



Minister's office (CM-5)
PO Box 2703, Whitehorse, Yukon Y1A 2C6

March 31, 2022

MLA Brad Cathers
Yukon Legislative Assembly
PO Box 2703
Whitehorse, YT, Y1A 2C6



Dear MLA Cathers:

Re: Motion No. 320

On March 15, as the Member for Lake Laberge you gave notice of the following motion: That this House urges the Deputy Premier and the Minister of Education to live up to their promise to provide Hidden Valley School parents with a copy of the video from the November 9, 2021 online meeting between those two ministers, department officials, RCMP, and parents.

There was preamble to the motion that suggested that as a Minister, I was not following the law, including following the requirements of the Access to Information and Privacy Act. I appreciate the opportunity to provide further information and context.

The meeting recording being referenced contains third party personal information. Therefore, we have provided opportunities, upon request, for individuals who attended the meeting to review the recording.

In response to an access to information request to receive a copy of the video, the Department of Education worked with the Office of the Information and Privacy Commissioner to ensure we were meeting our legal obligations to individuals to access their personal information while protecting the personal information of third parties.

In a letter dated January 22, 2022, the Information and Privacy Commissioner's Office provided the following advice: "Our analysis of the matter found that the Public Body had authority to withhold the record from the applicant under subsection 70 (1) of the ATIPPA Act. However, to strike an appropriate balance between the applicant's right of access to their own personal information and the protection of the third party's personal privacy, we recommend that the Public Body allow the applicant to view the record at issue, without providing a copy."

The Department of Education accepted this recommendation and notified the applicant of this. We extend this offer to anyone who attended the November 9, 2021, meeting who would like to view the video. Individuals can contact publicschools@yukon.ca to express their interest to coordinate a time to view the video.

Sincerely,

A handwritten signature in black ink, appearing to read "JMcLean". The signature is fluid and cursive, with the first letter of each name being capitalized and prominent.

Jeanie McLean
Minister of Education