

**REPORT WITH RESPECT TO THE APPLICATION
FOR REVIEW OF ██████████ IN RELATION TO INFORMATION
REQUESTED FROM SASKATCHEWAN JUSTICE**

██████████ (the “Applicant”) filed with me a Request for Review dated February 8, 2001. In her Request for Review, the Applicant detailed the nature of her request in the following words:

“We received all of file concerning our daughter, ██████████ death except names. I would like to know the meaning of this letter – do we have to wait 20 yrs like rest of file – or are we never to get it?”

In the Request for Review application form is a box entitled “Department Name”. The Applicant filled in the words “RCMP Report” in this particular box.

By letter dated December 29, 2000, Saskatchewan Justice (the “Respondent”) responded to the Applicant in respect to her request for access to information in the following words:

“Your Access to Information Request Form was received by the Department of Justice on December 4, 2000, requesting the release of the Royal Canadian Mounted Police report regarding the accident of ██████████ on ██████████ ██████████. This is to advise your that the report you have requested cannot be released.

The R.C.M.P. is unable to provide its consent to disclosure of the information you have requested. The R.C.M.P. report would provide information with respect to a lawful investigation. Accordingly, I am declining your access request pursuant to sections 13(1)(a) and 15(1)(c) of *The Freedom of Information and Protection of Privacy Act*.

You may have this decision reviewed by the Information and Privacy Commissioner, within one year of this notice. To request a review, you must complete the enclosed “Request for Review” form and submit it to #700 – 1914 Hamilton Street, Regina, Saskatchewan, S4P 3N6.

If you require further information, please contact Sherri Fowler, Freedom of Information Administrative Co-ordinator at (306) 787-5473.”

By letter dated March 12, 2001, I advised ██████████ that I would carry out the Review as requested. At the same time, I advised Saskatchewan Justice of my intention to conduct a Review of the matter and requested that Saskatchewan Justice forward to me the report of the Royal Canadian Mounted Police in question.

I have received from the Respondent the report in question prepared by the Royal Canadian Mounted Police. I have also received copies of communications between the Respondent and the

Royal Canadian Mounted Police wherein the Royal Canadian Mounted Police decline to give consent to the release of the report to the Applicant.

Section 13(1)(a) of *The Freedom of Information and Protection of Privacy Act* (the "Act") provides as follows:

- 13(1) A head shall refuse to give access to information contained in a record that was obtained in confidence, implicitly or explicitly, from:
- (a) the Government of Canada or its agencies, Crown corporations or other institutions;"

The report in question has been provided to the Respondent in confidence by the Royal Canadian Mounted Police. The Royal Canadian Mounted Police is an agency of the Government of Canada and continues to decline to provide its consent to the public release of the report in question.

In the circumstances, I have no alternative but to confirm that the Respondent is correct in declining to provide a copy of the R.C.M.P. report in question to the Applicant. I have no authority under the *Act* to attempt to answer the questions raised by the Applicant in the second sentence of her Request for Review.

Dated at Regina, in the Province of Saskatchewan, this 9th day of April, 2001.

GERALD L. GERRAND, Q.C.
Commissioner of Information
and Privacy for Saskatchewan