Public Prosecution Service of Canada | Service des poursuites pénales du Canada

Annual Report on the *Access to Information Act*

Public Prosecution Service of Canada

2022-2023

Canada

Annual Report on the *Access to Information Act* (Public Prosecution Service of Canada), 2022-2023

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1 Introduction

The *Access to Information Act* (the Act) came into force on July 1, 1983. The purpose of the Act is to enhance the accountability and transparency of federal government institutions in order to promote an open and democratic society and enable public debate on the conduct of those institutions. As part of that purpose, the Act provides a right of access to information found in records under the control of a government institution, in accordance with the following principles:

- Government information should be available to the public;
- Necessary exceptions to the right of access should be limited and specific; and
- Decisions on the disclosure of government information should be reviewed independently of government.

The Public Prosecution Service of Canada (PPSC) became subject to the Act when it was established as an independent organization on December 12, 2006, with the coming into force of the *Director of Public Prosecutions Act* (Part 3 of the *Federal Accountability Act*).

Pursuant to section 94 of the *Access to Information Act* and section 20 of the *Service Fees Act*, this 2022-2023 Annual Report on the Act has been prepared for tabling in the House of Commons and the Senate. This Report provides an analysis of the information contained in the PPSC's Statistical Report on the Act. In addition, it reports on emerging trends, training activities, internal policies, guidelines, and procedures with respect to the PPSC's administration of the Act.

2 The Public Prosecution Service of Canada

The PPSC's mandate is set out in the *Director of Public Prosecutions Act* (DPPA). The DPPA empowers the Director of Public Prosecutions (DPP), as Deputy Attorney General of Canada, to:

- Initiate and conduct federal prosecutions;
- Intervene in proceedings that raise a question of public interest that may affect the conduct of prosecutions or related investigations;
- Issue guidelines to federal prosecutors;
- Advise law enforcement agencies or investigative bodies on general matters relating to prosecutions and on particular investigations that may lead to prosecutions;
- Communicate with the media and the public on all matters that involve the initiation and conduct of prosecutions;
- Exercise the authority of the Attorney General of Canada in respect of private prosecutions; and
- Exercise any other power or carry out any other duty or function assigned by the Attorney General of Canada that is compatible with the office of the DPP.

The DPPA also empowers the DPP to:

- Initiate and conduct prosecutions under the *Canada Elections Act*; and
- Act, when requested by the Attorney General of Canada, in matters under the *Extradition Act* and the *Mutual Legal Assistance in Criminal Matters Act*.

The DPP has the rank and status of a deputy head of a department and, in this capacity, is responsible for the management of the PPSC as a distinct government institution.

3 The ATIP Office

The ATIP Office holds primary responsibility for the implementation and administration of the *Access to Information Act*, along with the *Privacy Act* (collectively known as ATIP). The Office deals directly with the public in relation to access to information requests, liaises with Offices of Primary Interest (the subject matter experts) to prepare responses, and serves as the centre of ATIP expertise within the PPSC.

The ATIP Office fulfills its responsibilities by:

- Processing access to information requests in accordance with the *Access to Information Act*, the *Access to Information Regulations* (the Regulations), and the Treasury Board of Canada's policies, directives, and guidelines;
- Responding to consultations submitted by other federal government institutions or other levels of government on PPSC records being considered for release, including the review of solicitor-client privilege in records related to criminal proceedings;
- Providing advice to PPSC managers and employees regarding the application and interpretation of the Act, the Regulations, and Treasury Board policies and directives;
- Reviewing PPSC policies, procedures, and agreements as well as making recommendations to ensure that they comply with the requirements of the Act;
- Monitoring the PPSC's compliance with the Act, the Regulations, and Treasury Board policies and directives;
- Communicating with investigators of the Office of the Information Commissioner of Canada to resolve complaints filed against the PPSC;
- Reviewing documents relevant to proactive publication prior to their publication on the PPSC's website, so that they do not contain information that is subject to exemptions or exclusions under the Act;
- Delivering training sessions intended to familiarize the PPSC's managers and employees with the requirements of the Act, the Regulations, and Treasury Board policies and directives;
- Updating the PPSC's chapter of the federal government's publication known as *Info Source: Sources of Government and Employee Information*;
- Submitting an annual statistical report on the administration of the Act to the Treasury Board of Canada Secretariat (TBS);

- Preparing an annual report on the administration of the Act for tabling in both Houses of Parliament; and
- Posting summaries of completed access to information requests on the Open Government Portal.

3.1 Organizational structure

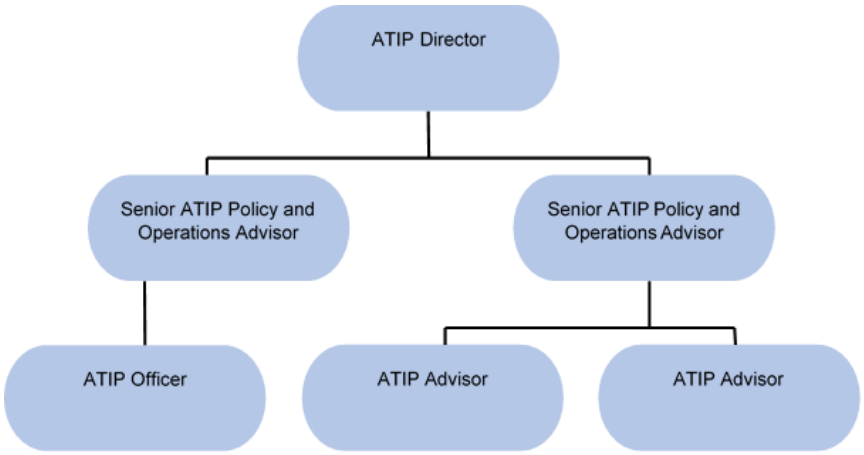
The Director General, Communications and Parliamentary Affairs (CPA), acts as the PPSC's ATIP Coordinator. The Director of the ATIP Office reports to the Director General, CPA.

During the period from April 1, 2022, to March 31, 2023, the ATIP Office comprised the Director, two (2) Senior Advisors, two (2) Advisors, and one (1) ATIP Officer. There were no consultants during this time. The positions of one of the Advisors and the ATIP Officer were vacant at the beginning of the fiscal year. They were filled during the second half of the reporting period.

Section 96 of the Act allows for the PPSC to exchange ATIP services with another government institution within the same ministerial portfolio. There were no such service agreements undertaken during this period.

The following chart outlines the organizational structure of the ATIP Office on March 31, 2023:

Figure 1: Organizational structure



Part 2 of the Act requires that government institutions proactively publish popular types of government information within certain timelines. Responsibilities under Part 2 are shared between several corporate services at the PPSC. The ATIP Office acts as a centre of expertise for proactive publication and reviews many of the proposed disclosures prior to publication. The following sections at the PPSC are responsible for ensuring that their information is published online within timelines:

- The Finance and Acquisitions Directorate publishes travel and hospitality expenses for senior officials as well as contracts and amendments over $10,000;
- The Human Resources Directorate publishes the reclassification of public servant positions at the PPSC;
- The Ministerial and Parliamentary Affairs team publishes the titles and reference numbers of briefing notes prepared for the DPP and the Attorney General of Canada;
- The Ministerial and Parliamentary Affairs team and the Communications team publish briefing materials, also known as transition binders, that are intended for a new or incoming DPP or Attorney General of Canada, when applicable; and
- The ATIP Office, Communications team, and the Strategic Planning and Performance Measurement Unit ensure that their respective annual reports tabled in Parliament are also published online.

Other publication requirements under Part 2 of the Act do not apply to the PPSC since the relevant documents are not in use at the organization. For example, the PPSC does not administer a grants and contributions program nor does it prepare briefing materials for the purpose of a Parliamentary Question Period or appearances before Parliamentary Committees.

Further information on how the PPSC administers Part 2 of the Act is available in section 6 (Proactive publication) and section 10 (Monitoring compliance), respectively, of this report.

4 Delegated authorities

Pursuant to subsection 95(1) of the Act, the head of a government institution may designate one or more officers or employees of that institution, by order, to exercise or perform any of the powers, duties, or functions of the head of the institution under the Act.

The DPP, as the “head of institution,” has designated this authority to the Director General, CPA, as well as the Senior Director General, Corporate Services, and the ATIP Director (Delegation Order in Appendix A). The ATIP Director exercises this authority in the absence of the Director General, CPA. The Senior Director General, Corporate Services, exercises this authority in the absence of both the Director General, CPA, and the ATIP Director.

5 Performance

The following section provides an overview of key data on the PPSC’s performance for the fiscal year, as reflected in the 2022-2023 Statistical Report on the Act in Appendix B of this report as well as the 2022-2023 Supplemental Statistical Report in Appendix C.

5.1 Requests received under the *Access to Information Act*

5.1.1 Number of requests

The PPSC received 75 formal access to information requests in 2022-2023. This is substantially more than what was received in recent years during the COVID-19 pandemic. It is also the greatest number of requests received during a single reporting period since the PPSC's creation on December 12, 2006. This historical milestone is largely attributed to sustained media attention on the PPSC as well as the full resumption of court activities since the onset of the pandemic.

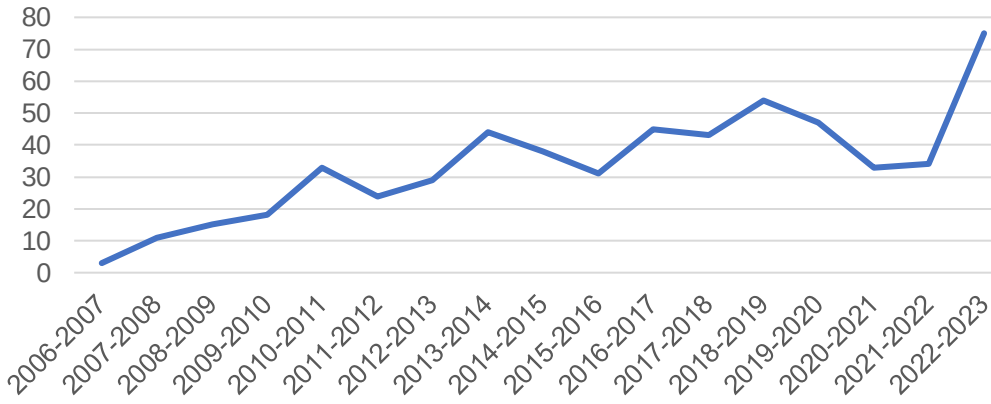
The PPSC completely received all access to information requests via an **online** channel, known as the ATIP Online Request Service. This is part of a larger trend in increasingly digital ATIP services.

Additionally, 13 requests were carried over from the previous fiscal year. Altogether, the PPSC had 88 requests to process in 2022-2023.

Since its creation, the PPSC has received 577 access to information requests in total. Despite the decreases briefly demonstrated during the pandemic and some fluctuations throughout, the overall number of requests received each fiscal year has continued to increase.

The following chart illustrates this trend:

Figure 2: Requests received since 2006



Note: As the PPSC was created on December 12, 2006, data for 2006-2007 only reflects a three-month period. Additionally, since 2014-2015, the number of requests received no longer includes those that are treated informally. These requests are now reported separately as informal requests.

5.1.2 Subject matter

The subject matter of the 75 requests received in 2022-2023 was varied and often involved overlapping categories. However, a few key themes can be observed:

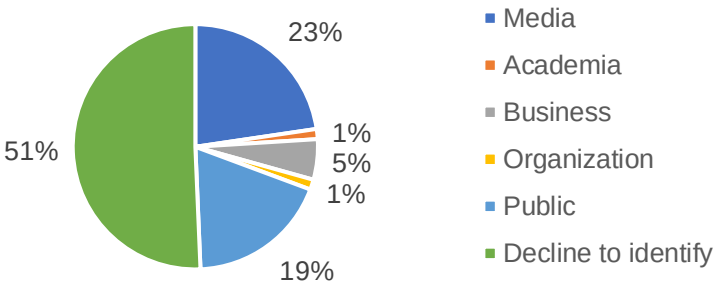
- Reflecting the mandate of the PPSC, 59% of requests received related to criminal and regulatory prosecutions and investigations.
- Notably, applicants were also interested in records on the following subjects: human resources and workplace matters; briefing materials; government contracts, and data on a variety of topics, such as the PPSC workforce, salaries, expenses of senior officials, criminal charges, and prosecution trends.

5.1.3 Sources

The proportion of applicants declining to self-identify has grown steadily over the past few years. During the 2022-2023 reporting period, approximately half of the 75 requests received were from applicants who declined, compared with 32% in 2021-2022 and 18% in 2020-2021. In previous periods, the majority of requests received were from applicants who identified as media representatives. In 2022-2023, only 23% of requests came from a confirmed media source.

The following chart shows the distribution of all requests received in 2022-2023 by source:

Figure 3: Sources of received requests



5.1.4 Informal requests

An informal request is any request for information made to the ATIP Office of a government institution that is not processed under the Act. Fees cannot be charged for informal requests and there are no legislated deadlines for response. Additionally, the applicant has no legal right of complaint to the OIC.

The PPSC typically receives the majority of informal requests through the online Open Government Portal, where the PPSC publishes a monthly summary of completed access to information requests. Applicants have the ability to submit an informal request through the Portal for any records that were released in response to completed requests.

In 2022-2023, the PPSC received all but one (1) of its informal requests **online** through the Open Government Portal.

During the 2022-2023 fiscal year, the PPSC received 37 informal requests, more than in the last two years but significantly less than the 66 requests in 2019-2020, the period directly prior

to the onset of the pandemic. This year's increase from the 19 informal requests received in 2021-2022 may reflect renewed public attention on prosecutions and other court activities.

Additionally, two (2) informal requests were carried over from the previous fiscal year. Altogether, the PPSC had 39 informal requests to process in 2022-2023.

The PPSC responded to 36 of the 39 informal requests during the fiscal year, all but five (5) within the first 15 days of receipt. These efforts involved re-releasing a total of 8,644 pages to informal applicants. The remaining three (3) informal requests were carried over to the next reporting period.

Throughout the fiscal year, the ATIP Office also prepared responses to Parliamentary Questions as well as provided advice and recommendations to PPSC employees regarding various reports on audits, workplace violence investigations, and information to be proactively published. The ATIP Office reviewed these reports to ensure that sensitive information, such as solicitor-client privileged and personal information, was identified and protected prior to publication or disclosure to the relevant parties.

5.2 Requests closed during the fiscal year

5.2.1 Disposition of requests

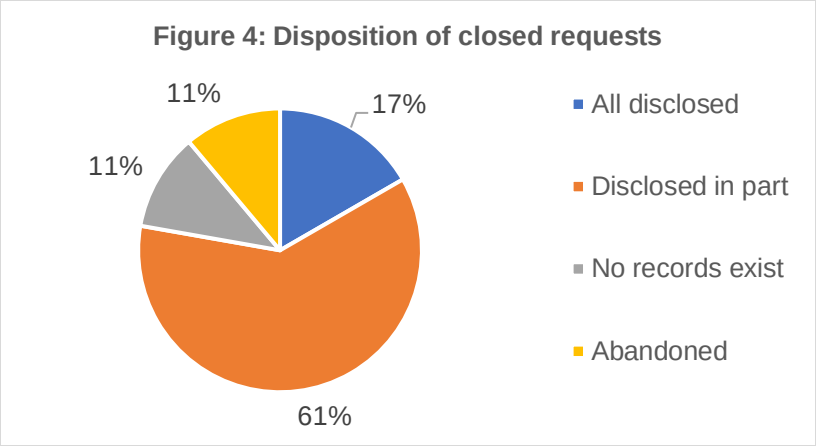
The PPSC responded to a record number of 72 formal access to information requests, which is 82% of the 88 requests that were received in 2022-2023 or carried forward from the previous period. Additionally, this is a substantial increase from the 29 closed in 2021-2022 and the 28 closed in 2020-2021, the two reporting periods both affected by intermittent health and safety restrictions on ATIP operations. Therefore, the most recent fiscal year demonstrates a return to pre-pandemic levels of activities at the PPSC.

16 requests remained outstanding by March 31, 2023, and were carried forward to the next fiscal year:

- 12 were received during the 2022-2023 fiscal year;
- Three (3) were received in 2021-2022; and
- One (1) was received in 2019-2020.

Six (6) of the 16 outstanding requests were still within legislated timelines at the end of the reporting period, while 10 were not. Of the latter, each involve complex subject matter related to high-profile prosecution cases or a significant volume of records. Extensions to the initial statutory deadline were taken on many of these files to manage the volume or conduct consultations with other government institutions. Despite these extensions, further time is needed to process these requests and they are now past the extended deadline.

For requests closed in 2022-2023, the disposition is as follows:



Of the 72 requests closed in 2022-2023, records were fully or partially disclosed in 78% of cases, a 12% proportional decrease from the previous period but on par with the overall rate of the past five fiscal years, where an average of 73% of closed requests resulted in a full or partial disclosure of records to applicants.

During the 2022-2023 reporting period, the PPSC closed the following requests which did not result in the disclosure of any records:

No records exist
Eight (8) requests could not be processed because relevant records under the control of the PPSC did not exist. Where possible, applicants were advised of other government institutions that may have records and were provided with contact information accordingly.

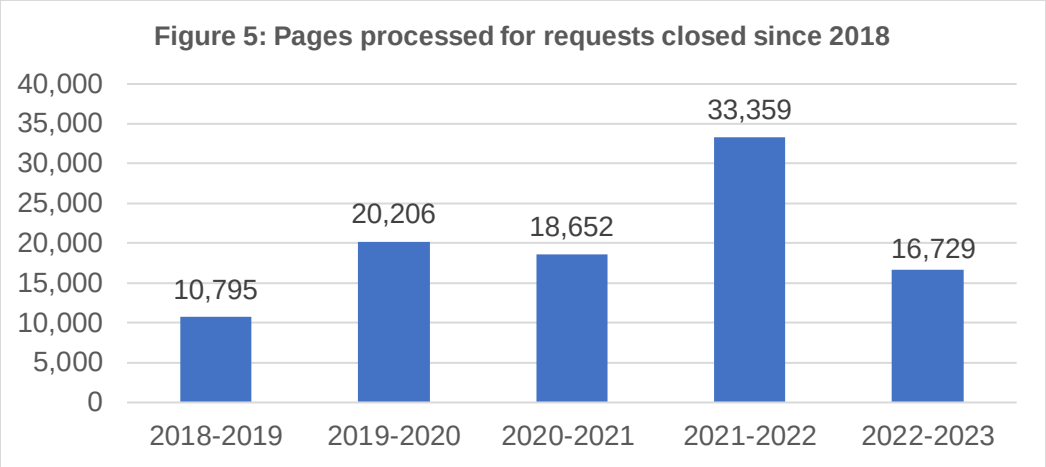
Abandoned
Eight (8) requests were abandoned by applicants. In most abandoned cases, clarification is needed from the applicants in order to process their requests. When the applicants do not provide clarification, the requests are deemed as abandoned. In other cases, the applicants choose to abandon their requests.

5.2.2 Number of pages processed

Despite the record increase in requests closed in 2022-2023, these requests involved fewer pages. The PPSC processed a total of 16,729 pages in order to close 72 requests during the fiscal year, a 55% decrease from 2021-2022 but a similar overall volume to earlier periods.

The PPSC ATIP Office also reviewed an additional 6,802 pages received from across the organization that were deemed as not relevant to the requests and were therefore not included as part of the responses.

The following is a summary of the relevant pages processed by the PPSC over the last five fiscal years:



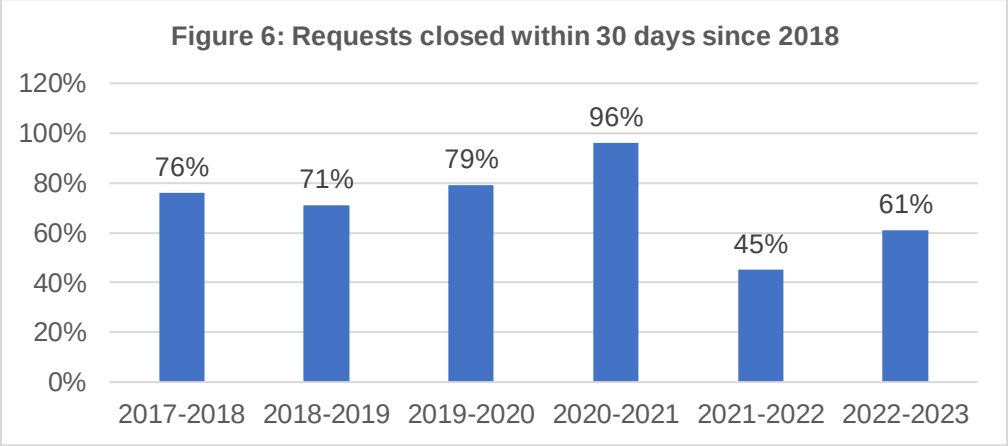
5.2.3 Completion time

Of the 72 requests closed in 2022-2023, 44 were processed within the initial 30-day statutory deadline. This is a substantial increase compared with the 13 requests completed within the same timeframe during the previous period. The larger amount could be attributed to the fewer pages involved in processing the majority of requests closed in 2022-2023. In 2021-2022, many of the requests that were closed involved several thousand pages each. Larger page volumes almost always correlates to more time needed for processing requests to completion.

An additional 12 requests were processed in 2022-2023 within the next 30 days and another 16 were closed between 61 and 365 days.

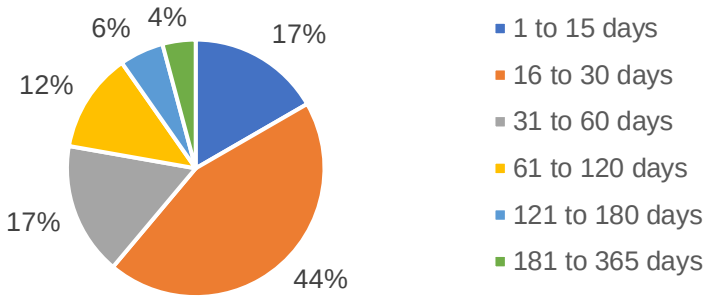
Overall, the PPSC has processed 70% of the access to information requests closed over the last five fiscal years within 30 days of receipt.

The proportion of requests closed within this timeframe in recent years is as follows:



The following is a breakdown of the number of days taken to respond to all requests closed in 2022-2023:

Figure 7: Completion time of requests

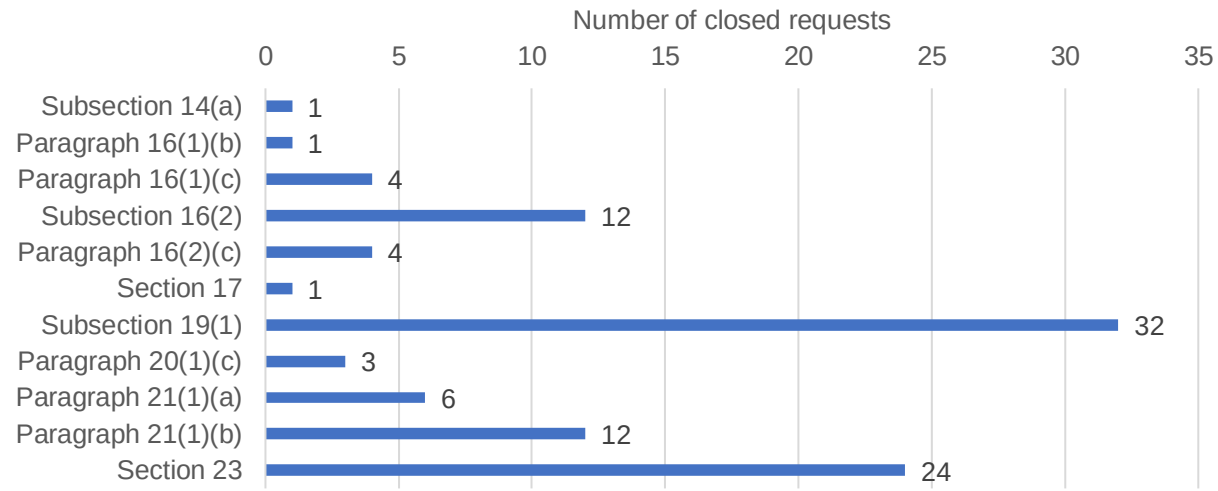


5.2.4 Exemptions

The right of access to information in government records is subject to limited and specific exceptions. Limitations to the right of access are set out in sections 13 through 24 of the Act. Section 26 also sets out an administrative exception relating to the publication of information.

The following is a breakdown of the exemptions applied by the PPSC in 2022-2023 for closed requests:

Figure 8: Exemptions that were invoked



Over the last five fiscal years, the PPSC has most often invoked subsection 19(1) (personal information) and section 23 (solicitor-client privilege) of the Act when exempting information from disclosure. This reflects the mandate of the PPSC to conduct federal prosecutions, which often involve personal information, and to provide legal advice to law enforcement agencies and investigative bodies on matters relating to prosecutions.

5.2.5 Exclusions

Records or parts thereof to which the Act does not apply are considered to be "excluded." Pursuant to section 68, the Act does not apply to published material or material available for purchase by the public, library or museum material preserved solely for public record, or material placed in Library and Archives Canada. Records containing confidences of the King's Privy Council of Canada, also known as Cabinet confidences, and which have been in existence for less than 20 years are also excluded from the Act pursuant to section 69.

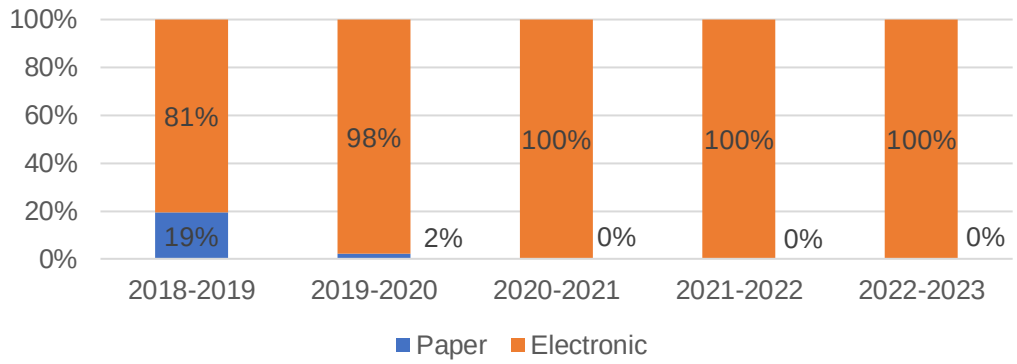
The PPSC excluded information in response to three (3) requests closed in 2022-2023. Section 68 of the Act was invoked in one (1) request, while different types of Cabinet confidences were identified in records processed for the other two (2). This is the fourth reporting period in a row wherein the PPSC has invoked an exclusion.

5.2.6 Format of information released

Similar to previous years, information was released to applicants exclusively in electronic format for all 56 requests closed in 2022-2023 that involved full or partial disclosure of records.

Electronic releases, whether by email or on compact disk, have consistently outnumbered paper-based responses in recent years. The following illustrates how this shift has occurred over the last five fiscal years:

Figure 9: Format of information release since 2018



5.2.7 Complexity

Due to the nature of the PPSC's work, processing requests can be challenging, and requests are regularly deemed "complex" based on a number of factors.

For example, records held by the PPSC often contain information relating to criminal or regulatory investigations or prosecutions that also frequently involve other organizations at the federal, provincial or territorial level. Consultations were the main factor driving complexity in four (4) requests closed in 2022-2023.

Of those closed during the fiscal year, 31 requests were deemed to be complex for a variety of other, sometimes overlapping reasons:

- Many of these requests (25 in total) involved a need to retrieve records from regions across the country, including eight (8) requests that involved every regional office across the country. In general, regional searches most frequently included the Quebec Regional Office, which was tasked 19 times in 2022-2023.
- Requests to the PPSC sometimes pertain to high-profile or sensitive topics, which was particularly the case in 2022-2023, where 16 of the requests closed were deemed complex for these reasons.
- Database searches were a main source of complexity in one (1) case. These searches often involve extensive coordination between ATIP officials, business analysts, and subject matter experts to retrieve, package, and validate relevant data.

5.2.8 Deemed refusals

Requests that are not closed within the initial 30-day statutory deadline or within a timeframe covered by an extension under the Act are referred to as “deemed refusals.” Further information on the circumstances in which an extension to the original deadline is permitted by the Act is available in section 5.3 (Extensions) of this report.

The vast majority of the 72 requests closed in the reporting period were responded to within the initial deadline or within an extended timeframe, representing 88% of cases.

There were nine (9) deemed refusals in 2022-2023.

Eight (8) were late due to interference with operations and workload. These requests did not involve significantly high numbers of pages, as the majority ranged from 400 to 1,000 pages each. However, many of these requests were received within the same short period regarding similar, complex subject matter. Given the circumstances, extensions to the initial statutory deadline were not permitted under the Act though additional time was nonetheless needed by the ATIP Office to process the historically high number of access to information requests received throughout the fiscal year. As a result, these eight (8) requests were closed past deadline.

In the remaining other case, the request in question was closed 70 days past deadline largely as a result of internal consultation. The regional office tasked with retrieval required additional time to identify and prepare records relevant to the request. Given the circumstances, an extension to the deadline was not permitted under the Act and the request was therefore closed beyond legislated timelines.

5.2.9 Requests for translation

Just as it has been the case over the last five fiscal years, the PPSC did not receive any requests from applicants in 2022-2023 to translate records from one official language to the other.

5.3 Extensions

Section 9 of the Act allows government institutions to extend the 30-day statutory deadline for processing a request in cases where institutions are required to review or search through a large number of records, or when consultations with other institutions or third parties are necessary.

The PPSC took 23 extensions to close requests during the 2022-2023 reporting period, six (6) more than in the previous fiscal year and the largest number of extensions taken over the last five fiscal years. On average during this time, the PPSC has taken 15 extensions each year. Overall, requests have become increasingly complex to process and extensions are needed to meet obligations under the Act, whether due to the volume of pages to process, extensive search for relevant records, or consultations with other government institutions.

19 extensions were taken during the current fiscal year because responding to the requests within the original timeframe would have interfered with the PPSC's operations, while the remaining four (4) were taken to consult other government institutions or third parties.

Three (3) extensions in 2022-2023 were taken for 30 days or less, while the lengths varied between 31 days and a year for 19 other extensions, the majority of which were between 31 and 60 days. The other (1) remaining case involved an extension initially taken for 1,825 days to process thousands of pages potentially relevant to the request, though the applicant later abandoned the request before the majority of pages could be processed.

The following table summarizes the length of extensions taken in 2021-2022 and reasons:

Table 1: Extensions

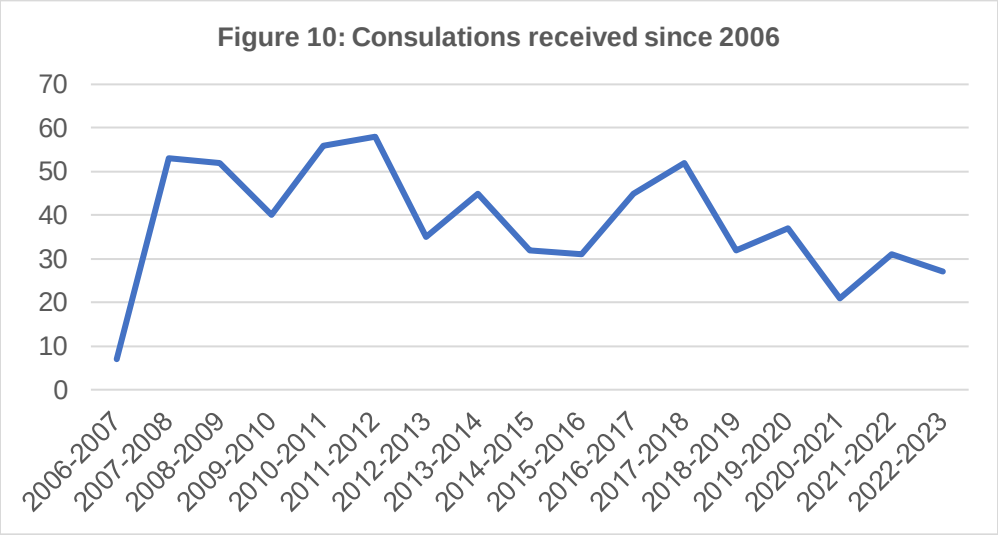
Length of extensions	Reasons for extensions		
	Paragraph 9(1)(a) - Interference with operations	Paragraph 9(1)(b) - Consultation	Paragraph 9(1)(c) - Third-party notice
30 days or less	2	0	1
31 to 60 days	14	0	1
61 to 120 days	2	2	0
121 to 180 days	0	0	0
181 to 365 days	1	0	0
Total	**19**	**2**	**2**

5.4 Consultations received from other institutions

5.4.1 Number of consultations

The PPSC received 27 consultations from other government institutions for processing under the Act in 2022-2023. This is 13% fewer than in the previous fiscal year.

Since its creation in December 12, 2006, the PPSC has received 654 access to information consultations in total. The following chart illustrates the varying number of consultations received by the PPSC each fiscal year, though this amount has been gradually decreasing in recent reporting periods:



Note: As the PPSC was created on December 12, 2006, data for 2006-2007 only reflects a three-month period.

5.4.2 Sources of consultations

Of the 27 consultations received by the PPSC in 2022-2023, 17 originated from the Treasury Board of Canada Secretariat (TBS). This department has consistently been the top source for consultations over the last five reporting periods. Typically, these consultations do not involve many pages or complex subject matter.

The number of consultations forwarded by any given government institution or organization does not reflect the actual amount of work required to process them. For example, some other consultations received in 2022-2023 pertained to prosecutions. Unlike the TBS consultations, consultations related to these topics involved a greater number of records and increased complexity.

The following table identifies the number of consultations sent by each government institution:

Table 2: Sources of consultations

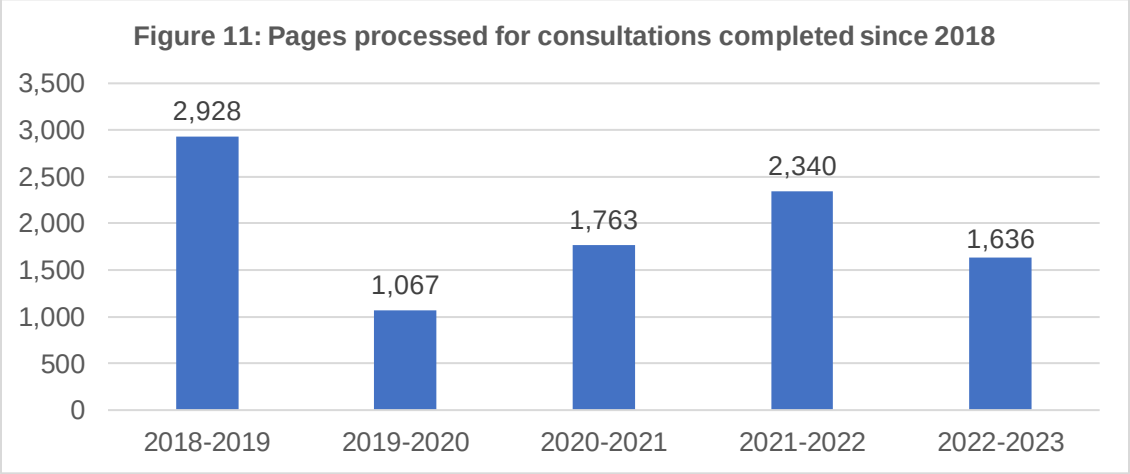
Source	Number of consultations	%
Treasury Board of Canada Secretariat	17	63%
Royal Canadian Mounted Police	3	11%
Environment and Climate Change Canada	2	7%
Employment and Social Development Canada	1	4%
Office of the Privacy Commissioner	1	4%
Public Safety Canada	1	4%
Service Alberta and Red Tape Reduction	1	4%
Service Nova Scotia and Internal Services	1	4%
Total	**27**	**100%**

Note: Each percentage has been rounded to the nearest whole value. For this reason, the percentages set out in the table do not add up to an exact 100%.

5.4.3 Disposition and recommendations

The PPSC responded to all 27 consultations received in 2022-2023. There were no consultations outstanding as of March 31, 2023.

A total of 1,636 pages were processed, 30% fewer than in the previous fiscal year. Over the last five years, the PPSC has processed an average of 1,947 pages in response to consultations. The number of pages processed each year during this timespan is as follows:

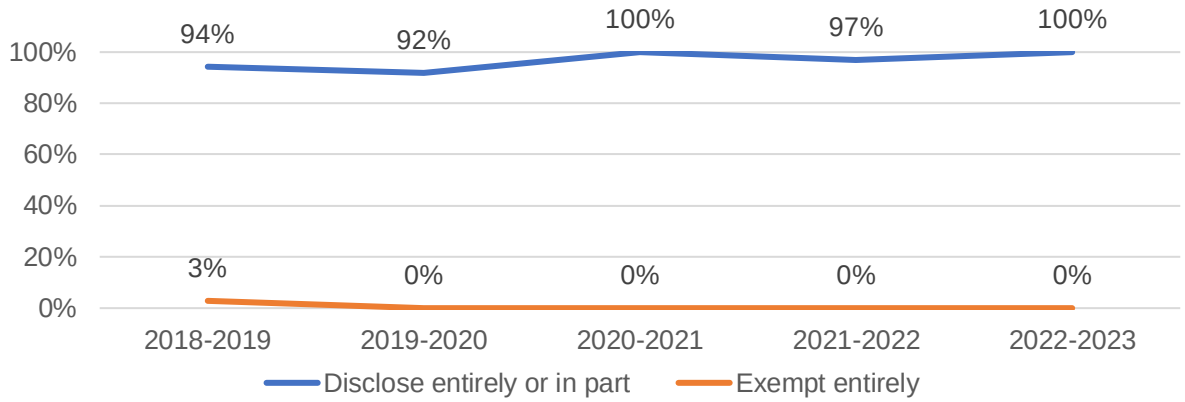


Of the 27 consultations completed in 2022-2023, the PPSC recommended that the other government institutions fully disclose records in all but five (5) cases. Regarding the latter, the PPSC recommended that the records be disclosed in part.

Overall, the PPSC has completed 153 consultations over the last five fiscal years. During that time, the PPSC's recommendations with respect to consultations have consistently leaned towards disclosure, whether in full or in part, rather than full exemption of records.

The following chart illustrates this trend:

Figure 12: Percentage of recommendations to disclose or exempt since 2018



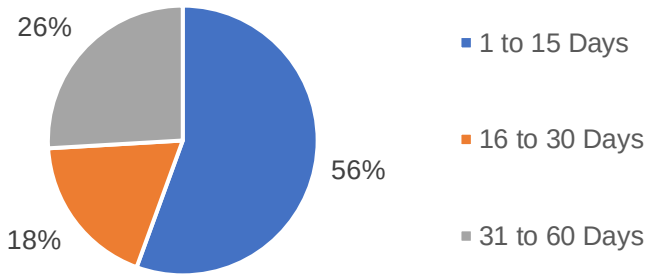
5.4.4 Completion time

Of the 27 consultations completed in 2022-2023, 74% were processed within 30 days of receipt (20 cases in total). Over the last five fiscal years, 84% of consultations have been completed, on average, within the same number of days.

The PPSC responded to the seven (7) other consultations within 31 to 60 days in 2022-2023.

The following chart breaks down the proportion of consultations completed within each timeframe during the reporting period:

Figure 13: Completion time of consultations



5.5 Consultations on Cabinet confidences

Consultations with the PPSC Corporate Counsel regarding subsection 69(1) of the Act were carried out for two (2) requests closed during fiscal year 2022-2023. Cabinet confidences were identified in some of the relevant records. Following these consultations, a total of 236 pages were disclosed in response to the applicants.

5.6 Service fees and costs

The Act authorizes the collection of fees for processing formal requests for information. In accordance with the Treasury Board's *Directive on Access to Information Requests*, the PPSC waives all prescribed fees other than the $5 application fee set out in paragraph 7(1)(a) of the Regulations.

The *Service Fees Act* requires a responsible authority to report annually to Parliament on the fees collected by the government institution. Therefore, the information below is also being reported in accordance with the requirements of section 20 of the *Service Fees Act*.

The PPSC collected a total of $365 in application fee revenue for 73 requests received in the 2022-2023 fiscal year. Application fees totalling $10 were waived for two (2) other requests during this same period.

Throughout the fiscal year, the PPSC spent a total of $285,072 administering the *Access to Information Act*, of which salaries accounted for nearly all expenditures at $283,491, while goods and services accounted for the remaining $1,581. No overtime expenditures were incurred during this period.

6 Proactive publication

The PPSC is a government institution subject to proactive publication requirements set out in Part 2 of the Act. Various corporate services at the PPSC are responsible for ensuring that their respective publications are posted online within the legislated timelines. This includes establishing a process for translating and formatting the information according to online publishing standards, while involving relevant stakeholders as needed, such as the ATIP Office. The DPP's approval is required for all legislated publications before they are made available online or tabled in Parliament. Further information on how the PPSC manages proactive publication is available in section 3.1 (Organizational structure) and section 10 (Monitoring compliance), respectively, of this report.

The following table summarizes the publications that the organization was responsible for posting online during the 2022-2023 fiscal year:

Table 3: Proactive publication

Proactive publication requirements	Publication timelines	% of publication posted within timelines	Online repositories
Travel expenses of senior officials	Within 30 days after the month of reimbursement	100%	The Open Government Portal: https://search.open.canada.ca/travel/
Hospitality expenses of senior officials	Within 30 days after the month of reimbursement	100%	The Open Government Portal: https://open.canada.ca/en/search/hospitalityq
Contracts and amendments over $10,000	Within 30 days after Fiscal Quarters 1 to 3 and within 60 days after Fiscal Quarter 4	50%	The Open Government Portal: https://search.open.canada.ca/contracts/
Titles and reference numbers of briefing notes prepared for the DPP and Attorney General of Canada	Within 30 days after the month in which they were received	100%	The Open Government Portal: https://search.open.canada.ca/briefing_titles/
Packages of briefing materials prepared for a new or incoming DPP or Attorney General of Canada	Within 120 days after appointment	No new appointments were made during the fiscal year	Not applicable
Reclassification of public servant positions	Within 30 days after each fiscal quarter	100%	The Open Government Portal: https://open.canada.ca/en/search/reclassification
Reports tabled in Parliament	Within 30 days after tabling	100%	• The PPSC website: https://www.ppsc-sppc.gc.ca/eng/pub/ann-ann/index.html • GC InfoBase: https://www.tbs-sct.canada.ca/ems-sgd/edb-bdd/index-eng.html#infographic/gov/gov/results • The Open Government Portal: https://search.open.canada.ca/opendata/

The PPSC proactively published all information within legislated timelines 100% of the time, with one exception. The organization posted contractual information within timelines for two (2) of the four (4) fiscal quarters. In both cases where there was a delay, the PPSC uploaded the information to the Open Government Portal on time but the data only became available the next day due to overnight publishing processes.

7 Training and awareness activities

One (1) formal ATIP training session was delivered to legal counsels at the PPSC Headquarters in 2022-2023. An overview of ATIP Office activities was also presented to the PPSC's new Senior Director General, Corporate Services, during the same period.

Presentations were delivered in the past to raise awareness of corporate responsibilities regarding ATIP. These materials continue to be made available to all PPSC employees through the internal website. Communiqués on ATIP topics were also distributed throughout the year as part of the PPSC's corporate newsletters, which included promoting Right to Know Week 2022.

ATIP personnel provided informal learning to employees on an *ad hoc* basis regarding the processing of access to information requests and regularly provided advice to PPSC officials on the interpretation of the Act, including proactive publication.

8 Policies, guidelines, procedures, and initiatives

8.1 ATIP governance structure

The PPSC *ATIP Governance Structure* was approved by the PPSC's Executive Council in October 2011. It outlines the reporting relationships within the PPSC and establishes clear responsibilities for decision-making for the purposes of administering the Act.

8.2 *Info Source*

Info Source: Sources of Government and Employee Information is published on the Government of Canada's canada.ca website. It provides information about the functions, programs, activities, and related information holdings of government institutions subject to the *Access to Information Act* and the *Privacy Act*.

At least once a year, the PPSC ATIP Office reviews and updates information, if necessary, about the PPSC's activities and information holdings in the publication. No updates were required in 2022-2023.

8.3 Initiatives to improve access to information

During the 2022-2023 fiscal year, the PPSC ATIP Office streamlined internal procedures to reduce the levels of administrative approval needed to informally release or proactively publish certain types of government information. Access to information tools, such as correspondence templates, were updated accordingly. These steps were taken to empower senior ATIP staff with decision-making authority outside of the PPSC's ATIP Delegation Order. Additionally, the process improvements were needed so that the organization may respond to all types of requests more efficiently, particularly in light of the record number of formal requests received during the reporting period.

The PPSC also expects to develop revised policies and procedures in coming years in preparation for updated directives supporting the Act, open government initiatives, and the ongoing modernization of ATIP digital services.

8.4 COVID-19 mitigation measures

The COVID-19 pandemic did not affect ATIP operations in 2022-2023. The ATIP Office had adapted its business processes in previous years so no additional measures were needed to mitigate the impact of the pandemic on services provided to request applicants.

Further information on operational capacity during the pandemic is available in the 2022-2023 Supplemental Statistical Report in Appendix C of this report.

9 Complaints and investigations

Decisions made under the Act are subject to a right of review. This ensures government institutions' compliance with their access to information obligations as well as fair treatment for all applicants.

The first level of review is a formal complaint made to the Information Commissioner. Following an investigation, the Commissioner has the power to order the release of information should they deem the complaint to be well-founded. No order has been issued to the PPSC to date. The second level of review is an application for judicial review to the Federal Court.

The PPSC reviews the outcomes of all Office of the Information Commissioner (OIC) investigations and incorporates lessons learned into business processes, where appropriate.

10 complaints pertaining to eight (8) separate requests were filed with the OIC against the PPSC in 2022-2023, seven (7) of which were still under investigation as of March 31, 2023. There were no complaint investigations opened in earlier periods that were carried forward to the next fiscal year.

The other three (3) complaint investigations received during the fiscal year were closed:

- In one (1) case, the complainant alleged that the PPSC failed to respond to legislative timelines by taking a 150-day extension to the initial 30-day statutory deadline. The PPSC was required to provide formal representations, pursuant to section 35 of the Act, that explain the reasons for the delay. The extension was taken to process several thousand pages relevant to the request. Without an extension, responding to the request would have significantly interfered with the organization's operations. In light of these reasons, the OIC assessed that the complaint was not well-founded.
- The complainants in the other two (2) instances alleged that the PPSC failed to conduct a reasonable search for records. In one (1) case, the OIC determined that the complaint was not well-founded after receiving the PPSC's section 35 representations. In the other (1) case, the applicant abandoned their complaint and the OIC closed their investigation accordingly.

Six (6) additional complaint investigations received in earlier years were also closed in the 2022-2023 reporting period:

- An applicant filed two (2) complaints for a single request, alleging that there were missing records as well as improperly applied exemptions to the records that were provided. The OIC sought the PPSC's representations for both investigations. In the case of the former, the OIC found that the PPSC appropriately applied exemptions to protect personal information and solicitor-client privileged information. During the investigation into the latter, the PPSC discovered additional records that were overlooked during the initial search. An updated release package including these pages was subsequently provided to the applicant. For this reason, the OIC determined that the missing records complaint was well-founded but no further action was required.
- The same complainant for two (2) other requests alleged that the PPSC improperly applied exemptions and failed to conduct a reasonable search for records. During the investigations, the applicant later decided to abandon these complaints.
- In another (1) request, the applicant submitted a complaint alleging that the PPSC improperly applied exemptions and exclusions to records related to a prosecution. While the OIC found that the exemptions were appropriately applied, the specific complaint regarding the complete exclusion of other records as material available for purchase was well-founded. The PPSC severed these records where possible and an updated disclosure was provided to the applicant.
- For the remaining case, another applicant alleged that exemptions were improperly applied. In particular, the OIC asked that the PPSC reconsider its application of s. 24 of the *Access to Information Act* to protect information prohibited from release under the *Income Tax Act*. The PPSC determined that non-taxpayer information within records submitted in court could be released. As well, it was decided that additional information could be released due to the passage of time since the complaint was initially received in 2018-2019. An updated disclosure was provided to the applicant accordingly. The OIC assessed that the complaint was well-founded but no further action was required.

The following table summarizes the reasons for the complaints received by the PPSC in fiscal year 2022-2023 as well as the OIC's findings for the concluded investigations:

Table 4: Complaints and investigations

Reason for complaint	Number of complaints	Results of investigations			
		Well-founded	Not well-founded	Discontinued	OIC has yet to issue its findings
Refusal – Exemptions and exclusions	5	2	1	1	4
Refusal – General	4	1	1	2	1
Delay	3	0	1	0	2
Total	**12**	**3**	**3**	**3**	**7**

There were no applications for judicial review filed with the Federal Court in 2022-2023.

10 Monitoring compliance

The ATIP Office maintains a comprehensive statistical reporting and performance measurement system to track the processing of formal requests, informal requests, and consultations received by the PPSC.

Each ATIP staff member is responsible for monitoring the time taken to process files that they are assigned on a regular basis, while the Senior ATIP Advisors meet with the ATIP Director twice a week to review timelines and address challenges that could affect the PPSC's ability to meet its legal obligations under the Act. The ATIP Director meets weekly with the ATIP Coordinator on the status of active requests, complaints, and any issues that have arisen.

When records originating from or involving another institution are reviewed, the ATIP Coordinator, with the support of the ATIP Office, assesses whether a consultation is required. The factors under consideration in the exercise of discretion to consult depend on the circumstances of each file. These factors include cases where disclosure is contemplated, whether exemptions or exclusions are applicable, how similar records from past requests were processed, the expertise of the ATIP Office and other PPSC officials in the subject matter, as well as the expected timelines for receiving a response to the consultation. In this way, the PPSC aims to limit consultations so that requests are responded to within the shortest timelines possible.

The ATIP Office also provides reports to the PPSC's senior management on an *ad hoc* basis about its activities, caseload, performance metrics, and trends related to access to information.

In addition to reporting, the Office advises various PPSC officials undertaking contracts and information sharing agreements about their access to information obligations, on request.

The Director of each corporate service is responsible for monitoring their compliance with Part 2 of the Act, so that information is proactively made available online within legislated timelines. The frequency in which compliance is monitored in this area depends on the frequency in which the information must be published. Further information on how the PPSC manages proactive publication is available in section 3.1 (Organizational structure) and section 6 (Proactive publication), respectively, of this report.

The PPSC did not undertake a review in 2022-2023 to assess the feasibility of making other types of popular government information available to the public through informal means.

11 Reading room

Section 8 of the Regulations requires that government institutions maintain a reading room where the public can examine records.

The PPSC's main reading room is located at 160 Elgin Street, Ottawa, Ontario. Individuals who wish to examine records must schedule an appointment with the ATIP Office. Individuals located outside of the National Capital Region can make arrangements through the ATIP Office to examine records at one of its regional offices.

12 Appendix A – Delegation order

***Access to Information Act* and *Privacy Act* Delegation Order**

Arrêté sur la délégation en vertu de la *Loi sur l'accès à l'information* et de la *Loi sur la protection des renseignements personnels*

The Director of Public Prosecutions, pursuant to section 73 of the *Access to Information Act* and section 73 of the *Privacy Act*, as they existed prior to June 21, 2019, and pursuant to the current subsection 95(1) of the *Access to Information Act* and section 73(1) of the *Privacy Act*, hereby delegates to the persons holding the positions set out in the schedule hereto the powers, duties and functions of the Director of Public Prosecutions as the head of the Office of the Director of Public Prosecutions, under the provisions of the Acts and related regulations set out in the schedule opposite each position. This Delegation Order replaces all previous delegation orders.	En vertu de l'article 73 de la *Loi sur l'accès à l'information* et de l'article 73 de la *Loi sur la protection des renseignements personnels*, tels qu'ils existaient avant le 21 juin 2019, et en vertu de l'article 95(1) de la *Loi sur l'accès à l'information* et de l'article 73(1) de la *Loi sur la protection des renseignements personnels*, présentement en vigueur, la directrice des poursuites pénales délègue aux titulaires des postes mentionnés à l'annexe ci-après, les attributions qui lui sont conférées, en qualité de responsable du Bureau du directeur des poursuites pénales, par les dispositions des lois ou de leurs règlements d'application mentionnées en ce qui concerne chacun des postes. Le présent arrêté remplace et annule tout arrêté antérieur sur la délégation.

Schedule/Annexe

Position/Poste	***Access to Information Act* and Regulations/*Loi sur l'accès à l'information* et son règlement d'application**	***Privacy Act* and Regulations/*Loi sur la protection des renseignements personnels* et son règlement d'application**
Senior Director General, Corporate Services/Directrice générale principale, Services ministériels	Full authority/Autorité absolue	Full authority/Autorité absolue
Director General, Communications and Parliamentary Affairs/Directrice générale, Communications et Affaires parlementaires	Full authority/Autorité absolue	Full authority/Autorité absolue
Manager, ATIP/Gestionnaire, AIPRP	Full authority/Autorité absolue	Full authority/Autorité absolue

Dated, at the City of Ottawa, this day of , 2021	Daté, en la ville d'Ottawa, ce jour de 2021

Roussel, Kathleen

Digitally signed by Roussel, Kathleen
DN: C=CA, O=GC, OU=EC-EC, CN="Roussel, Kathleen"
Reason: I am approving this document
Location: your signing location here
Date: 2021-02-22 11:13:35
Foxit PhantomPDF Version: 10.0.0

Kathleen Roussel
Director of Public Prosecutions
Directrice des poursuites pénales

13 Appendix B – Statistical report on the *Access to Information Act*

Government of Canada / Gouvernement du Canada

Statistical Report on the *Access to Information Act*

Name of institution: Pubic Prosecution Service of Canada

Reporting period: 2022-04-01 to 2023-03-31

Section 1: Requests Under the *Access to Information Act*

1.1 Number of requests

		Number of Requests
Received during reporting period		75
Outstanding from previous reporting periods		13
• Outstanding from previous reporting period	12	
• Outstanding from more than one reporting period	1	
Total		88
Closed during reporting period		72
Carried over to next reporting period		16
• Carried over within legislated timeline	6	
• Carried over beyond legislated timeline	10	

1.2 Sources of requests

Source	Number of Requests
Media	17
Academia	1
Business (private sector)	4
Organization	1
Public	14
Decline to Identify	38
Total	75

1.3 Channels of requests

Source	Number of Requests
Online	75
E-mail	0
Mail	0
In person	0
Phone	0
Fax	0
Total	75

Section 2: Informal Requests

2.1 Number of informal requests

		Number of Requests
Received during reporting period		37
Outstanding from previous reporting periods		2
• Outstanding from previous reporting period	2	
• Outstanding from more than one reporting period	0	
Total		39
Closed during reporting period		36

Carried over to next reporting period	3

2.2 Channels of informal requests

Source	Number of Requests
Online	36
E-mail	1
Mail	0
In person	0
Phone	0
Fax	0
Total	37

2.3 Completion time of informal requests

Completion Time							
1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	**Total**
31	5	0	0	0	0	0	36

2.4 Pages released informally

Less Than 100 Pages Released		100-500 Pages Released		501-1000 Pages Released		1001-5000 Pages Released		More Than 5000 Pages Released	
Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released
0	0	0	0	0	0	0	0	0	0

2.5 Pages re-released informally

Less Than 100 Pages Re-released		100-500 Pages Re-released		501-1000 Pages Re-released		1001-5000 Pages Re-released		More Than 5000 Pages Re-released	
Number of Requests	Pages Re-released	Number of Requests	Pages Re-released	Number of Requests	Pages Re-released	Number of Requests	Pages Re-released	Number of Requests	Pages Re-released
23	526	5	1325	5	3281	3	3512	0	0

Section 3: Applications to the Information Commissioner on Declining to Act on Requests

	Number of Requests
Outstanding from previous reporting period	0
Sent during reporting period	0
Total	0
Approved by the Information Commissioner during reporting period	0
Declined by the Information Commissioner during reporting period	0
Withdrawn during reporting period	0
Carried over to next reporting period	0

Section 4: Requests Closed During the Reporting Period

4.1 Disposition and completion time

	Completion Time							
Disposition of Requests	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total
All disclosed	2	9	0	1	0	0	0	12
Disclosed in part	1	17	12	8	4	2	0	44
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	2	6	0	0	0	0	0	8
Request transferred	0	0	0	0	0	0	0	0
Request abandoned	7	0	0	0	0	1	0	8
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0
Total	12	32	12	9	4	3	0	72

4.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
13(1)(a)	0	16(2)	12	18(a)	0	20.1	0
13(1)(b)	0	16(2)(a)	0	18(b)	0	20.2	0
13(1)(c)	0	16(2)(b)	0	18(c)	0	20.4	0
13(1)(d)	0	16(2)(c)	4	18(d)	0	21(1)(a)	6
13(1)(e)	0	16(3)	0	18.1(1)(a)	0	21(1)(b)	12
14	0	16.1(1)(a)	0	18.1(1)(b)	0	21(1)(c)	0
14(a)	1	16.1(1)(b)	0	18.1(1)(c)	0	21(1)(d)	0
14(b)	0	16.1(1)(c)	0	18.1(1)(d)	0	22	0
15(1)	0	16.1(1)(d)	0	19(1)	32	22.1(1)	0
15(1) - I.A.*	0	16.2(1)	0	20(1)(a)	0	23	24
15(1) - Def.*	0	16.3	0	20(1)(b)	0	23.1	0
15(1) - S.A.*	0	16.4(1)(a)	0	20(1)(b.1)	0	24(1)	0
16(1)(a)(i)	0	16.4(1)(b)	0	20(1)(c)	3	26	0
16(1)(a)(ii)	0	16.5	0	20(1)(d)	0		
16(1)(a)(iii)	0	16.6	0				
16(1)(b)	1	17	1				
16(1)(c)	4						
16(1)(d)	0						

*I.A.: International Affairs Def.: Defence of Canada S.A.: Subversive Activities

4.3 Exclusions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
68(a)	1	69(1)	0	69(1)(g) re (a)	0
68(b)	0	69(1)(a)	0	69(1)(g) re (b)	0
68(c)	0	69(1)(b)	0	69(1)(g) re (c)	1
68.1	0	69(1)(c)	0	69(1)(g) re (d)	1
68.2(a)	0	69(1)(d)	1	69(1)(g) re (e)	0
68.2(b)	0	69(1)(e)	0	69(1)(g) re (f)	0
		69(1)(f)	0	69.1(1)	0

4.4 Format of information released

Paper	Electronic				Other
	E-record	Data set	Video	Audio	
0	56	0	0	0	0

4.5 Complexity

4.5.1 Relevant pages processed and disclosed for paper and e-record formats

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
16729	8125	64

4.5.2 Relevant pages processed per request disposition for paper and e-record formats by size of requests

Disposition	Less Than 100 Pages Processed		100-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed
All disclosed	11	215	0	0	1	619	0	0	0	0
Disclosed in part	19	695	16	5380	7	5403	2	4417	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Request abandoned	8	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0	0	0	0	0
Total	38	910	16	5380	8	6022	2	4417	0	0

4.5.3 Relevant minutes processed and disclosed for audio formats

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

4.5.4 Relevant minutes processed per request disposition for audio formats by size of requests

Disposition	Less Than 60 Minutes Processed		60 - 120 Minutes Processed		More than 120 Minutes Processed	
	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0
Total	0	0	0	0	0	0

4.5.5 Relevant minutes processed and disclosed for video formats

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

4.5.6 Relevant minutes processed per request disposition for video formats by size of requests

Disposition	Less Than 60 Minutes Processed		60 - 120 Minutes Processed		More than 120 Minutes Processed	
	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed	Number of Requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0	0	0
Total	0	0	0	0	0	0

4.5.7 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Other	Total
All disclosed	1	0	4	5
Disclosed in part	3	0	26	29
All exempted	0	0	0	0
All excluded	0	0	0	0
Request abandoned	0	0	1	1
Neither confirmed nor denied	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0
Total	4	0	31	35

4.6 Closed requests

4.6.1 Requests closed within legislated timelines

Number of requests closed within legislated timelines	63
Percentage of requests closed within legislated timelines (%)	87.5

4.7 Deemed refusals

4.7.1 Reasons for not meeting legislated timelines

	Principal Reason			
Number of requests closed past the legislated timelines	Interference with operations/ Workload	External Consultation	Internal Consultation	Other
9	8	0	1	0

4.7.2 Requests closed beyond legislated timelines (including any extension taken)

Number of days past legislated timelines	Number of requests past legislated timeline where no extension was taken	Number of requests past legislated timeline where an extension was taken	Total
1 to 15 days	0	0	0
16 to 30 days	0	0	0
31 to 60 days	1	0	1
61 to 120 days	3	3	6
121 to 180 days	0	0	0
181 to 365 days	2	0	2
More than 365 days	0	0	0
Total	6	3	9

4.8 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
Total	0	0	0

Section 5: Extensions

5.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	9(1)(a) Interference With Operations/ Workload	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
All disclosed	0	0	0	1
Disclosed in part	18	0	2	0
All exempted	0	0	0	0
All excluded	0	0	0	0
Request abandoned	1	0	0	1
No records exist	0	0	0	0
Declined to act with the approval of the Information Commissioner	0	0	0	0
Total	19	0	2	2

5.2 Length of extensions

Length of Extensions	9(1)(a) Interference With Operations/ Workload	9(1)(b) Consultation		9(1)(c) Third-Party Notice
		Section 69	Other	
30 days or less	2	0	0	1
31 to 60 days	14	0	0	1
61 to 120 days	2	0	2	0
121 to 180 days	0	0	0	0
181 to 365 days	0	0	0	0
365 days or more	1	0	0	0
Total	19	0	2	2

Section 6: Fees

Fee Type	Fee Collected		Fee Waived		Fee Refunded	
	Number of Requests	Amount	Number of Requests	Amount	Number of Requests	Amount
Application	73	$365.00	2	$10.00	0	$0.00
Other fees	0	$0.00	0	$0.00	0	$0.00
Total	73	$365.00	2	$10.00	0	$0.00

Section 7: Consultations Received From Other Institutions and Organizations

7.1 Consultations received from other Government of Canada institutions and other organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during the reporting period	25	1379	2	257
Outstanding from the previous reporting period	0	0	0	0
Total	25	1379	2	257
Closed during the reporting period	25	1379	2	257
Carried over within negotiated timelines	0	0	0	0
Carried over beyond negotiated timelines	0	0	0	0

7.2 Recommendations and completion time for consultations received from other Government of Canada institutions

Recommendation	Number of Days Required to Complete Consultation Requests							
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total
Disclose entirely	15	5	1	0	0	0	0	21
Disclose in part	0	0	4	0	0	0	0	4
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	15	5	5	0	0	0	0	25

7.3 Recommendations and completion time for consultations received from other organizations outside the Government of Canada

Recommendation	Number of Days Required to Complete Consultation Requests							
	1 to 15 Days	16 to 30 Days	31 to 60 Days	61 to 120 Days	121 to 180 Days	181 to 365 Days	More Than 365 Days	Total
Disclose entirely	0	0	1	0	0	0	0	1
Disclose in part	0	0	1	0	0	0	0	1
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	2	0	0	0	0	2

Section 8: Completion Time of Consultations on Cabinet Confidences

8.1 Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		100-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	2	236	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	2	236	0	0	0	0	0	0

8.2 Requests with Privy Council Office

Number of Days	Fewer Than 100 Pages Processed		100–500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed	Number of Requests	Pages Disclosed
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

Section 9: Investigations and Reports of finding

9.1 Investigations

Section 32 Notice of intention to investigate	Subsection 30(5) Ceased to investigate	Section 35 Formal Representations
10	3	6

9.2 Investigations and Reports of finding

Section 37(1) Initial Reports			Section 37(2) Final Reports		
Received	Containing recommendations issued by the Information Commissioner	Containing orders issued by the Information Commissioner	Received	Containing recommendations issued by the Information Commissioner	Containing orders issued by the Information Commissioner
0	0	0	6	0	0

Section 10: Court Action

10.1 Court actions on complaints

Section 41				
Complainant (1)	Institution (2)	Third Party (3)	Privacy Commissioner (4)	Total
0	0	0	0	0

10.2 Court actions on third party notifications under paragraph 28(1)(b)

Section 44 - under paragraph 28(1)(b)
0

Section 11: Resources Related to the *Access to Information Act*

11.1 Allocated Costs

Expenditures		Amount
Salaries		$283,491
Overtime		$0
Goods and Services		$1,581
• Professional services contracts	$0	
• Other	$1,581	
Total		**$285,072**

11.2 Human Resources

Resources	Person Years Dedicated to Access to Information Activities
Full-time employees	3.270
Part-time and casual employees	0.000
Regional staff	0.000
Consultants and agency personnel	0.000
Students	0.000
Total	3.270

Note: Enter values to three decimal places.

14 Appendix C – Supplemental statistical report on the *Access to Information Act* and the *Privacy Act*

Government of Canada / Gouvernement du Canada

Supplemental Statistical Report on the *Access to Information Act* and the *Privacy Act*

Name of institution: Public Prosecution Service of Canada

Reporting period: 2022-04-01 to 2023-03-31

Section 1: Capacity to Receive Requests under the Access to Information Act and the Privacy Act

Enter the number of weeks your institution was able to receive ATIP requests through the different channels.

	Number of Weeks
Able to receive requests by mail	52
Able to receive requests by email	52
Able to receive requests through the digital request service	52

Section 2: Capacity to Process Records under the Access to Information Act and the Privacy Act

2.1 Enter the number of weeks your institution was able to process paper records in different classification levels.

	No Capacity	Partial Capacity	Full Capacity	Total
Unclassified Paper Records	0	0	52	**52**
Protected B Paper Records	0	0	52	**52**
Secret and Top Secret Paper Records	0	0	52	**52**

2.2 Enter the number of weeks your institution was able to process electronic records in different classification levels.

	No Capacity	Partial Capacity	Full Capacity	Total
Unclassified Electronic Records	0	0	52	**52**
Protected B Electronic Records	0	0	52	**52**
Secret and Top Secret Electronic Records	0	0	52	**52**

Section 3: Open Requests and Complaints Under the Access to Information Act

3.1 Enter the number of open requests that are outstanding from previous reporting periods.

Fiscal Year Open Requests Were Received	Open Requests that are *Within* Legislated Timelines as of March 31, 2023	Open Requests that are *Beyond* Legislated Timelines as of March 31, 2023	Total
Received in 2022-2023	4	8	12
Received in 2021-2022	2	1	3
Received in 2020-2021	0	0	0
Received in 2019-2020	0	1	1
Received in 2018-2019	0	0	0
Received in 2017-2018	0	0	0
Received in 2016-2017	0	0	0
Received in 2015-2016	0	0	0
Received in 2014-2015	0	0	0
Received in 2013-2014 or earlier	0	0	0
Total	6	10	16

Row 11, Col. 3 of Section 3.1 must equal Row 7, Col. 1 of Section 1.1 of the 2022-2023 Statistical Report on the *Access to Information Act*

3.2 Enter the number of open complaints with the Information Commissioner of Canada that are outstanding from previous reporting periods.

Fiscal Year Open Complaints Were Received by Institution	Number of Open Complaints
Received in 2022-2023	7
Received in 2021-2022	0
Received in 2020-2021	0
Received in 2019-2020	0

Received in 2018-2019	0
Received in 2017-2018	0
Received in 2016-2017	0
Received in 2015-2016	0
Received in 2014-2015	0
Received in 2013-2014 or earlier	0
Total	7

Section 4: Open Requests and Complaints Under the Privacy Act

4.1 Enter the number of open requests that are outstanding from previous reporting periods.

Fiscal Year Open Requests Were Received	Open Requests that are *Within* Legislated Timelines as of March 31, 2023	Open Requests that are *Beyond* Legislated Timelines as of March 31, 2023	Total
Received in 2022-2023	0	0	**0**
Received in 2021-2022	0	0	**0**
Received in 2020-2021	0	1	1
Received in 2019-2020	0	0	**0**
Received in 2018-2019	0	0	**0**
Received in 2017-2018	0	0	**0**
Received in 2016-2017	0	1	1
Received in 2015-2016	0	0	**0**
Received in 2014-2015	0	0	**0**
Received in 2013-2014 or earlier	0	0	**0**
Total	**0**	2	2

Row 11, Col. 3 of Section 4.1 must equal Row 7, Col. 1 of Section 1.1 of the 2022-2023 Statistical Report on the *Privacy Act*

4.2 Enter the number of open complaints with the Privacy Commissioner of Canada that are outstanding from previous reporting periods.

Fiscal Year Open Complaints Were Received by Institution	Number of Open Complaints
Received in 2022-2023	0
Received in 2021-2022	0
Received in 2020-2021	0
Received in 2019-2020	0
Received in 2018-2019	0
Received in 2017-2018	0
Received in 2016-2017	0
Received in 2015-2016	0
Received in 2014-2015	0
Received in 2013-2014 or earlier	0
Total	0

Section 5: Social Insurance Number

Has your institution begun a new collection or a new consistent use of the SIN in 2022-2023?	No

Section 6: Universal Access under the Privacy Act

How many requests were received from confirmed foreign nationals outside of Canada in 2022-2023?	0	Row 1, Col. 1 of Section 6 must be equal to or less than Row 1, Col. 1 of Section 1.1 of the 2022-2023 Statistical Report on the *Privacy Act*

Canada