

「でくことにしてんから」。 Minister of Justice Ministaat Maligaliqiyikkutnut Ministre de l'Justice

Graham Steele
Nunavut Information and Privacy Commissioner
PO Box 1000, Station #270
607 Queen Elizabeth II Way
Iqaluit, Nunavut, X0A 0H0
Email: admin@atipp-nu.ca

January 2, 2024

Dear Commissioner,

Re: Review Report 23-251-RR

GN file: 1029-20-2324JUS0975

IPC file: 23-150

This letter is the Department of Justice's statutory response under section 36 of the *Access to Information and Protection of Privacy* (ATIPP) *Act* to the November 24, 2023, Review Report of the Information and Privacy Commissioner ("the Commissioner") regarding the above noted file.

Below are the department's responses to your recommendations:

Recommendation # 1:

I recommend that Justice disclose the headers and footers of the e-mails on pages 5, 6, and 13 to 25 of the third disclosure package. The bodies of those e-mails may, subject to the exercise of discretion, continue to be withheld.

The Department of Justice appreciates the clarification of the Commissioner's comments in decision 2023 NUIPC 17 regarding the context of redacting "the entire exchange" under 14(1)(b) and acknowledges that redacting headers and footers should be limited to circumstances when their release would "also reveal the substance of the consultation" at issue. The department has re-evaluated and as the headers and footers do not reveal the substance of the consultation, we will provide those to the applicant.



「で`⊂ L⊂し⊂へ♪゚d゚」。
Minister of Justice
Ministaat Maligaliqiyikkutnut
Ministre de l'Justice

Recommendation # 2:

I recommend that Justice actively exercise its discretion under section 14 with respect to all redactions in the third disclosure package. In other words, Justice should consider whether to disclose the redacted information, and should provide the Applicant with a reasoned explanation of why it has exercised its discretion the way it has.

The Department of Justice recognizes the importance of its duty to make every reasonable effort to provide accurate and complete information in response to an access to information request. The department has re-evaluated the initial redactions and agrees to release additional content from the emails noted under Recommendation #1 above, except for references to review by legal counsel in the consultations on pages 5, 14, 16, 20 and 22, which will remain redacted. The department also agrees to release copies of the two draft letters, which were initially withheld due to their status as draft documents and the subject of the consultation. Additionally, upon further review following receipt of your report, we were able to locate a copy of the final letter dated August 19th, 2020, which will also be released to the applicant.

Sincerely,

CD811 94431.

Hon. David Akeeagok, Minister of Justice

Cc: Stephen Mansell, Deputy Minister of Justice