number of Requests	Pages Re-released	Number of Requests	Pages Re-released	Number of Requests	Pages Re-released	Number of Requests	Pages Re-released	Number of Requests	Pages Re-released
212	4698	58	14498	14	10700	12	22131	1	100595

Section 3: Applications to the Information Commissioner on Declining to Act on Requests

	Number of Requests
Outstanding from previous reporting period	0
Sent during reporting period	0
Total	0
Approved by the Information Commissioner during reporting period	0
Declined by the Information Commissioner during reporting period	0
Withdrawn during reporting period	0
Carried over to next reporting period	0

Section 4: Requests Closed During the Reporting Period

4.1 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	9	8	4	1	0	1	23
Disclosed in part	4	35	40	28	5	13	17	142
All exempted	0	5	0	0	0	0	1	6
All excluded	0	0	0	0	0	0	0	0
No records exist	11	51	11	4	0	5	0	82
Request transferred	15	0	0	0	0	0	0	15
Request abandoned	20	2	1	0	1	0	14	38
Neither confirmed nor denied	0	0	1	0	0	1	0	2
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0
Total	50	105	61	36	7	19	33	308

4.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	4	16(2)	5	18(a)	2	20.1	0
13(1)(b)	4	16(2)(a)	0	18(b)	2	20.2	0
13(1)(c)	5	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	1	16(2)(c)	10	18(d)	0	21(1)(a)	72
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	48
14	10	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	10
14(a)	7	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	6
14(b)	6	16.1(1)(c)	0	18.1(1)(d)	0	22	1
15(1)	6	16.1(1)(d)	0	19(1)	77	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	0	23	109
15(1) - Def.*	0	16.3	0	20(1)(b)	0	23.1	0
15(1) - S.A.*	0	16.4(1)(a)	0	20(1)(b.1)	0	24(1)	1
16(1)(a)(i)	1	16.4(1)(b)	0	20(1)(c)	3	26	2
16(1)(a)(ii)	0	16.5	0	20(1)(d)	4		
16(1)(a)(iii)	0	16.6	0				
16(1)(b)	4	17	0				
16(1)(c)	3						
16(1)(d)	4						

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

4.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
68(a)	13	69(1)	0	69(1)(g) re (a)	20
68(b)	0	69(1)(a)	2	69(1)(g) re (b)	0
68(c)	0	69(1)(b)	0	69(1)(g) re (c)	6
68.1	0	69(1)(c)	1	69(1)(g) re (d)	4
68.2(a)	0	69(1)(d)	1	69(1)(g) re (e)	14
68.2(b)	0	69(1)(e)	11	69(1)(g) re (f)	2
		69(1)(f)	1	69.1(1)	0

4.4 Format of information released

Paper	Electronic				Other
	E-record	Data set	Video	Audio	
49	116	0	0	0	0

4.5 Complexity

4.5.1 Relevant pages processed and disclosed for paper and e-record formats

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
76344	21074	211

4.5.2 Relevant pages processed per request disposition for paper and e-record formats by size of requests

Disposition	Less Than 100 Pages Processed		100-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed
All disclosed	19	350	2	298	0	0	2	4719	0	0
Disclosed in part	99	2254	27	6482	1	861	11	18603	4	41352
All exempted	5	120	0	0	0	0	1	1305	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	38	0	1	0	0	0	0	0	0	0
Neither confirmed nor denied	2	0	0	0	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0	0	0
Total	163	2724	29	6780	1	861	14	24627	4	41352

4.5.3 Relevant minutes processed and disclosed for audio formats

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

4.5.4 Relevant minutes processed per request disposition for audio formats by size of requests

Disposition	Less Than 60 Minutes Processed		60 - 120 Minutes Processed		More than 120 Minutes Processed	
	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0
Total	0	0	0	0	0	0

4.5.5 Relevant minutes processed and disclosed for video formats

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

4.5.6 Relevant minutes processed per request disposition for video formats by size of requests

Disposition	Less Than 60 Minutes Processed		60 - 120 Minutes Processed		More than 120 Minutes Processed	
	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0
Total	0	0	0	0	0	0

4.5.7 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Other	Total
All disclosed	3	0	0	3
Disclosed in part	42	2	1	45
All exempted	0	0	0	0
All excluded	0	0	0	0
Request abandoned	8	0	0	8
Neither confirmed nor denied	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0
Total	53	2	1	56

4.6 Closed requests

4.6.1 Requests closed within legislated timelines

Number of requests closed within legislated timelines	214
Percentage of requests closed within legislated timelines (%)	69.480

4.7 Deemed refusals

4.7.1 Reasons for not meeting legislated timelines

Number of requests closed past the legislated timelines	Principal Reason			
	Interference with operations/ Workload	External Consultation	Internal Consultation	Other
94	83	1	10	0

4.7.2 Requests closed beyond legislated timelines (including any extension taken)

Number of days past legislated timelines	Number of requests past legislated timeline where no extension was taken	Number of requests past legislated timeline where an extension was taken	Total
1 to 15 days	14	14	28
16 to 30 days	1	4	5
31 to 60 days	4	5	9
61 to 120 days	3	3	6
121 to 180 days	1	0	1
181 to 365 days	7	13	20
More than 365 days	2	23	25
Total	32	62	94

4.8 Requests for translation

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

Section 5: Extensions

5.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	9(1)(a) Interference With Operations/ Workload	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
All disclosed	4	0	6	1
Disclosed in part	44	16	40	1
All exempted	0	0	0	0
All excluded	0	0	0	0
Request abandoned	7	0	2	0
No records exist	3	4	11	0
Declined to act with the approval of the Information Commissioner	0	0	0	0
Total	58	20	59	2

5.2 Length of extensions

Length of Extensions	9(1)(a) Interference With Operations/ Workload	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
30 days or less	39	1	31	1
31 to 60 days	10	5	18	1
61 to 120 days	3	12	7	0
121 to 180 days	1	1	1	0
181 to 365 days	2	1	2	0
365 days or more	3	0	0	0
Total	58	20	59	2

Section 6: Fees

Fee Type	Fee Collected		Fee Waived		Fee Refunded	
	Number of Requests	Amount	Number of Requests	Amount	Number of Requests	Amount
Application	229	\$1,145.00	86	\$0.00	77	\$385.00
Other fees	0	\$0.00	0	\$0.00	0	\$0.00
Total	229	\$1,145.00	86	\$0.00	77	\$385.00

Section 7: Consultations Received From Other Institutions and Organizations

7.1 Consultations received from other Government of Canada institutions and other organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during the reporting period	246	20594	4	20
Outstanding from the previous reporting period	89	5283	0	0
Total	335	25877	4	20
Closed during the reporting period	233	9873	3	12
Carried over within negotiated timelines	58	12806	1	8
Carried over beyond negotiated timelines	44	3198	0	0

7.2 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	24	4	14	11	4	3	7	67
Disclose in part	3	4	28	26	17	27	12	117
Exempt entirely	0	2	6	4	3	4	2	21
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	9	0	0	0	0	0	0	9
Other	5	5	5	1	2	0	1	19
Total	41	15	53	42	26	34	22	233

7.3 Recommendations and completion time for consultations received from other organizations outside the Government of Canada

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	1	0	0	0	0	1
Disclose in part	0	0	1	0	1	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	0	0	0	0	0	0	0	0
Total	0	0	2	0	1	0	0	3

Section 8: Completion Time of Consultations on Cabinet Confidences

8.1 Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		100-500 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	3	14	0	0	0	0	0	0	0	0
16 to 30	2	30	0	0	0	0	0	0	0	0
31 to 60	2	4	0	0	0	0	0	0	0	0
61 to 120	1	13	1	64	1	40	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	2	31	0	0	0	0	0	0	0	0
More than 365	1	0	1	43	0	0	0	0	0	0
Total	11	92	2	107	1	40	0	0	0	0

8.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		100–500 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

Section 9: Investigations and Reports of finding

9.1 Investigations

Section 32 Notice of intention to investigate	Subsection 30(5) Ceased to investigate	Section 35 Formal Representations
52	38	22

9.2 Investigations and Reports of finding

Section 37(1) Initial Reports			Section 37(2) Final Reports		
Received	Containing recommendations issued by the Information Commissioner	Containing orders issued by the Information Commissioner	Received	Containing recommendations issued by the Information Commissioner	Containing orders issued by the Information Commissioner
4	2	2	1	0	1

Section 10: Court Action

10.1 Court actions on complaints

Section 41				
Complainant (1)	Institution (2)	Third Party (3)	Privacy Commissioner (4)	Total
0	0	0	0	0

10.2 Court actions on third party notifications under paragraph 28(1)(b)

Section 44 - under paragraph 28(1)(b)
0

Section 11: Resources Related to the Access to Information Act

11.1 Allocated Costs

Expenditures		Amount
Salaries		\$2,296,304
Overtime		\$4,548
Goods and Services		\$538,540
• Professional services contracts	\$507,981	
• Other	\$30,559	
Total		\$2,839,392

11.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	24.976
Part-time and casual employees	0.617
Regional staff	0.000
Consultants and agency personnel	1.985
Students	0.000
Total	27.578

Note: Enter values to three decimal places.