

December 4, 2017



s.40(1)

Dear  s.40(1)

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [JPS/140/2017]

On November 8, 2017, the Department of Justice and Public Safety received your request for access to the following records:

"I am requesting a comprehensive breakdown on the costs associated with the deployment of law enforcement personnel and resources to Labrador in 2017 in response to security concerns related to the Lower Churchill Project, including the transport of critical transformers. Additionally, I am requesting detailed information on the number of personnel (RCMP, RNC and other security agencies, both public and private) deployed to Labrador to bolster security during this time. Additionally, I am requesting details on the numbers of arrests made, and the number of charges. The cost for this deployment? Is it coming from the province's 75 per cent share of the cost for the RCMP presence in Newfoundland and Labrador? Or from other sources?"

I am pleased to inform you that a decision has been made by the Deputy Minister for the Department of Justice and Public Safety to provide access to the requested information that the Department has. In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner.

The appeal may be addressed to the Information and Privacy Commissioner as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John's, NL. A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the *Act* (a copy of this section of the *Act* has been enclosed for your reference).

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Completed Access to Information Requests website within one business day following the applicable period of time.

If you have any questions, please contact me by telephone at 709-729-7128, or by email at sonjaelgohary@gov.nl.ca.

Sincerely,

A handwritten signature in blue ink that reads "Sonja El-Gohary". The signature is written in a cursive style.

Sonja El-Gohary
ATIPP Coordinator

Enclosure

Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52 (1) or 53 (1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21 ;

(b) a decision respecting an extension of time under section 23 ;

(c) a variation of a procedure under section 24 ; or

(d) an estimate of costs or a decision not to waive a cost under section 26 .

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42 , the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45 (2).

Part 1 of request:

Breakdown of costs associated with deployment of law enforcement personnel and resources to Labrador in 2017 in response to security concerns related to the Lower Churchill Project, including the transport of critical transformers.

At this time, the Department of Justice and Public Safety has not yet received all invoices related to additional police resources in Labrador. The Department estimates the total cost will be approximately \$10 million.

Currently, the Department has received invoices for a total of \$3,920,777.05.

Breakdown of \$3,920,777.05:

1A: RNC Costs (up to October 11, 2017)

Type of expense	Total
Overtime	\$194,648.36
Accommodations	\$262.03
Meals	\$333.60
Fuel	\$55.00
Other Modes of Travel	\$25.25
Miscellaneous Travel	\$186.25
Total	\$195,510.49

1B: Office of the High Sheriff Costs (July 20, 2017 – October 11, 2017)

Type of expense	Total
Airfare	\$4,995.40
Supplies	\$1,885.92
Vehicle rentals (HST incl)	\$5,989.20
Overtime	\$16,650.00
Expense Claims	\$40,810.04
Sent Mobile Point of Entry Screening to HV-GB	\$450.00
Total	\$70,780.56

1C: RCMP Costs (as of September 18, 2017)

Please note that the totals for the RCMP are incomplete, as not all invoices have been submitted to the Department of Justice and Public Safety

Type of expense	Total
Transportation	\$1,549,007
Accommodations	\$1,496,071
Meals and Incidentals	\$175,646
Health and Safety	\$71,929
Other	\$249,722
Planning and Logistics	\$32,000
Outside resources – DFO	\$40,788
Outside resources – Corp Commissionaires	\$39,323
Total	\$3,654,486

Part 2 of request:

Detailed information on the number of personnel (RCMP, RNC and other security agencies, both public and private) deployed to Labrador to bolster security during this time.

- As advised by the RCMP, the total number of RCMP and RNC deployed operationally at a given time was approximately 80 to 135 police officers. On average, the total was 114.
- As advised by the Office of the High Sheriff, the total number of officers deployed operationally at any given time was approximately 2-3 officers.

Part 3 of request:

Details on the numbers of arrests made, and the number of charges.

The Department of Justice and Public Safety does not have this information. Law enforcement agencies and the provincial court would likely have this information.

Part 4 of request:

The cost for this deployment? Is it coming from the province's 75 per cent share of the cost for the RCMP presence in Newfoundland and Labrador? Or from other sources?

The costs for this deployment are not covered by the province's 70 percent share of the costs for RCMP presence in Newfoundland and Labrador under the Provincial Police Service Agreement. It has not been determined yet what source will cover the costs for this deployment.