

February 22, 2018

[REDACTED]

**Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our File #: FIN-13-2018 and FIN-14-2018]**

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On January 25, 2018 & January 26, 2018, the Department of Finance received your access to information requests for the following:

**FIN-13-2018** “Records related to any report or review by the comptroller general's office related to allegations of fraud at the Newfoundland and Labrador English School District. Education Minister Dale Kirby referenced such an investigation in an April 12, 2016 news story: [cbc.ca/1.3532157](http://cbc.ca/1.3532157) Date range of request is Jan. 1, 2015, to the present. Request includes records in any and all formats, including paper and electronic”

**FIN-14-2018** “Any internal and/or forensic audit(s) related to allegations of fraud at the NLESD. Date range of request is Jan. 1, 2015, to the present. Both types of audits were referenced by then-CEO Darrin Pike in a CBC News story published April 13, 2016. Link: [cbc.ca/1.3533330](http://cbc.ca/1.3533330)”

Please be advised that the records requested above relate to an investigation by the Royal Newfoundland Constabulary and as such the Access to Information and Protection of Privacy Act (Act) does not apply pursuant to section 5.(1)(k) of the Act which states:

5. (1) This Act applies to all records in the custody of or under the control of a public body but does not apply to
  - (k) a record relating to an investigation by the Royal Newfoundland Constabulary if all matters in respect of the investigation have not been completed.

It is important to note that the Auditor General’s Office is continuing on with the investigation into the allegations of fraud at the NLESD, the results of which will be available to the public upon release of their report.

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 Access to Information and Protection of Privacy Act (the Act). 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 address and contact information of the Information and Privacy Commissioner is 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.

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. Please note that requests for personal information will not be posted online.

If you have any further questions, please feel free to contact the undersigned by telephone at 709-729-2082, or by email at [bethbartlett@gov.nl.ca](mailto:bethbartlett@gov.nl.ca).

Sincerely,



Beth Bartlett  
ATIPP Coordinator