



The Correctional Investigator
Canada

L'Enquêteur correctionnel
Canada

Annual Report to Parliament
on the
Access to Information Act and Proactive Disclosure

April 1, 2023 to March 31, 2024

Table of Contents

Introduction	Page 3
Our Mandate	Page 3
Our Mission	Page 3
Proactive Disclosure Activities	Page 3
Access to Information Activities	Page 4
During the Reporting Period	Page 5
Initiatives and Projects to Improve Access to Information	Page 7
Costs	Page 8
Five-year Historical Trend Analysis	Page 8
Appendix A - Delegation Order	Page 11

INTRODUCTION

The Office of the Correctional Investigator is pleased to submit to Parliament its Annual Report on the administration of the *Access to Information Act (ATIA)* for the fiscal year commencing on April 1, 2023 and ending March 31, 2024. This report is submitted in accordance with section 94 of the *Act*. This report is tabled in Parliament by the Minister of Public Safety.

The *Access to Information Act* took effect on July 1, 1983. The *ATIA* gives Canadian citizens, permanent residents and any person and corporation present in Canada a right of access to information contained in government records, subject to certain specific and limited exceptions.

OUR MANDATE

The Office of the Correctional Investigator is mandated by Part III of the *Corrections and Conditional Release Act* as an Ombudsman for federal offenders. The primary function of the Office is to investigate and bring resolution to individual offender complaints. The Office also has a responsibility to review and make recommendations on the Correctional Service's policies and procedures to ensure that systemic areas of concern are identified and appropriately addressed.

OUR MISSION

As the ombudsman for federally sentenced offenders, the Office of the Correctional Investigator serves Canadians and contributes to safe, lawful and humane corrections through independent oversight of the Correctional Service of Canada by providing accessible, impartial and timely investigation of individual and systemic concerns. While an independent organization, the Office of the Correctional Investigator is part of the Public Safety Portfolio.

PROACTIVE DISCLOSURE ACTIVITIES

As a separate agency, the Office of the Correctional Investigator is listed in Schedule I.1 of the *Financial Administration Act* for the purpose of Part 2 of the *ATIA*.

The following table provides the list of proactive requirements to which the OCI is subjected, links to the publication platforms as well as the percentage of publications made within legislated timeframes over the reporting period:

Legislative Requirement	Section	Publication Timeline	Rate of Disclosure within Legislated Timeframes
Travel Expenses (open.canada.ca)	82	Within 30 days after the end of the month of reimbursement	100%
Hospitality Expenses (open.canada.ca)	83	Within 30 days after the end of the month of reimbursement	100%
Reports tabled in Parliament (oci-bec.gc.ca)	84	Within 30 days after tabling	100%

Contracts over \$10,000 (open.canada.ca)	86	Q1-3: Within 30 days after the quarter Q4: Within 60 days after the quarter	100%
Packages of briefing materials prepared for new or incoming deputy heads or equivalent (oci-bec.gc.ca)	88(a)	Within 120 days after appointment	N/A
Titles and reference numbers of memoranda prepared for a deputy head or equivalent, that is received by their office (open.canada.ca)	88(b)	Within 30 days after the end of the month received	100%
Packages of briefing materials prepared for a deputy head or equivalent's appearance before a committee of Parliament (oci-bec.gc.ca)	88(c)	Within 120 days after appearance	100%
Reclassification of positions (open.canada.ca)	85	Within 30 days after the quarter	N/A

The Office is a micro agency with less than 45 FTEs. Senior management shares the responsibility to ensure that all proactive publication requirements are met. Proactive disclosure requirements has become a standard point on the Agenda of Senior Management Committee which occurs on a bi-weekly basis. All requirements are reviewed for any outstanding items and the responsible directors ensure follow-up as required. There were no training or awareness activities during the reporting period.

ACCESS TO INFORMATION ACTIVITIES

The Minister of Public Safety is the designated head of the institution for the *Access to Information Act*. The Correctional Investigator has been delegated full authority under the *Access to Information Act* by the Minister. Full authority under the *Act* has also been delegated to the Access to Information and Privacy Coordinator. The delegation of authority to administer the *Act* was confirmed by the Minister of Public Safety and Emergency Preparedness on July 31, 2020 (see Appendix A).

While the responsibilities of the ATIP Coordinator are assigned to the Director and Legal Counsel, the actual processing of requests and any associated activities are generally carried out by one (1) consultant. Given the limited number of requests, it is felt that this is the most cost-effective utilization of resources and delivery of these activities.

The ATIP Coordinator is accountable for the development, coordination and implementation of effective policies, guidelines, systems and procedures to ensure the responsibilities under the *Access to Information Act* are met and to enable appropriate processing and proper disclosure of information. The Coordinator is also responsible for related policies, systems and procedures emanating from the *Act*.

The main activities of the ATIP Coordinator include:

- Processing requests under the *Act*;
- Developing and maintaining policies, procedures and guidelines to ensure the *Act* is respected;
- Promoting awareness of the *Act* to ensure the OCI's responsiveness to the obligations imposed on the government;
- Monitoring the OCI's compliance with the *Act*, regulations and relevant procedures and policies;
- Preparing annual reports to Parliament and other statutory reports, as well as other material that may be required by central agencies;
- Representing the OCI in dealings with the Treasury Board Secretariat, the Information Commissioner and other government agencies regarding the application of the *Act* as they relate to the OCI; and
- Supporting the OCI in meeting its commitments in relation to greater openness and transparency through proactive disclosure of information and the disclosure of information through informal avenues.

The OCI is not subject to any agreements under section 96 of the *Access to Information Act*.

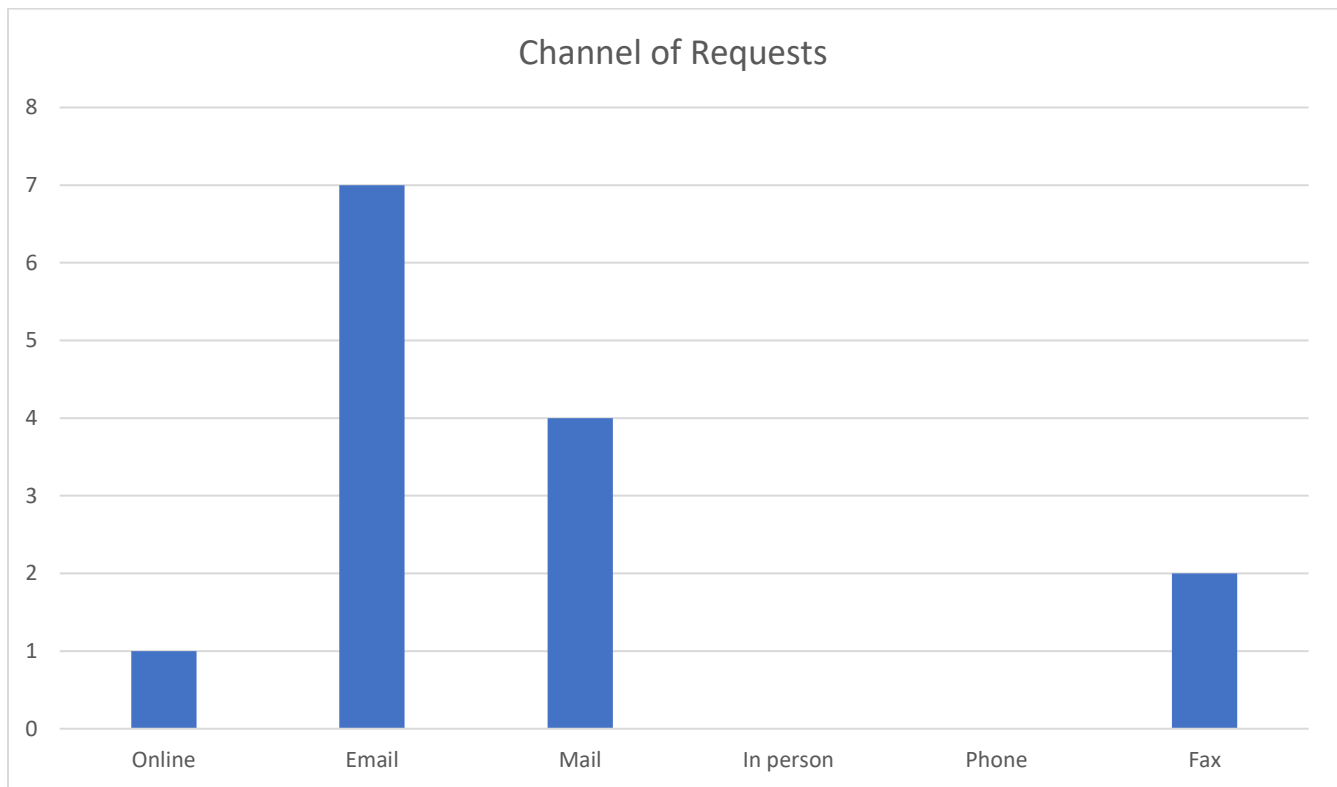
DURING THE REPORTING PERIOD

Ten (10) requests were received and there were four (4) outstanding from the previous reporting period. Of these requests:

- Twelve (12) were disclosed in part (86%)
- Two (2) were released in its entirety (14%)
- None were exempted or excluded in their entirety
- None were abandoned
- None had no existing records
- None were transferred
- None were carried forward to the next reporting period

The request that had been outstanding since the 2020-2021 reporting period was completed during this reporting period and was completed beyond the legislated timeline. Three (3) requests were outstanding from the 2022-2023 reporting period and all three (3) were completed beyond the legislated timeline.

During this reporting period we have received the majority of requests by way of email (50%) followed by receiving requests by mail (28%).



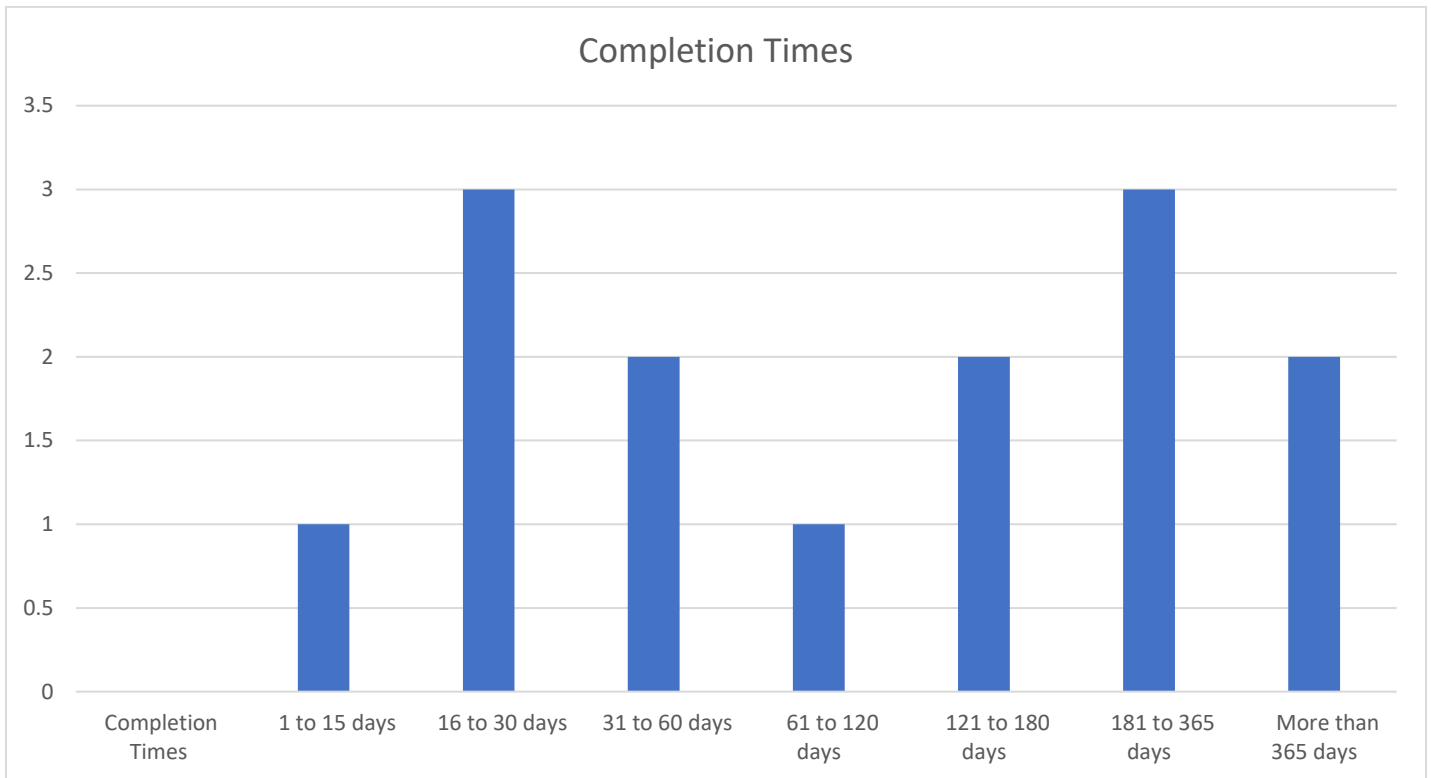
Extensions were taken for seven (7) of the requests. Extensions were taken to consult with other government departments. In order to alleviate extensive delays when consulting with the Correctional Service of Canada, the Office and CSC have come to an agreement that consultations will only be done when absolutely necessary.

We saw a significant increase in the number of informal requests submitted. There were twelve (12) informal requests received this year.

The Office could not meet the statutory response time for eight (8) requests during the reporting period. In seven (7) of the eight (8) requests, the delays were attributable to delays within our own office.

The OCI responded to 69% of requests within the legislated timelines. This is a significant increase over the previous reporting period.

The Office received one request for consultation by another institution during the reporting period, to which it responded within 15 days.



Monitoring of the time required to process these access requests was completed by the ATIP Coordinator in preparing the historical trend analysis in this report. The Executive Director and the ATIP Coordinator are advised by way of a briefing note when requests are not closed within the required time limits. The briefing note advises of the reason for the late response.

No training sessions were provided during the reporting period. Advice, guidance and recommendations were provided by the consultant on an as required basis to Management and staff.

The OCI did receive one (1) complaint during the reporting period. The complaint remains active at the time of reporting.

INITIATIVES AND PROJECTS TO IMPROVE ACCESS TO INFORMATION

In alignment with the latest Treasury Board guidelines in Canada, our office has taken significant strides to enhance public access to government records. To facilitate this accessibility for inmates, we have implemented a policy to waive the \$5 application fee for access to information requests. By removing this financial barrier, we aim to streamline the process and ensure that inmates can readily obtain the information they seek without undue burdens. Our commitment to promoting transparency and ease of access underscores our dedication to serving the public interest and fostering a more inclusive and responsive governance approach.

COSTS

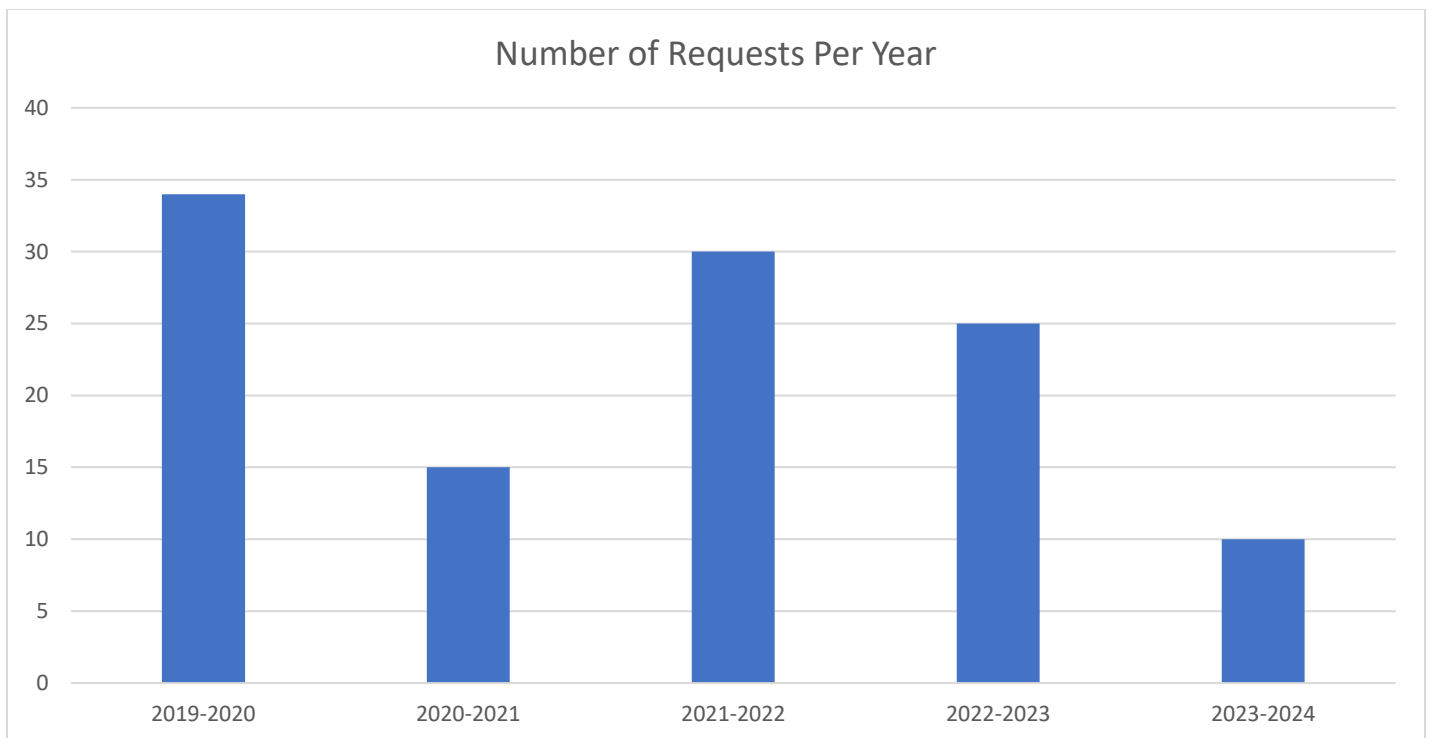
For 2023-24, the costs directly associated with the administration of the *Access to Information Act* are estimated at \$15,183.

Staff	\$ 3,807
Consultant fees	\$10,127
Other	\$ 1,249

The associated employee resources for 2023-2024 are estimated at 0.150 FTE for administering the *Access to Information Act*.

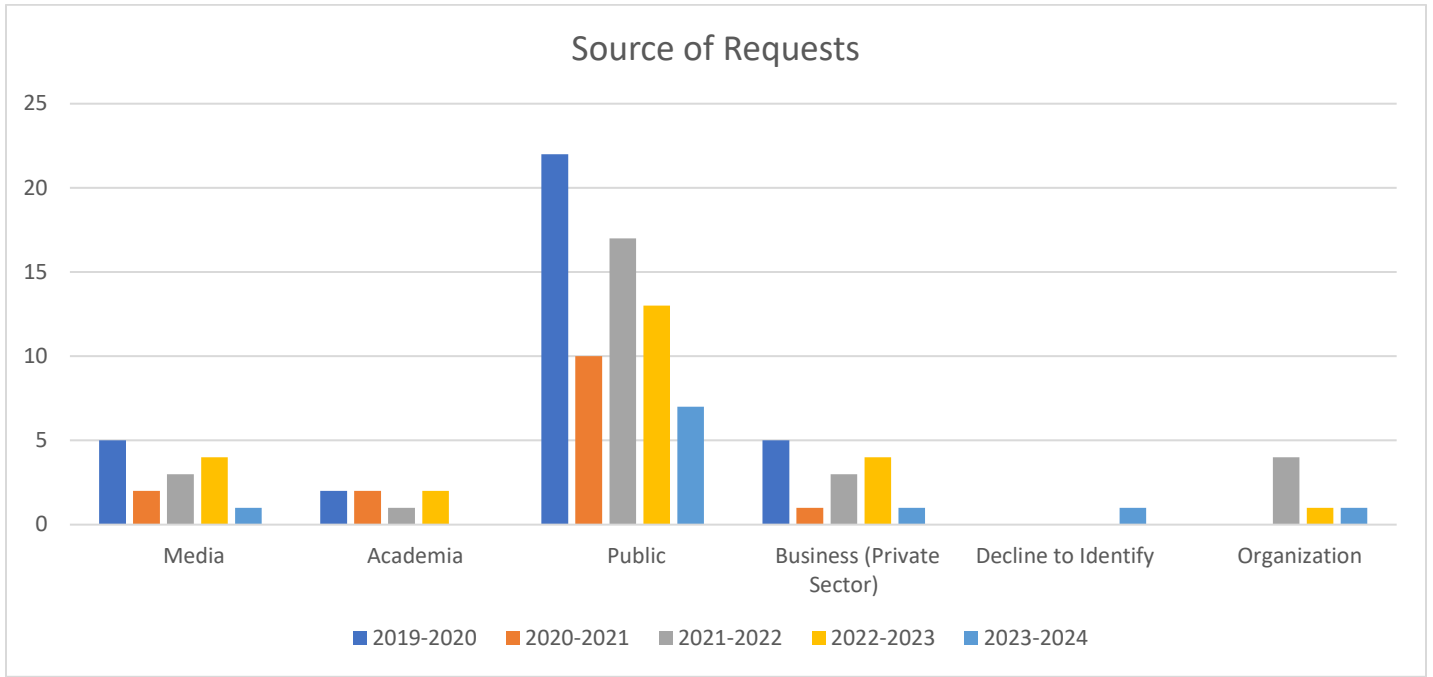
FIVE-YEAR HISTORICAL TREND ANALYSIS

Over a five-year period, from 2019-2020 to 2023-2024, the OCI received an average of twenty-one (21) requests annually.

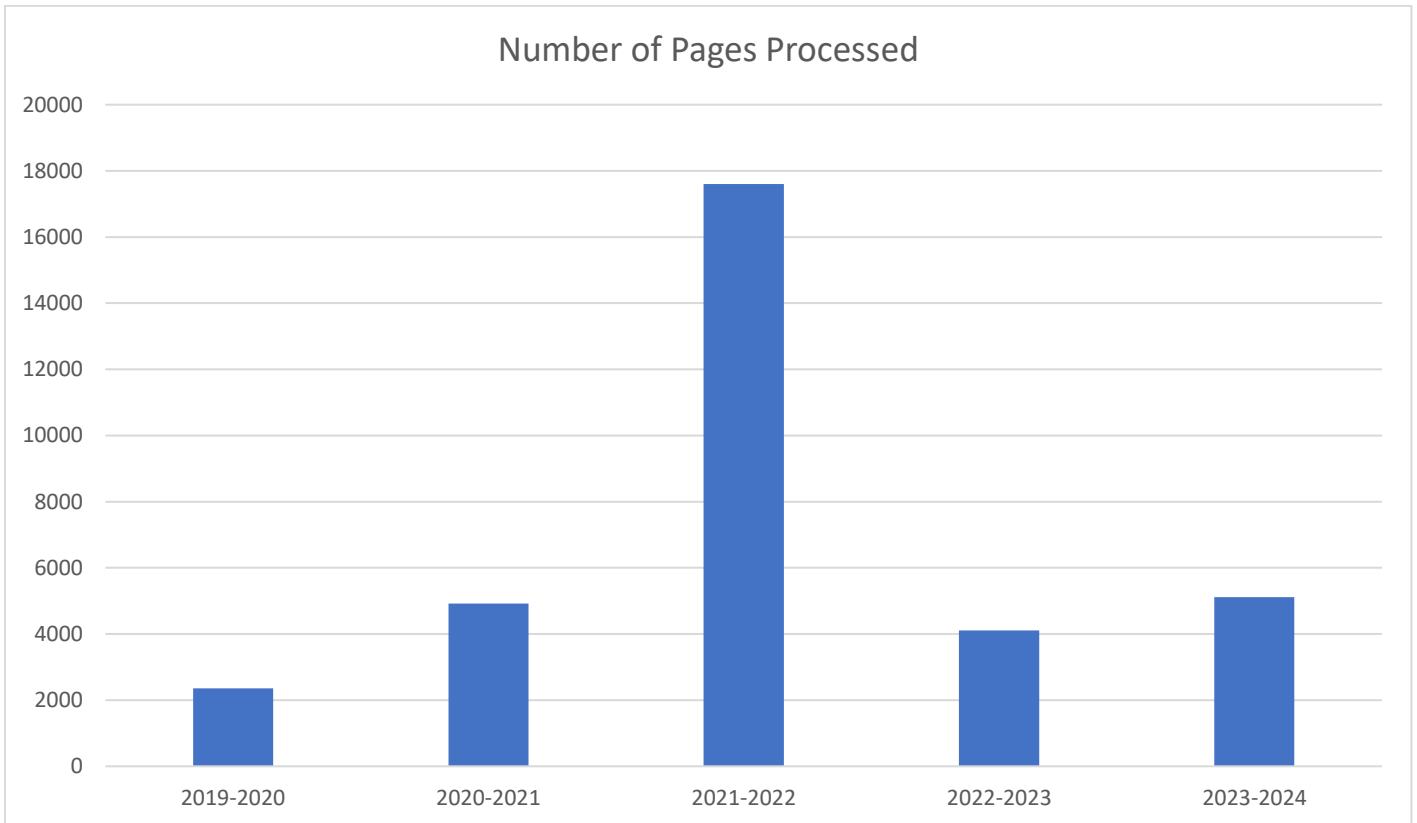


Over the last five years, the OCI has maintained a 49% completion rate of requests processed between 1-60 days.

The Source of the Requests remains the most often the Public with an average of fourteen (14) requests followed by Media and Business with an average of three (3) requests each.



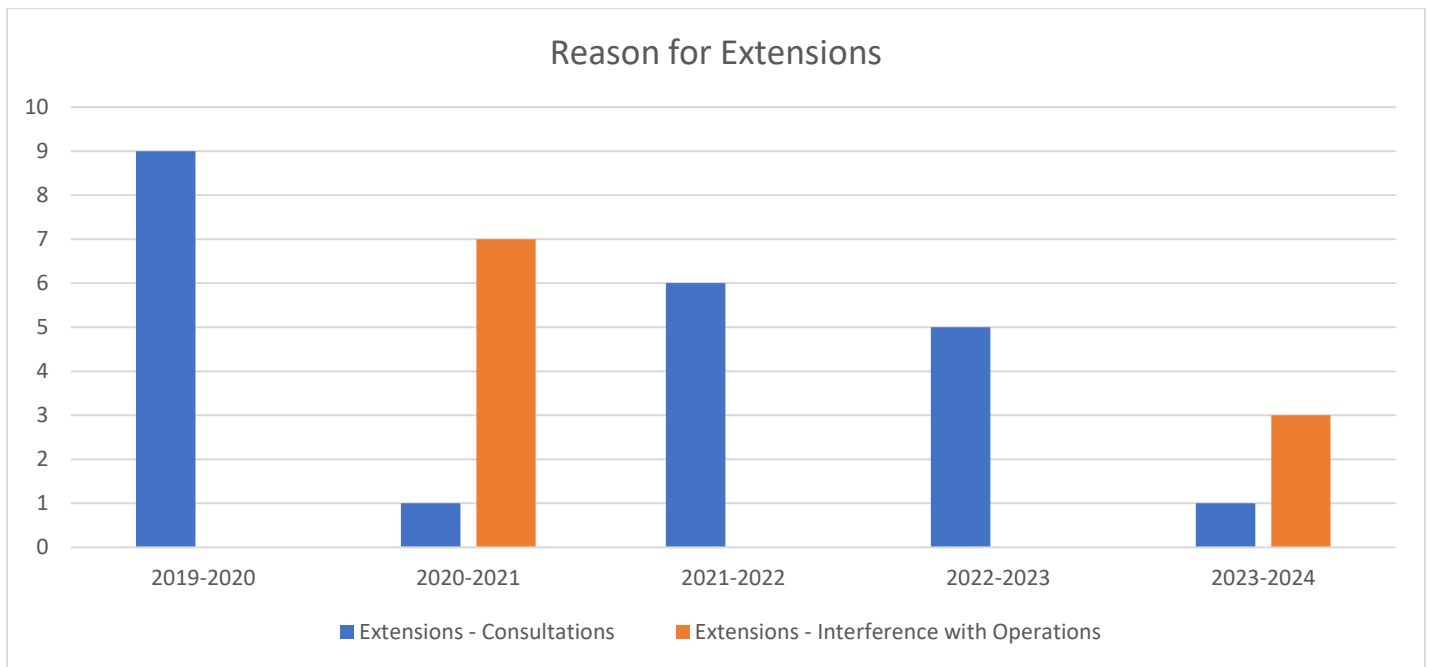
Concerning the number of pages processed, an average of six thousand, eight hundred and nineteen (6,819) was recorded.



The most frequently used exemptions were:

- 19(1) at 43%
- 16(1)(d) at 20%
- 16(1)(c) at 10%

A total of twenty-two (22) extensions for consultations were recorded for an average of four (4) extensions per reporting period. Because the majority of the records held by the Office were provided by or of interest to the Correctional Service of Canada, a large number of our files require a consultation with the CSC ATIP office.



A total of twenty (20) consultations were received from other government organizations for an average of four (4) consultations per reporting period.

This baseline data will continue to be used in future years to assess trends, inform ongoing improvement in the processing of ATI requests and implementing corrective measures where necessary.

APPENDIX A
Delegation Order

Access to Information Act Delegation Order

Arrêté sur la délégation en vertu de la
Loi sur l'accès à l'information

The Minister of Public Safety and Emergency Preparedness, pursuant to section 95 of the Access to Information Act, hereby designates the persons holding the positions set out in the schedule hereto to exercise the powers and perform the duties and functions of the Minister as head of a government institution, that is, the Office of the Correctional Investigator, under the sections of the Act set out in the schedule opposite each position.

En vertu de l'article 95 de la Loi sur l'accès à l'information, le Ministre de la Sécurité publique et de la Protection civile délègue aux titulaires des postes mentionnés à l'annexe ci-après les attributions dont il est, en qualité de responsable d'une institution fédérale, c'est à dire, Bureau de l'enquêteur correctionnel, investi par les articles de la Loi mentionnés en regard de chaque poste.

Schedule
Annexe

<u>Position</u>	<u>Sections of the Access to Information Act and Regulations</u>
<u>Poste</u>	<u>Articles de la Loi sur l'accès à l'information et Règlement</u>
Correctional Investigator Enquêteur correctionnel	Full Authority Autorité absolue
Executive Director Directrice exécutive	Full Authority Autorité absolue
Access to Information and Privacy Coordinator Coordonnateur, accès à l'information et protection des renseignements personnels	Full Authority Autorité absolue

Dated at the City of Ottawa this 31 th day of July, 2020.

Daté en la ville d'Ottawa ce 31 ième jour de juillet, 2020



The Honourable Bill Blair, P.C., M.P. / L'honorable Bill Blair, C.P., député
Minister of Public Safety and Emergency Preparedness / Ministre de la Sécurité publique et de la Protection civile