Dear [Redacted]

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act (Our File #:JUS/018/2014)

On October 10, 2014, the Department of Justice and Public Safety received your request for access to the following records/information:

"I am requesting under the Access to Information Act a status update on each of the recommendations made by the Child and Youth Advocate to your department since 2012."

On November 10, 2014 we advised you that the 30-day time period for responding to your request had been extended for an additional 30 days as consultation with the Office of the Child and Youth Advocate (the Advocate’s Office) was required before we could determine whether or not to grant access to the requested records.

Please be advised that the Advocate’s Office does not consent to the release of documents. The Advocate’s Office advises an investigation remains open until all recommendations are monitored and all actions are taken. The Advocate’s Office has advised it considers the follow up on the recommendations of all reports since 2012 to be connected with the investigatory functions of the Office. Based on the advice from the Advocate’s Office, and in accordance with Section 30.1(c) of the Access to Information and Protection of Privacy Act (the Act), access to these records has been refused. Section 30.1 of the Act states:

30.1 The Speaker of the House of Assembly or the officer responsible for a statutory office shall refuse to disclose to an applicant information

(c) in the case of a statutory office as defined in the House of Assembly Accountability, Integrity and Administration Act, records connected with the investigatory functions of the statutory office.
Section 43 of the Act provides that you may ask the Information and Privacy Commissioner to review this refusal of access or you may appeal the refusal to the Supreme Court Trial Division. A request to the Commissioner shall be made in writing within 60 days of the date of this letter or within a longer period that may be allowed by the Information and Privacy 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
Facsimile: (709) 729-6500

In the event that you choose to appeal to the Trial Division, you must do so within 30 days of the date of this letter. Section 60 of the Act sets out the process to be followed when filing such an appeal.

Please be advised that this letter will be published following a 72 hour period after it 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 letter posted to the Office of Public Engagement’s 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 the ATIPP Coordinator, Neil Croke, at 709-729-7906, or ncroke@gov.nl.ca.

Sincerely,

Heather Jacobs, Q.C.
Assistant Deputy Minister