



Public Prosecution  
Service of Canada

Service des poursuites  
pénales du Canada

Annual Report  
on the *Access  
to Information Act*

2013-2014

Canada 

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## INTRODUCTION

The *Access to Information Act* (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 principles that government information should be available to the public, that necessary exceptions to the right of access should be limited and specific, and that decisions on the disclosure of government information should be reviewed independently of government.

The Public Prosecution Services 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*).

In accordance with section 72 of the Act, the PPSC has prepared the 2013-2014 *Annual Report on the Administration of the Act* for tabling before both the House of Commons and Senate. The Report includes an interpretation of the information contained in the PPSC's *Statistical Report on the Administration of the Act*. In addition, it reports on emerging trends, training activities and newly implemented or revised internal policies, guidelines and procedures.

## MANDATE OF THE PUBLIC PROSECUTION SERVICE OF CANADA

The mandate of the PPSC is set out in the *Director of Public Prosecutions Act*. The Act empowers the Director of Public Prosecutions (DPP) 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.

For the purpose of carrying out these statutory responsibilities, the DPP is the Deputy Attorney General of Canada.

The *Director of Public Prosecutions Act* 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 governmental organization.

With the exception of *Canada Elections Act* matters, the Attorney General of Canada can issue a directive to the DPP on a prosecution or assume conduct of a prosecution, but must do so in writing and a corresponding notice must be published in the *Canada Gazette*. In turn, the DPP must inform the Attorney General of any prosecution or planned intervention that may raise important questions of general interest. Similarly, the Attorney General can assign additional responsibilities to the DPP, provided the assignment is in writing and published in the *Canada Gazette*.

## ROLES AND RESPONSIBILITIES OF THE PUBLIC PROSECUTION SERVICE OF CANADA

The PPSC prosecutes offences under federal statutes following an investigation by a law enforcement agency. The PPSC is not an investigative agency and does not conduct investigations. The separation of law enforcement from the prosecution function is a well-established principle of the Canadian criminal justice system. However, cooperation between investigators and prosecutors is essential, particularly in the context of large and complex cases. Certain investigative tools, such as an application for a wiretap authorization, are only obtained on application to the court by a prosecutor. As a result, the PPSC often provides legal advice and assistance to law enforcement officials at the investigative stage.

In all provinces and territories except Quebec and New Brunswick, the PPSC is responsible for prosecuting all drug offences under the *Controlled Drugs and Substances Act*, regardless of which police agency investigates the alleged offences. In Quebec and New Brunswick, the PPSC prosecutes only drug offences investigated by the Royal Canadian Mounted Police.

In all provinces and territories, the PPSC prosecutes charges under federal statutes such as the *Income Tax Act*, the *Fisheries Act*, the *Excise Act*, the *Customs Act*, the *Canadian Environmental Protection Act, 1999*, the *Canada Shipping Act*, and the *Competition Act*, as well as conspiracies and attempts to violate these statutes. In total, over 250 federal statutes contain offences that fall under the PPSC's jurisdiction to prosecute, and the PPSC regularly prosecutes offences under approximately 40 of those statutes.

The PPSC is responsible for prosecuting all *Criminal Code* offences in the territories. In the provinces, the PPSC has jurisdiction to prosecute a limited number of *Criminal Code* offences, including those related to terrorism, criminal organizations, money laundering, proceeds of crime, and fraud. Under arrangements with the provinces, the PPSC may also prosecute *Criminal Code* offences that are otherwise within a provincial jurisdiction when the accused also faces charges within federal jurisdiction.

## ACCESS TO INFORMATION AND PRIVACY (ATIP) OFFICE

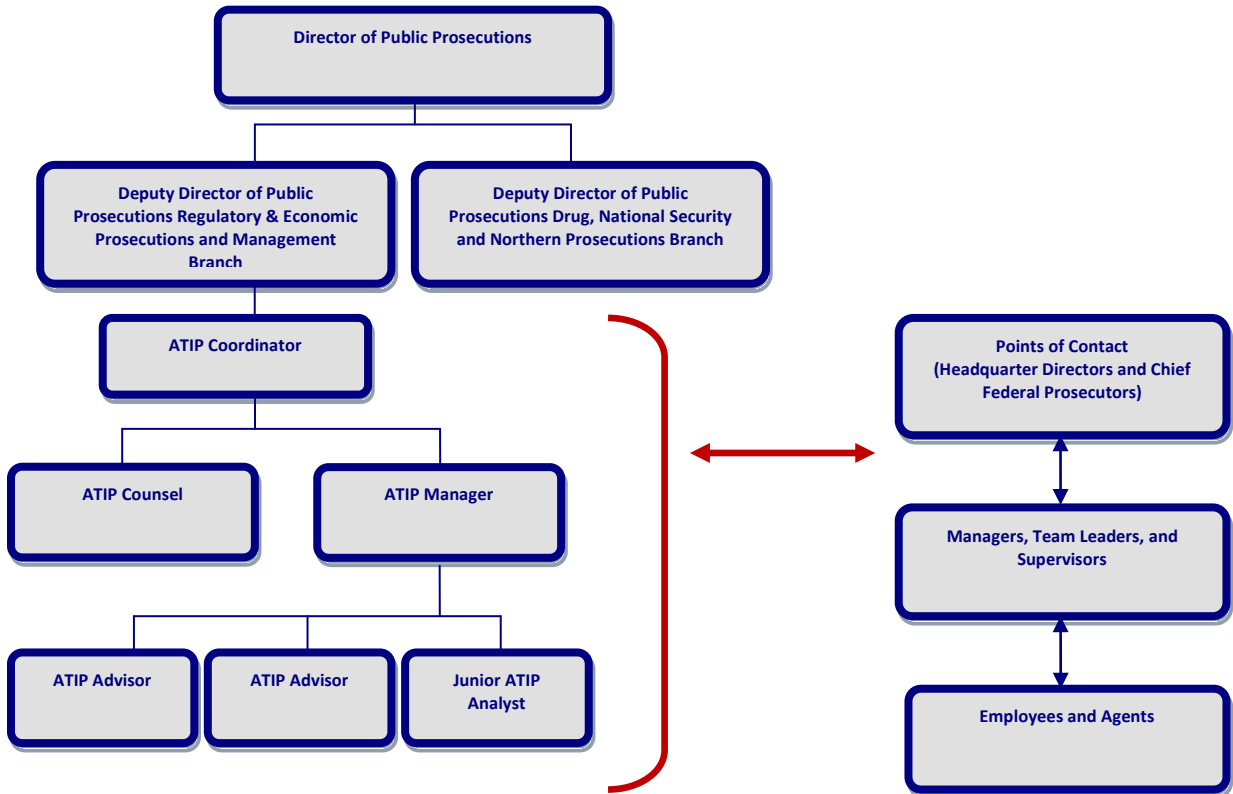
The ATIP Office holds primary responsibility for the implementation and administration of the *Access to Information Act*. In collaboration with the Offices of Primary Interest (OPIs), the ATIP Office serves as the center of expertise in relation to the administration of the *Act* within the PPSC and is responsible for:

- processing access to information (ATI) requests in accordance with the *Act*, its 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*, its Regulations and relevant case law;
- responding to requests received from other federal 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, its 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 and contracts over \$25,000 prior to their publication on the PPSC's website, in order to ensure that they do not contain information that is subject to exemptions or exclusions under the Act;
- delivering training sessions intended to familiarize PPSC managers and employees with the requirements of the Act, its Regulations and the TBS's policies, directives and guidelines;
- updating the PPSC's chapter of the federal government's *Info Source* publication;
- 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 ATI requests on the PPSC's website.

**ROLES AND RESPONSIBILITIES UNDER THE ACCESS TO INFORMATION ACT**

The following chart provides a diagram of the ATIP Office and the reporting relationships within the PPSC. It should be read in conjunction with the descriptions below which outline the roles and responsibilities of the employees in ensuring that the PPSC meets its obligations under the Act.



## Director of Public Prosecutions (DPP)

As the designated “head of institution”, the DPP has the overall responsibility to ensure that the PPSC complies with the requirements of the *Act*, its Regulations and the TBS’s policies, directives and guidelines.

## ATIP Office Personnel

**ATIP Coordinator:** The Executive Director and Senior Counsel, Ministerial and External Relations Secretariat, by delegated authority issued by the DPP under the *Act*, serves as the PPSC’s ATIP Coordinator and is responsible for the oversight of the application of the *Act*, its Regulations and the TBS’s policies, directives and guidelines.

**ATIP Manager:** The ATIP Manager has direct responsibility for the daily management of the ATIP Office and is responsible for coordinating all activities relating to the operation of the ATI legislation. This includes managing and supervising staff, developing and implementing ATI policies and procedures, conducting in-house training, and reviewing PPSC policies, procedures and agreements to ensure that they comply with the *Act*, the Regulations and the TBS’s policies, directives and guidelines.

**ATIP Advisors:** ATIP Advisors are responsible for processing complex and sensitive ATI requests, responding to consultations from other federal institutions or other levels of government, conducting in-house training and negotiating the resolution of complaints with investigators from the OIC. They also act as liaison between the applicant and the Points of Contact in PPSC Regional Offices and Headquarters. In addition, ATIP Advisors provide assistance to the ATIP Manager in updating the *Info Source* chapter, preparing the statistical and annual reports on the administration of the *Act* and drafting summaries of completed ATI requests for posting on the PPSC’s website.

**Junior ATIP Analyst:** The Junior ATIP Analyst carries out the administrative duties of the ATIP Office, processes low-complexity ATI requests and responds to low-complexity consultations from other federal institutions or other levels of government. The Junior ATIP Analyst also acts as liaison between the applicant and the Points of Contact in PPSC Regional Offices and Headquarters and provides assistance to the ATIP Advisors and the ATIP Manager in the processing of ATI requests as required.

**ATIP Counsel:** Counsel to the PPSC’s Ministerial and External Relations Secretariat also serves as the ATIP Counsel and is responsible for providing legal advice on the application and interpretation of the *Act*, the TBS’s policies, guidelines and procedures, and the relevant case law to the ATIP Coordinator, the ATIP Office and PPSC managers.

## Headquarters and Regional Offices

While the ATIP Office is the focal point for the administration of the ATI legislation, managers and employees at headquarters and in regional offices also play a key role in ensuring that the PPSC fulfills its obligations under the *Act*.

**Deputy Directors of Public Prosecutions:** The Deputy Directors of Public Prosecutions are responsible for assisting the DPP in ensuring that the PPSC complies with the requirements of the *Act*, its Regulations and related TBS policies, directives and guidelines.

**Headquarter Directors and Chief Federal Prosecutors:** Headquarter Directors and Chief Federal Prosecutors are the points of contact of the ATIP Office and are responsible for ensuring that ATI requests that pertain to their area of responsibility are handled promptly and efficiently. They are also responsible for ensuring that their respective Office or Region operates within the requirements of the *Act*, its Regulations, and related TBS and PPSC policies, directives and guidelines, and that their employees and agents are instructed on ATI-related matters as appropriate.

**Managers, Team Leaders, Supervisors and Agent Supervisors:** Managers, Team Leaders, Supervisors and Agent Supervisors, whether at National Headquarters or in Regional Offices, are responsible for coordinating the retrieval of records requested under the *Act* and advising the ATIP Office of issues that could arise from disclosure. They must also provide assistance and ATI-related instructions to their staff members as required. In addition, Managers, Team Leaders, Supervisors and Agent Supervisors must ensure that their respective programs operate within the requirements of the *Act*, its Regulations, and related TBS and PPSC policies, directives and guidelines.

**Employees and Agents:** Employees and Agents must carry out their duties in a manner that is compliant with the *Act*, its Regulations, and related TBS and PPSC policies, directives and guidelines, including ensuring that any records they create are properly managed and easily retrievable.

## DELEGATED AUTHORITIES

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

The Executive Director and Senior Counsel, Ministerial and External Relations Secretariat and the ATIP Manager have both been granted full authority to exercise the powers and to perform the duties and functions of the DPP under the *Act* (see Delegation Order in Appendix A). The ATIP Manager exercises this authority in the absence of the ATIP Coordinator.

## INTERPRETATION OF THE STATISTICAL REPORT

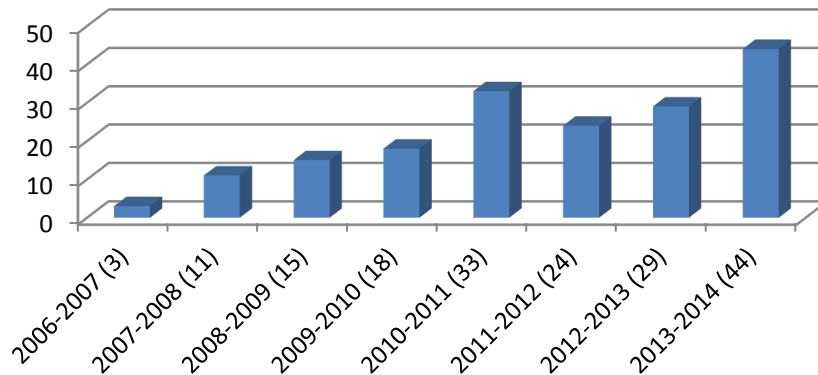
The following section provides an interpretation of the *Statistical Report on the Access to Information Act* located in Appendix B of this report. It also compares statistical data from 2013-2014 with data from previous reporting periods in order to identify possible trends.

### PART 1 – Requests under the *Access to Information Act*

#### Number of requests

The PPSC received 44 formal ATI requests in 2013-2014, which represents an increase of 52% in the number of requests from the previous reporting period. Three (3) requests were also carried forward from fiscal year 2012-2013.

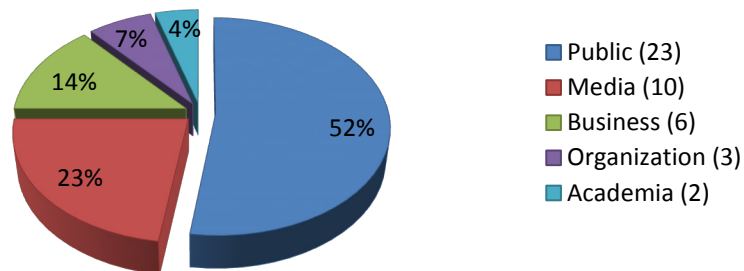
The following diagram displays the number of formal ATI requests that were received by the PPSC since the 2006-2007 reporting period.



\* Data from fiscal year 2006-2007 represents only the last quarter of that reporting period.

The figures show that the number of requests has been steadily increasing since the creation of the PPSC, reaching an all-time high of 44 in this reporting period.

#### Source of requests



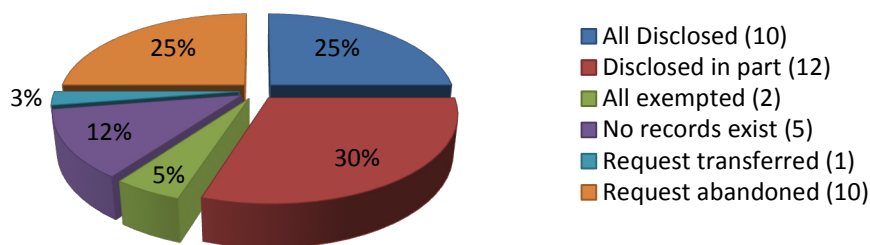
In total, 52% of all requests received in 2013-2014 originated from the general public. Media enquiries comprised the second largest source category, accounting for 23% of requests received. An additional 14% of requests originated from the private sector while requests from organizations and academic sources accounted for a combined 11% of requests received.

**PART 2 – Requests closed during the reporting period**

**Disposition of requests**

The PPSC responded to 40 formal ATI requests during 2013-2014. A total of 6,922 pages were reviewed in response to these requests, which represents a 434% increase in volume from the previous reporting period. Seven (7) outstanding requests were carried over to the next reporting period.

The completed requests were categorized as follows:



Requests where access could not be provided fell into the following categories:

**No Records Exist**

A total of 12% of requests could not be processed as no relevant records existed under the control of the PPSC. Where possible, applicants were advised of government institutions that may have records and how to contact those institutions to submit a request.

**Request abandoned**

An additional 25% of requests were abandoned by the applicants. In most cases, applicants were asked for clarification before material could be gathered. Since no clarification was provided, their requests were deemed abandoned.

**Request transferred**

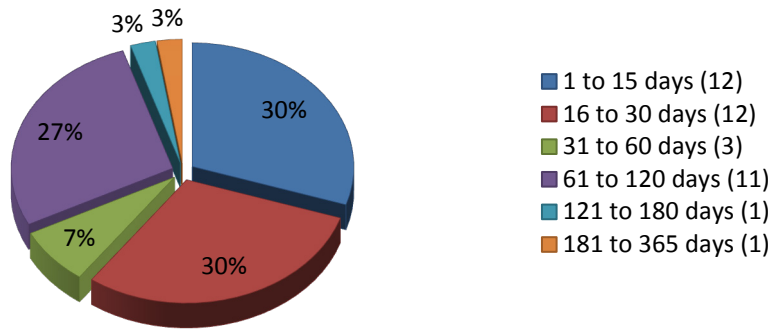
Another 3% of requests were transferred to another government institution that had a greater interest in the subject matter.

The PPSC’s disclosure rates in 2013-2014 are consistent with the five (5) year average. The PPSC processed 144 formal ATI requests in fiscal years 2009-2010 to 2013-2014. The organization responded by releasing information in whole or in part in 54% of these requests. In only 4% of cases was the information requested exempted or excluded in its entirety. A total of 38% of requests were abandoned by the applicant or could not be processed as no relevant records existed under the control of the PPSC.

The remaining 4% of requests were either transferred to another government institution or treated informally.

### Completion time

The chart below displays the time required to process formal ATI requests during the 2013-2014 reporting period.



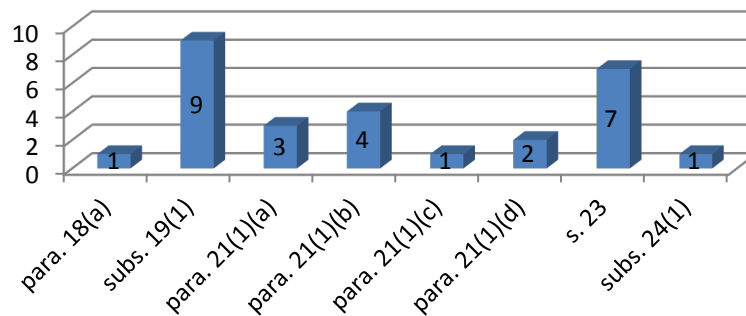
Of the 40 requests that were completed in fiscal year 2013-2014, 24 were processed within the 30-day statutory response period. Three (3) requests were responded to within 31 to 60 days and 11 others within 61 to 120 days. Two (2) requests required between 121 to 365 days to complete.

Over the last five (5) reporting periods, the large majority of the PPSC’s formal ATI requests were responded to within the 30-days statutory deadline. A review of the data collected in fiscal years 2009-2010 to 2013-2014 revealed that 39% of all requests completed during that time period were processed in 15 days or less. An additional 32% of requests were processed within 16 to 30 days.

### 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 of the Act also sets out an administrative exception relating to the publication of information.

The following diagram displays the exemptions that were invoked by the PPSC during the 2013-2014 reporting period.



Given the PPSC's mandate, the majority of the information exempted was subject to subsection 19(1) [Personal information] and section 23 [Solicitor-client privilege] of the *Act*.

### **Exclusions**

Records or parts thereof to which the *Act* does not apply are said 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, and 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.

During the 2013-2014 reporting period, no exclusions pursuant to sections 68 and 69 of the *Act* were applied by the PPSC.

### **Format of information released**

For requests where information was disclosed, responses were provided electronically either by e-mail or on a compact disk in 55% of cases. Paper copies of records were provided in 45% of cases.

### **Complexity**

The mandate of the PPSC is to prosecute offences under federal jurisdiction and to provide advice on prosecution-related matters to investigative agencies. Due to the nature of the organization's work, processing ATI requests at the PPSC is challenging. Records often contain information relating to criminal or regulatory investigations or prosecutions and to the PPSC's work involving other organizations and departments at the federal, provincial or territorial level.

During the 2013-2014 reporting period, the PPSC consulted with other government institutions on five (5) particularly complex requests. One (1) additional request was considered complex due to the need to prepare a fee assessment.

### **Deemed refusals**

The PPSC was not considered to be in deemed refusal for any files during this reporting period.

### **Requests for translation**

There were no requests for translation from one official language to the other.

## **PART 3 – Extensions**

Section 9 of the *Act* allows government institutions to extend the 30-day statutory time limit 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.

### **Reason for extensions**

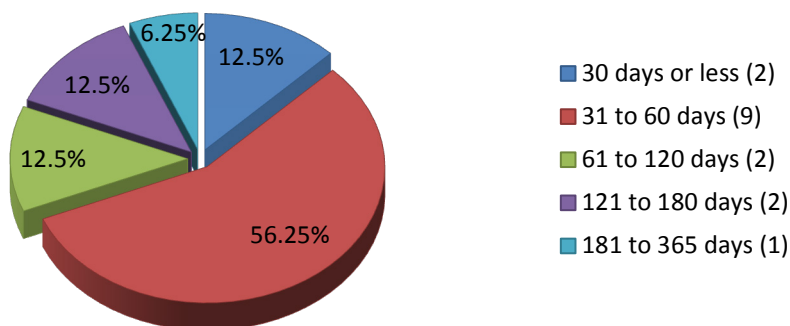
A total of 16 extensions were taken during the 2013-2014 reporting period. In 11 instances, the search through or review of a large number of records could not be completed within the original time limit without unreasonably interfering with the operations of the PPSC. On five (5) other occasions,

consultations with other government institutions were necessary to comply with the request and could not reasonably be completed within the original time limit.

For purposes of reporting, if an extension on a particular file is taken under multiple paragraphs, the PPSC reports one (1) extension under each relevant paragraph.

### Length of extensions

As illustrated in the chart below, the majority of the extensions sought in fiscal year 2013-2014 were for a duration of more than 30 days. In only 12.5% of cases were extensions of 30 days or less required.



## PART 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, search, preparation and reproduction costs may be recovered as specified within the *Access to Information Regulations*.

Total fees of \$255.00 were collected by the PPSC during 2013-2014. This consisted of \$160.00 in application fees and \$95.00 in search fees. No production, programming, preparation or reproduction fees were charged during this reporting period.

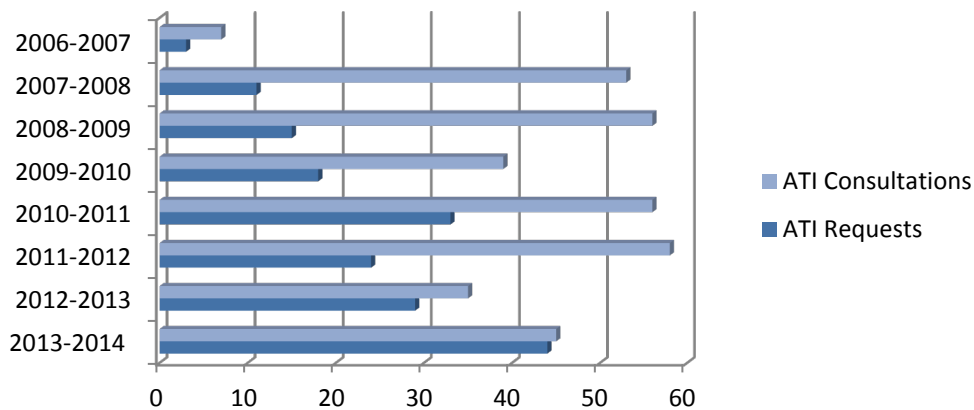
The PPSC waived search fees that amounted to less than \$25.00 in the case of one (1) request. An additional \$40.00 in application fees was also waived.

## PART 5 – Consultations received from other institutions and organizations

### Number of consultations

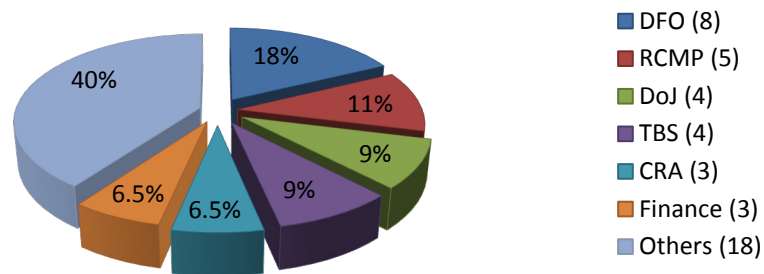
The PPSC received 45 ATI consultations in 2013-2014, which represented an increase of 29% in the number of consultations from the previous reporting period. One (1) consultation was also carried forward from fiscal year 2012-2013.

Although the number of consultations has fluctuated since the creation of the PPSC, it has remained consistently higher than the number of formal requests received. The diagram below illustrates the trend.



\* Data from fiscal year 2006-2007 represents only the last quarter of that reporting period.

### Source of consultations



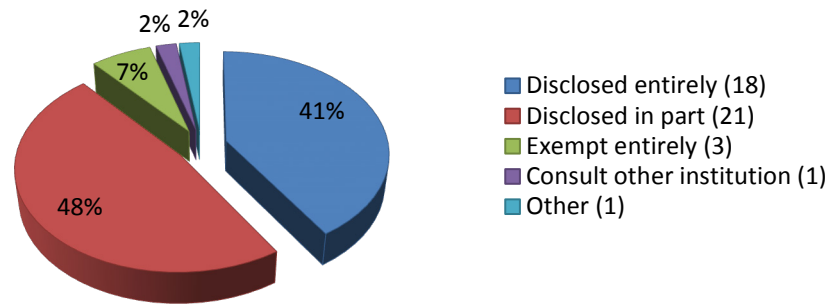
Fisheries and Oceans Canada (DFO) forwarded the highest number of consultations with eight (8), followed by the Royal Canadian Mounted Police (RCMP) which sent five (5) consultations. The Treasury Board of Canada Secretariat (TBS) and Justice Canada (DoJ) each sent four (4) consultations while the Canada Revenue Agency (CRA) and the Department of Finance both sent three (3). Institutions which sent two (2) consultations or less are grouped together in the “Others” portion of the chart above.

The number of consultations forwarded by any given government institution is not an accurate reflection of the work required to process the consultations. While the Canadian Food Inspection Agency (CFIA) only sent two (2) consultations, the page count in CFIA’s files accounted for 53% of the consultations material reviewed by the PPSC ATIP Office. It is common for a few organizations to represent a disproportionate part of the PPSC’s consultation workload since the records in question can form part of large prosecution cases.

### Recommendations

The PPSC responded to 44 consultations during the 2013-2014 reporting period. A total of 3,595 pages were reviewed, representing an 11% increase in volume from the previous reporting period. Two (2) outstanding consultations were carried over to the next reporting period.

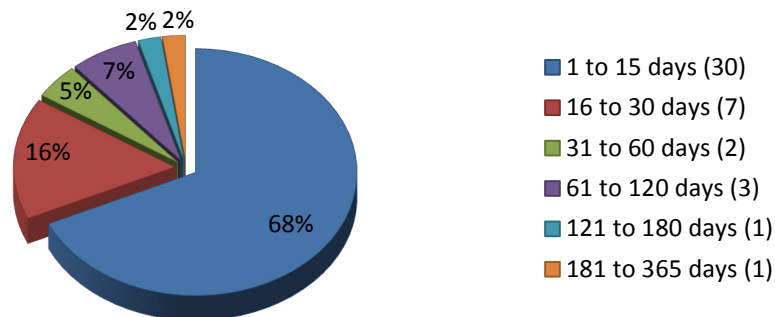
The completed consultations are categorized as follows:



The PPSC's disclosure rates in 2013-2014 remain consistent with the five (5) year average. The PPSC processed 238 consultations from fiscal years 2009-2010 to 2013-2014. The organization responded by releasing information in whole or in part in 92% of cases. In only 3% of cases was the information requested exempted in its entirety. A total of 2% were closed by the consulting institution. The PPSC recommended that another institution be consulted in the remaining 3% of cases.

### Completion time

The chart below displays the time required to complete the processing of consultation requests during the 2013-2014 reporting period.



Of the 44 consultations that were completed in 2013-2014, 37 were processed within 30 days or less. Two (2) consultations were responded to within 31 to 60 days, and three (3) others within 61 to 120 days. Two (2) consultations required between 121 to 365 days to complete.

Over the last five (5) reporting periods, nearly three quarters of the ATI consultations received by the PPSC were responded to within 30 days. A review of the data collected from fiscal years 2009-2010 to 2013-2014 revealed that 48% of all consultations completed during that time period were processed in 15 days or less. An additional 26% were completed within 16 to 30 days.

## **PART 6 – Completion time of consultations on Cabinet confidences**

No consultations containing Cabinet confidences were carried out by the PPSC during the 2013-2014 reporting period.

## **PART 7 – Resources related to the *Access to Information Act***

### **Costs**

The PPSC spent a total of \$214,297 administering the *Act* of which salaries accounted for \$197,243 and Goods and Services accounted for \$17,054. There were no overtime expenditures during this reporting period.

It is important to note that, for reporting purposes, the overall budget for the ATIP Office is divided between the administration of both the *Access to Information Act* and the *Privacy Act*. As the administration of the *Access to Information Act* has taken up more of the ATIP Office's time during the 2013-2014 reporting period, more of its resource dollars are accounted for under this *Act*.

## **INFORMAL PROCESSES**

As part of the Government of Canada's commitment to openness and transparency, in September 2011 the PPSC started posting monthly summaries on its website of completed ATI requests. This was done in anticipation of the implementation of a TBS directive, which came into effect in January 2012. As a result of the posting of summaries, the PPSC processed two (2) requests for informal disclosure of previously released material during the 2013-2014 reporting period.

The PPSC website also contains other sources of information, such as the *Federal Prosecution Service Deskbook*, the *Terms and Conditions of Fixed-Term Agreements of Agents*, the *Proposed Best Practices for Prosecuting Fraud Against Governments*, the PPSC's Annual Report and its *Report on Plans and Priorities*. As well, the website contains portals for the Agent Affairs Program, Proactive Disclosure listings, and other items of interest.

## **TRAINING ACTIVITIES**

The ATIP Office experienced staff turnover during 2013-2014. As a result, no formal ATI-related training sessions were provided to PPSC employees during this reporting period. However, ATIP personnel did provide informal training to employees on various ATI-related matters (e.g. preparing a search estimate and determining the relevancy of records) throughout the year on an *ad hoc* basis.

## **NEW OR REVISED POLICIES, GUIDELINES AND PROCEDURES**

In 2013-2014, the PPSC created internal procedures for processing requests under the *Act*. The procedures provide guidance to employees and agents of the PPSC who are required to assist the organization in fulfilling its legal obligations under the *Act*.

## COMPLAINTS AND INVESTIGATIONS

To ensure that government institutions comply with their ATI obligations and that all requesters are treated fairly, decisions made under the *Act* are subject to review. The first level of review is a formal complaint to the Information Commissioner of Canada; the second is an application for judicial review to the Federal Court.

A total of five (5) complaints were filed with the OIC against the PPSC in 2013-2014. One (1) additional complaint was carried over from the 2010-2011 reporting period. The following table provides a breakdown of the reasons for the complaints as well as the results of those complaints for which the OIC has issued its findings.

Reasons for Complaint	Number of Complaints	OIC Findings
Exemptions were improperly applied so as to unjustifiably deny access to records, or portions thereof, requested under the <i>Act</i> .	1	The OIC has yet to issue its findings.
An unreasonable extension of time was claimed in order to respond to a request for records under the <i>Act</i> .	2	Both complaints were discontinued.
The fee notice failed to inform the applicant of the 60-day timeframe to file a complaint to the OIC.	1	Complaint was discontinued.
The PPSC failed to respond to a request within the time frame set out in the <i>Act</i> and is therefore deemed to have refused access.	1	Complaint was well founded.
The PPSC failed to provide all records responsive to a request made under the <i>Act</i> and improperly applied exemptions so as to unjustifiably deny access to records, or portions thereof, requested under the <i>Act</i> .	1	The OIC has yet to issue its findings.

## FEDERAL COURT REVIEW

During this reporting period, no application for judicial review was filed with the Federal Court pursuant to section 44 of the *Act*. One (1) notice of application for judicial review that was filed during the 2010-2011 reporting period remains active.

## MONITORING OF PROCESSING TIME

The ATIP Office has established and maintains a comprehensive statistical reporting and performance measurement system. Monthly reports are provided to the ATIP Coordinator identifying the number of active ATI requests, the sources and due dates of the requests, as well as the length of any extensions taken.

## READING ROOM

Section 8 of the *Access to Information Regulations* requires that 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 our regional offices.

## 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 the <i>Privacy Act</i>, hereby designates the persons holding the positions set out in the schedule hereto, or the persons occupying on an acting basis those positions, to exercise the powers and functions of the Director as the head of a government institution.</p>	<p>En vertu de l'article 73 de la <i>Loi sur l'accès à l'information</i> et la <i>Loi sur la protection des renseignements personnels</i>, le Directeur des poursuites pénales délègue aux titulaires des postes mentionnés à l'annexe ci-après, ainsi qu'aux personnes occupant à titre intérimaire lesdits postes, les attributions dont le Directeur est investi en qualité de responsable d'une institution fédérale.</p>
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#### Schedule/Annexe

<b>Position/Poste</b>	<b><i>Privacy Act and Regulations / Loi sur la protection des renseignements personnels et règlements</i></b>	<b><i>Access to Information Act and Regulations / Loi sur l'accès à l'information et règlements</i></b>
Executive Director and Senior Counsel, Ministerial and External Relations Secretariat / Directeur exécutif et Conseiller principal, Secrétariat des relations ministérielles et externes	Full authority/Autorité absolue	Full authority/Autorité absolue
Manager, ATIP, Access to Information and Privacy Office / Gestionnaire, AIPRP, Bureau de l'accès à l'information et de la protection des renseignements personnels	Full authority/Autorité absolue	Full authority/Autorité absolue

Dated, at the City of Ottawa, this 11 day of January, 2010	Daté, en la ville d'Ottawa, ce 11 jour de janvier 2010
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Brian Saunders  
 Director of Public Prosecutions  
 Directeur des poursuites pénales

## 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: 01/04/2013 to 31/03/2014

#### PART 1 – Requests under the Access to Information Act

##### 1.1 Number of Requests

	Number of Requests
Received during reporting period	44
Outstanding from previous reporting period	3
<b>Total</b>	<b>47</b>
Closed during reporting period	40
Carried over to next reporting period	7

##### 1.2 Sources of requests

Source	Number of Requests
Media	10
Academia	2
Business (Private Sector)	6
Organization	3
Public	23
<b>Total</b>	<b>44</b>

#### 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	3	6	1	0	0	0	0	10
Disclosed in part	1	1	1	7	1	1	0	12
All exempted	0	1	0	1	0	0	0	2
All excluded	0	0	0	0	0	0	0	0
No records exist	4	1	0	0	0	0	0	5
Request transferred	1	0	0	0	0	0	0	1
Request abandoned	3	3	1	3	0	0	0	10
Treated informally	0	0	0	0	0	0	0	0
<b>Total</b>	<b>12</b>	<b>12</b>	<b>3</b>	<b>11</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>40</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)(a)	0	18(a)	1	20.1	0
13(1)(b)	0	16(2)(b)	0	18(b)	0	20.2	0
13(1)(c)	0	16(2)(c)	0	18(c)	0	20.4	0
13(1)(d)	0	16(3)	0	18(d)	0	21(1)(a)	3
13(1)(e)	0	16.1(1)(a)	0	18.1(1)(a)	0	21(1)(b)	4
14(a)	0	16.1(1)(b)	0	18.1(1)(b)	0	21(1)(c)	1
14(b)	0	16.1(1)(c)	0	18.1(1)(c)	0	21(1)(d)	2
15(1) - I.A.*	0	16.1(1)(d)	0	18.1(1)(d)	0	22	0
15(1) - Def.*	0	16.2(1)	0	19(1)	9	22.1(1)	0
15(1) - S.A.*	0	16.3	0	20(1)(a)	0	23	7
16(1)(a)(i)	0	16.4(1)(a)	0	20(1)(b)	0	24(1)	1
16(1)(a)(ii)	0	16.4(1)(b)	0	20(1)(b.1)	0	26	0
16(1)(a)(iii)	0	16.5	0	20(1)(c)	0		
16(1)(b)	0	17	0	20(1)(d)	0		
16(1)(c)	0						
16(1)(d)	0						

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

## 2.3 Exclusions

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

## 2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	5	5	0
Disclosed in part	5	7	0
<b>Total</b>	<b>10</b>	<b>12</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	408	408	10
Disclosed in part	6437	4460	12
All exempted	77	0	2
All excluded	0	0	0
Request abandoned	0	0	10

### 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	9	99	1	309	0	0	0	0	0	0
Disclosed in part	3	88	1	122	8	4250	0	0	0	0
All exempted	2	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Abandoned	10	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>24</b>	<b>187</b>	<b>2</b>	<b>431</b>	<b>8</b>	<b>4250</b>	<b>0</b>	<b>0</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	3	1	0	0	4
All exempted	1	0	0	0	1
All excluded	0	0	0	0	0
Abandoned	1	0	0	0	1
<b>Total</b>	<b>5</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>6</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
0	0	0	0	0

#### 2.6.2 Number of days past deadline

Number of days past deadline	Number of requests past deadline where no extension was taken	Number of requests past deadline where an extension was taken	Total
1 to 15 days	0	0	0
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</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>	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	1	0	0	0
Disclosed in part	8	0	3	0
All exempted	0	0	1	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	2	0	1	0
<b>Total</b>	11	0	5	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	1	0	1	0
31 to 60 days	9	0	0	0
61 to 120 days	0	0	2	0
121 to 180 days	1	0	1	0
181 to 365 days	0	0	1	0
365 days or more	0	0	0	0
<b>Total</b>	11	0	5	0

#### PART 4 – Fees

Fee Type	Fee Collected		Fee Waived or Refunded	
	Number of requests	Amount	Number of requests	Amount
Application	32	\$160	8	\$40
Search	1	\$95	1	\$10
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>33</b>	<b>\$255</b>	<b>9</b>	<b>\$50</b>

#### PART 5 – Consultations received from other institutions and organizations

##### 5.1 Consultations received from other government institutions and organizations

Consultations	Other government institutions	Number of pages to review	Other organizations	Number of pages to review
Received during reporting period	44	3118	1	3
Outstanding from the previous reporting period	1	498	0	0
<b>Total</b>	<b>45</b>	<b>3616</b>	<b>1</b>	<b>3</b>
Closed during the reporting period	43	3592	1	3
Pending at the end of the reporting period	2	24	0	0

##### 5.2 Recommendations and completion time for consultations received from other government 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	than 365 days	
Disclose entirely	14	3	0	1	0	0	0	18
Disclose in part	13	3	2	0	1	1	0	20
Exempt entirely	0	1	0	2	0	0	0	3
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	1	0	0	0	0	0	0	1
Other	1	0	0	0	0	0	0	1
<b>Total</b>	<b>29</b>	<b>7</b>	<b>2</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>43</b>

### 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	than 365 days	
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	1	0	0	0	0	0	0	1
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>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>

### PART 6 – Completion time of consultations on Cabinet confidences

Number of days	Number of responses received	Number of responses received past deadline
1 to 15	0	0
16 to 30	0	0
31 to 60	0	0
61 to 120	0	0
121 to 180	0	0
181 to 365	0	0
More than 365	0	0
<b>Total</b>	<b>0</b>	<b>0</b>

### PART 7 – Resources related to the Access to Information Act

#### 7.1 Costs

Expenditures		Amount
Salaries		\$197,243
Overtime		\$0
Goods and Services		\$17,054
• Professional services contracts	\$15,707	
• Other	\$1,347	
<b>Total</b>		<b>\$214,297</b>

## 7.2 Human Resources

<b>Resources</b>	<b>Dedicated full-time to ATI activities</b>	<b>Dedicated part-time to ATI activities</b>	<b>Total</b>
Full-time employees	3.05	0.07	3.12
Part-time and casual employees	0.00	0.00	0.00
Regional staff	0.00	0.00	0.00
Consultants and agency personnel	0.14	0.00	0.14
Students	0.00	0.00	0.00
<b>Total</b>	<b>3.19</b>	<b>0.07</b>	<b>3.26</b>

Appendix A

Previously released ATI package released informally

Institution	Number of informal releases of previously released ATI packages
Public Prosecution Service of Canada	2

Completed Privacy Impact Assessments (PIAs)

Institution	Number of Completed PIAs
Public Prosecution Service of Canada	Nil

Completion Time of Consultations on Cabinet Confidences under the ATIA - Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1,000 Pages Processed		1,001-5,000 Pages Processed		More Than 5,000 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

Completion Time of Consultations on Cabinet Confidences under the ATIA - Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1,000 Pages Processed		1,001-5,000 Pages Processed		More Than 5,000 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

Completion Time of Consultations on Cabinet Confidences under the PA - Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1,000 Pages Processed		1,001-5,000 Pages Processed		More Than 5,000 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

Completion Time of Consultations on Cabinet Confidences under the PA - Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1,000 Pages Processed		1,001-5,000 Pages Processed		More Than 5,000 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