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## **NEWS RELEASE**

FOR IMMEDIATE RELEASE  
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# **Information and Privacy Commissioner issues decision on request for access to information about collared caribou**

WHITEHORSE – The Information and Privacy Commissioner (IPC) for Yukon, Diane McLeod-McKay, has completed an inquiry into a request for access to information about collared caribou for all herds in Yukon. With one exception, she found that the Department of Environment did not meet its burden of proof that it had authority under the provisions it relied upon to refuse access. McLeod-McKay recommended that the department provide the applicant with access to this information.

“The department had 30 days to decide about whether to accept my recommendations,” said McLeod-McKay. “In its response, the department indicated it would need to consult with other governments prior to making the decision. Because the department failed to provide its decision about the recommendations within the 30-day time limit, it is ‘deemed to have refused’ the recommendations, as set out in the ATIPP Act.”

In late 2019, an applicant requested access from the Department of Environment to all GPS, VHF and satellite collar re-location data for all caribou herds in Yukon, including transboundary movements into neighbouring jurisdictions, from 1980 to the present. The government refused the applicant’s request in full, based on provisions in the *Access to Information and Protection of Privacy Act* (ATIPP Act), which led the applicant to request that the IPC review the refusal of the request.

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“My inquiry found that the Department of Environment is required to refuse access to certain information requested by the applicant about the Fortymile caribou herd,” said McLeod-McKay. “However, I found that the department could not rely on the provisions cited for refusal of some information about the Fortymile caribou herd and for all the information requested about the other 28 herds.”

The inquiry report was provided to the department and the applicant on March 22, 2021. The department provided its response to the IPC on April 19, 2021, explaining that it could not make the decision about the recommendations within the 30-day time limit, which led to the deemed refusal. The applicant has been notified of the refusal and about their right of appeal to the Yukon Supreme Court.

The Ombudsman, Information and Privacy Commissioner, and Public Interest Disclosure Commissioner is an independent officer of the Yukon Legislative Assembly. For more information, please go to [www.yukonombudsman.ca](http://www.yukonombudsman.ca).

To view the inquiry report in full, click [here](#).

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