

FILE NO. 92/024

**REPORT WITH RESPECT TO THE APPLICATION  
FOR REVIEW OF ██████████ WITH RESPECT TO INFORMATION  
REQUESTED FROM DEPARTMENT OF JUSTICE**

The Applicant, an inmate in a Saskatchewan penal institution, made a request pursuant to *The Freedom of Information and Protection of Privacy Act* (the "Act") to the Saskatchewan Department of Justice for :

"All files (including health, security and case mgmt.), all file info, especially info. about the assault in early July/91, including all complaints by myself and replies from staff and mgmt. and all documents from the Health Care Unit. As well a list of all inmates on Secure Right at that time"

Not having received a reply to this request for information, the Applicant requested a review which is dated March 8, 1993. However, on March 10 next, he advised me that he had received the files he had requested on March 10, 1993 and he forwarded to me a copy of a letter from the Department of Justice dated February 18, 1993 which stated in part:

"File material related to your 1991/92 incarceration at the Prince Albert Correctional Centre is attached. Payment of the fees for this information is waived due to your circumstances. Some of the information contained in this file has been deleted because the information is personal information about individuals other than yourself. These exemptions are provided for in Sections 29(1) of The

Freedom of Information and Protection of Privacy Act. Also one page of the file has been deleted because the information could threaten the safety of the physical or mental health of an individual. This exemption is provided for in Section 21 of the Act."

Investigation revealed that this letter and the documents in question were forwarded by courier to the Applicant on February 19, 1993 and ought therefore to have been received by him much sooner than they were. No fault can be attributed to the Department on this score.

Subsequently, I reviewed this disclosure with the Department of Justice and determined that the single page memo which was not disclosed was irrelevant in that it was not within the scope of the information requested. However, the Applicant still wished to have the names of certain inmates whom he considered to be potential witnesses with respect to his claim arising out of an assault and for which he is suing the Government of Saskatchewan. I requested the Department to review its position with respect to disclosure of these names and on May 10 last, I received a letter from the Department dated May 3, 1993 which stated in part:

"I believe that [redacted] [redacted] is most concerned with a list of inmates held on remand at the same time as him. That information is available to [redacted] [redacted] through regular legal channels in relation to the law suit that he has commenced against the Government of Saskatchewan. Please have [redacted] contact [redacted] the solicitor representing the Department of Justice in [redacted] case at [redacted] and [redacted] will be able to provide the information."

I forwarded a copy of this letter to the Applicant and by letter dated May 28, 1993 he advised me that he would obtain the names through the recommended channel and that this matter was now satisfactorily resolved.

Dated at Regina, Saskatchewan this 15th day of June, 1993.

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**Derril G. McLeod, Q.C.,  
Commissioner of Information and  
Privacy for Saskatchewan**