



Access to Information Act Complaint Form

The Office of the Information Commissioner of Canada (OIC) reviews the complaints of persons who believe that federal institutions have not respected their rights under the *Access to Information Act*.

We encourage complainants to use the OIC's online complaint form, available at: <https://www.oic-ci.gc.ca/en/submitting-complaint>

However, you may also file a complaint with the OIC by completing this form and sending it with any accompanying documents, by email, mail or fax to:

Grefe-Registry@oic-ci.gc.ca

Office of the Information Commissioner of Canada

30 Victoria Street
Gatineau, Québec K1A 1H3

Fax: 819-994-1768

More information to assist you in completing this form is available at <https://www.oic-ci.gc.ca/en/submitting-complaint> or by calling toll-free in Canada 1-800-267-0441.

- 1) To expedite the processing of your complaint, please provide as much information as possible.
- 2) Complaints must be made to the OIC in writing within 60 days of receiving your response or a notice from the federal institution, or when you become aware that grounds for a complaint exist.

The personal information provided on this form is protected under the provisions of the *Access to Information Act* and the *Privacy Act*. Please note that your name and the details of your complaint will be provided to the institution that is the subject of the complaint.

***Required field**

First name* FRANÇOIS		Last name* LAREAU	
Mailing address* 55-890 CAHILL DRIVE WEST			
City* OTTAWA	Province* ON	Postal code* K1V 9A4	
Contact phone number* (613) 521-3689	Alternative phone number ()	Fax number ()	
Email address flareau@rogers.com			
Preferred method of contact* Left to your discretion			
Please indicate the best time to contact you, as well as any contact restrictions: (The OIC's hours of business are Monday to Friday, 8:30 am – 5:00 pm EST) 8:30 am – 11:00 am			



1. Are you making this complaint ☒ on your own behalf
☐ on behalf of another person *

(*If you checked "on behalf of another person", attach any documentation that indicates that you are authorized to act for another individual)

2. Name of the institution that is the subject of your complaint.

DEPARTMENT OF NATIONAL DEFENCE

3. Indicate any file or reference numbers and dates relevant to your complaint (for example, date of request for access to information, date you received a response or other).

see attached letter of 13 October 2020, file A-208-01188

- 3(a). Have you complained to this office before about this same access request? If so, please identify the type of complaint and include any relevant complaint file numbers (see 5. below "Type of complaint")

I HAVE NEVER COMPLAINED BEFORE ABOUT THIS SAME REQUEST TO YOUR OFFICE

4. Have you received a written response or any notice (i.e. extension of time limits, or other) from the institution?

☒ Yes ☐ No If "Yes", what is the date of the letter, and when did you receive it?

see paragraph 3 above

5. Identify the type of complaint you are making:

- ☐ Incomplete search/no records response
- ☐ Deemed refusal (delay beyond the 30-day time limit or extended time limit)
- ☒ Exemptions/exclusions (records or portions of records were withheld from access)
- ☐ Time extension (institution informed you of extra time necessary to process your request)
- ☐ Language (your request to obtain records in your official language of choice was denied)
- ☐ Alternative format (person with sensory disability is refused access to records in an alternative format)
- ☐ Publication bulletin (complaint about the publication by government institutions) (InfoSource)
- ☒ Any other matter relating to requesting or obtaining access to records under the *Access to Information Act* (Please describe factual foundation in section 6).



6. Provide a summary of your complaint and describe the action or events that prompted you to complain together with any relevant date(s) of event(s). (Use additional pages if required)

see attached documents

7. Attach copies of the following documents, if applicable:

- ☐ Your request to the institution
- ☐ The institution's response to your request (if any) that prompted this complaint
- ☐ Any other correspondence between you and the institution on this matter
- ☐ Any documentation indicating that you are authorized to act on behalf of another individual (if applicable)
- ☒ Other *see attached documents*

By submitting this complaint, I certify, to the best of my knowledge, that the information provided on this form is true and complete.

ORIGINAL SIGNED
BY
F. LAREAU

22 November 2020

François Lareau
55-890 Cahill Drive West
Ottawa, ON, K1V 9A4

Attached document to my complaint of 22 November 2020

I have a blog, dated 21 October 2020, at <http://www.lareau-law.ca/military.1Blog.html>, entitled "The General Court Martial (GCM) of Lieutenant-Commander Dean Marsaw, 1994-1995 -- I received a transcript but without the charge sheet! Bowl of Confusion* on how to get a transcript from DND".

See in particular the part "Major Legal problem with the transcript I received".

Include this blog in the complaint as background and research.

Complaint – par. 5 – exemptions

I complain about the omission of pages 1-1 to 1-12. Only the SIN numbers should be omitted.

Complaint – par. 5 --any other matter

Are court martial transcripts "published material" under s. 68 of the *Access to Information Act*?²

ORIGINAL
SIGNED
BY
F. LAREAU

22 November 2020



National Defence
National Defence Headquarters
Ottawa, Ontario
K1A 0K2

Défense nationale

Our file: A-2018-01188

OCT 13 2020

Mr. François Lareau
Lareau Law
55 - 890 Cahill Drive West
Ottawa, Ontario K1V 9A4

Dear Mr. Lareau:

This is further to your request submitted under the *Access to Information Act* (the "Act") for:

Court martial transcript of Her Majesty the Queen v. {Lieutenant-Commander Dean C. Marsaw}, Standing Court Martial Canada, Nova Scotia, Canadian Forces Base Halifax, 1995. For your assistance, see par. 10(b) of the "Policy on Access to Documents and Information - Courts Martial and other Judicial Hearings", 5203-3 (CMA), 1 September 2018, signed by M.S. Morrissey, OMM, CD, Court Martial Administrator and published at: <https://www.canada.ca/en/chief-military-judge/services/consult-legal-resources/policy-access-documents-information.html> accessed 21 September 2018..

Enclosed please find an electronic copy of the processed information that could be located using the Department's best efforts, within the constraints of the Act. You will note that certain information has been withheld from disclosure pursuant to section 19(1) of the Act.

Please be advised that you are entitled to file a complaint with the Office of the Information Commissioner concerning the processing of your request within sixty days of the receipt of this notice. In the event you decide to avail yourself of this right, your notice of complaint should be addressed to:

Office of the Information Commissioner
30 Victoria Street
Gatineau, Québec K1A 1H3
Tel: 1-800-267-0441
Fax: 819-994-1768

Should you require clarification or assistance regarding your request, please contact Alana Melbourne of my staff at 613-904-5904 or by e-mail at Alana.Melbourne@forces.gc.ca.

Yours truly,



Deirdra Finn
Director
Access to Information and Privacy

Enclosure: CD

Canada