



Government of Newfoundland and Labrador
Department of Justice and Public Safety

September 12, 2019

Dear [REDACTED]

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, 2015 [JPS/47/2019]

On May 17, 2019, the Department of Justice and Public Safety (JPS) received your request for access to the following records:

"All correspondence, documents, briefing notes, emails, records, etc. relating to the Minister's Committee on Violence Against Women and Girls in Newfoundland and Labrador (VAWG-NL) from October 2017 - present."

On May 22, 2019, you confirmed that records relating to inviting people to events, arranging meetings, logistics, rental, etc. could be removed from the records relating to this request. Additionally, on June 4, 2019, you confirmed that emails from individuals relating to specific issues they were dealing with and looking for help could be removed.

On June 12, 2019, you were notified of a 60 day extension.

Please be advised that a decision has been made by the Deputy Minister of JPS to provide access to some of the requested information. Access to the remainder of the information/records has been refused in accordance with the following exceptions to disclosure, as specified in the **Access to Information and Protection of Privacy Act, 2015** (the Act):

27(2) The head of a public body shall refuse to disclose to an applicant

(a) a cabinet record;

27(1) In this section, "cabinet record" means

(h) a record created during the process of developing or preparing a submission for the Cabinet;

29(1) The head of a public body may refuse to disclose to an applicant information that would reveal

(a) advice, proposals, recommendations, analyses or policy options developed by or for a public body or minister;

30(1) The head of a public body may refuse to disclose to an applicant information

(a) that is subject to solicitor and client privilege or litigation privilege of a public body;

31(1) The head of a public body may refuse to disclose information to an applicant where the disclosure could reasonably be expected to

- (a) interfere with or harm a law enforcement matter;
- (c) reveal investigative techniques and procedures currently used, or likely to be used, in law enforcement;
- (f) endanger the life or physical safety of a law enforcement officer or another person;
- (l) reveal the arrangements for the security of property or a system, including a building, a vehicle, a computer system or a communications system;

34(1) The head of a public body may refuse to disclose information to an applicant if the disclosure could reasonably be expected to

- (a) harm the conduct by the government of the province of relations between that government and the following or their agencies:
 - (i) the government of Canada or a province
- (b) reveal information received in confidence from a government, council or organization listed in paragraph (a) or their agencies.

40(1) The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party's personal privacy.

Additionally:

- Some information has been removed as non-responsive as it does not relate to the Minister's Committee.
- Some information in the records falls outside the scope of the Act. Specifically:
 - 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
 - (d) records of a registered political party or caucus as defined in the House of Assembly Accountability, Integrity and Administration Act.

As required by 8(2) of the Act, we have severed information that is unable to be disclosed and have provided you with as much information as possible. In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

Please note that the following pages have been withheld in their entirety:

Section(s) cited	Reason for withholding	Page #
Non-responsive	Does not relate to your request	163
s.27(2)(a); s.27(1)(h)	a record created during the process of developing or preparing a submission for the Cabinet.	878-879
s.30(1)(a)	Solicitor-client privileged information	880-882
s.40(1)	Personal information, the disclosure of which would be an unreasonable invasion of privacy.	888-890; 2057-2059, 2063-2065, 2073-2075
s.5(1)(d)	Caucus records	2021-2027
s.29(1)(a)	advice, proposals, recommendations, analyses or policy options developed by or for a public body or minister	2337-2342, 2358-2363

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 has been enclosed for your reference). A request to the Commissioner must be made in writing not later than 15 business days of the date of this letter or 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 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. Please note that requests for personal information will not be posted online.

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

Sincerely,



Sonja El-Gohary
ATIPP Coordinator

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).

Large file

This request is too large to post online. If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.