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MALIGALIQIYIKKUT
DEPARTMENT OF JUSTICE
MINISTÈRE DE LA JUSTICE

RECEIVED
OCT 27 2009

Reference Number: 1029-20-JUS0309

Elaine Keenan Bengts
Nunavut Information and Privacy Commissioner
5018 – 47th Street
P.O. Box 262
Yellowknife, NT
X1A 2N2

October 19, 2009

Dear Ms. Keenan Bengts:

RE: Review Recommendations- Your file: 09-173-5

The Department of Justice greatly appreciates your time and attention in this matter. We have had the opportunity to review your recommendations, made as a result of the complaint by [redacted] regarding our Department's compliance with section 7(1) of the *Access to Information and Protection of Privacy* (ATIPP) *Act*, which states:

> The head of a public body shall make every reasonable effort to assist an applicant and to respond to an applicant openly, accurately, completely and without delay.

We stand firmly in the belief that we complied with section 7(1) and we thank you for recognizing our efforts in this matter.

We are in full agreement with your recommendation that, in the future, requests that relate to Residential Schools be handled formally under the *Access to Information and Protection of Privacy Act*. Initially, we felt that an informal process would allow us to be more open and speedy in locating the desired records; however, in hindsight this matter may have been resolved earlier had we treated this as a formal request from the beginning.

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Although we found your second recommendation for dealing with requests related to Residential Schools, by way of creating a comprehensive questionnaire, a good idea, we will not be pursing this option at this time. The Department of Justice has not received a large volume of requests relating to Residential Schools; however, if this changes, we will re-consider your recommendation.

We will be informing the applicant of our decisions and their right to apply for review of the matter by the Supreme Court of Nunavut.

Sincerely,

Doug Garson
A/Deputy Minister

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