



The Correctional Investigator
Canada

L'Enquêteur correctionnel
Canada

Office of the Correctional Investigator

Annual Report to Parliament on the *Privacy Act*

April 1, 2013 to March 31, 2014

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INTRODUCTION

The Office of the Correctional Investigator is pleased to submit to Parliament its annual report on the administration of the *Privacy Act (PA)* for the fiscal year commencing on April 1, 2013 and ending March 31, 2014. This report is submitted in accordance with section 72 of the *Act*.

The *Privacy Act* took effect on July 1, 1983. The *PA* extends to individuals the right of access to information held by the government, about themselves, subject to certain specific and limited exceptions. The *Act* also protects individuals' personal information and gives individuals substantial control over its collection, use and disclosure.

OUR MANDATE

The Office of the Correctional Investigator is mandated by Part III of the *Corrections and Conditional Release Act* as an Ombudsman for federal offenders. The primary function of the Office is to investigate and bring resolution to individual offender complaints. The Office as well, has a responsibility to review and make recommendations on the Correctional Service's policies and procedures associated with the areas of individual complaints to ensure that systemic areas of concern are identified and appropriately addressed.

OUR MISSION

As the ombudsman for federally sentenced offenders, the Office of the Correctional Investigator serves Canadians and contributes to safe, lawful and humane corrections through independent oversight of the Correctional Service of Canada by providing accessible, impartial and timely investigation of individual and systemic concerns. While an independent organization, the Office of the Correctional Investigator is part of the Public Safety and Emergency Preparedness portfolio.

PRIVACY ACTIVITIES

The Minister of Public Safety and Emergency Preparedness is the designated head of the institution for the *Privacy Act*. The Correctional Investigator has been delegated full authority under the *Privacy Act* by the Minister. Limited authority under the Act has been delegated to the Access to Information and Privacy Coordinator. The delegation of authority to administer the Act was confirmed by the Minister of Public Safety and Emergency Preparedness on January 21, 2014 (see Appendix C).

While the responsibilities of ATIP Coordinator are assigned to the Director of Corporate Services and Planning, the actual processing of requests and any associated activities are generally carried out by a consultant. It is felt that this is the most cost effective utilization of resources and delivery of these activities.

The ATIP Coordinator is accountable for the development, coordination and implementation of effective policies, guidelines, systems and procedures to ensure the OCI's responsibilities under the *Privacy Act* are met and to enable appropriate processing and proper disclosure of information. The Coordinator is also responsible for related policies, systems and procedures emanating from the *Act*.

The main activities of the ATIP Coordinator include:

- Processing requests under the *Act*;
- Developing and maintaining policies, procedures and guidelines to ensure the *Act* is respected by the OCI;
- Promoting awareness of the *Act* to ensure the OCI's responsiveness to the obligations imposed on the government;
- Monitoring the OCI's compliance with the *Act*, regulations and relevant procedures and policies;
- Preparing annual reports to Parliament and other statutory reports, as well as other material that may be required by central agencies;
- Representing the OCI in dealings with the Treasury Board Secretariat (TBS), the Privacy Commissioner and other government agencies regarding the application of the *Act* as they relate to the OCI; and
- Supporting the OCI in meeting its commitments in relation to greater openness and transparency through proactive disclosure of information and the disclosure of information through informal avenues.

During the reporting period sixteen requests were received and there were three outstanding requests from the previous period. There were no significant issues surrounding the requests received. Nine of the requests were disclosed in part and two were abandoned, and seven were carried forward to the next reporting period.

There were no formal training sessions conducted during the reporting period. Continuous advice and recommendations were provided by the consultant on an as required basis to Management and staff.

During the reporting period, the OCI developed and implemented a Policy on access to draft investigative documentation in consultation with the OPC.

The OCI received two *Privacy Act* complaints during the reporting period. The complaint investigations, lead by the Office of the Privacy Commissioner (OPC), determined that additional information was to be provided in one case and confirmation on the status of an OCI lead investigation in another. Both were addressed and closed to the satisfaction of the OPC.

No formal monitoring of the time required to process requests was completed in the reporting period. However, ongoing discussions with the consultant on this matter took place.

There were no material privacy breaches during the reporting period.

There were no Privacy Impact Assessments (PIAs) completed during this period.

There were no new data sharing activities during the reporting period.

During the reporting period, the OCI made no disclosures of personal information pursuant to subsection 8(2)(m) of the *Privacy Act*.

For 2013-2014, the costs directly associated with the administration of the *Privacy Act* are estimated at \$29,785.00.

Staff	\$6,474.00
Consultant fees	\$23,311.00

The associated employee resources for 2013-2014 are estimated at 0.25 FTE for administering the *Privacy Act*.

Appendix A

Statistical Report



Statistical Report on the *Privacy Act*

Name of institution: Office of the Correctional Investigator

Reporting period: 2013-04-01 to 2014-03-31

PART 1 – Requests under the *Privacy Act*

	Number of Requests
Received during reporting period	16
Outstanding from previous reporting period	3
Total	19
Closed during reporting period	12
Carried over to next reporting period	7

PART 2 – Requests closed during the reporting period

2.1 Disposition and completion time

Disposition of requests	Completion Time							Total
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	More than 365 days	
All disclosed	0	1	0	0	0	0	0	1
Disclosed in part	0	2	4	2	0	1	0	9
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	0	0	0	0	0	0	0	0
Request abandoned	0	2	0	0	0	0	0	2
Total	0	5	4	2	0	1	0	12

2.2 Exemptions

Section	Number of requests	Section	Number of requests	Section	Number of requests
18(2)	0	22(1)(a)(i)	0	23(a)	0
19(1)(a)	1	22(1)(a)(ii)	0	23(b)	0
19(1)(b)	0	22(1)(a)(iii)	0	24(a)	1
19(1)(c)	1	22(1)(b)	1	24(b)	0
19(1)(d)	0	22(1)(c)	1	25	0
19(1)(e)	0	22(2)	0	26	8
19(1)(f)	0	22.1	7	27	1
20	0	22.2	0	28	0
21	0	22.3	0		

2.3 Exclusions

Section	Number of requests	Section	Number of requests	Section	Number of requests
69(1)(a)	0	70(1)(a)	0	70(1)(d)	0
69(1)(b)	0	70(1)(b)	0	70(1)(e)	0
69.1	0	70(1)(c)	0	70(1)(f)	0
				70.1	0

2.4 Format of information released

Disposition	Paper	Electronic	Other formats
All disclosed	1	0	0
Disclosed in part	9	0	0
Total	10	0	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Disposition of requests	Number of pages processed	Number of pages disclosed	Number of requests
All disclosed	23	23	1
Disclosed in part	4479	4444	9
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	2

2.5.2 Relevant pages processed and disclosed by size of requests

Disposition	Less than 100 pages processed		101-500 pages processed		501-1000 pages processed		1001-5000 pages processed		More than 5000 pages processed	
	Number of Requests	Pages disclosed	Number of Requests	Pages disclosed	Number of Requests	Pages disclosed	Number of Requests	Pages disclosed	Number of Requests	Pages disclosed
All disclosed	1	23	0	0	0	0	0	0	0	0
Disclosed in part	4	202	2	347	2	1629	1	2266	0	0
All exempted	0	0	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0	0	0
Abandoned	2	0	0	0	0	0	0	0	0	0
Total	7	225	2	347	2	1629	1	2266	0	0

2.5.3 Other complexities

Disposition	Consultation required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	9	0	0	0	9
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Abandoned	0	0	0	1	1
Total	9	0	0	1	10

2.6 Deemed refusals

2.6.1 Reasons for not meeting statutory deadline

Number of requests closed past the statutory deadline	Principal Reason			
	Workload	External consultation	Internal consultation	Other
4	2	2	0	0

2.6.2 Number of days past deadline

Number of days past deadline	Number of requests past deadline where no extension was taken	Number of requests past deadline where an extension was taken	Total
1 to 15 days	0	2	2
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	1	1
121 to 180 days	0	1	1
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	0	4	4

2.7 Requests for translation

Translation Requests	Accepted	Refused	Total
English to French	0	0	0
French to English	0	0	0
Total	0	0	0

PART 3 – Disclosures under subsection 8(2)

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Total
0	0	0

PART 4 – Requests for correction of personal information and notations

	Number
Requests for correction received	0
Requests for correction accepted	0
Requests for correction refused	0
Notations attached	0

PART 5 – Extensions

5.1 Reasons for extensions and disposition of requests

Disposition of requests where an extension was taken	15(a)(i) Interference with operations	15(a)(ii) Consultation		15(b) Translation or conversion
		Section 70	Other	
All disclosed	0	0	0	0
Disclosed in part	0	0	9	0
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
Total	0	0	9	0

5.2 Length of extensions

Length of extensions	15(a)(i) Interference with operations	15(a)(ii) Consultation		15(b) Translation purposes
		Section 70	Other	
1 to 15 days	0	0	0	0
16 to 30 days	0	0	9	0
Total	0	0	9	0

PART 6 – Consultations received from other institutions and organizations

6.1 Consultations received from other government institutions and organizations

Consultations	Other government institutions	Number of pages to review	Other organizations	Number of pages to review
Received during the reporting period	0	0	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	0	0	0	0
Closed during the reporting period	0	0	0	0
Pending at the end of the reporting period	0	0	0	0

6.2 Recommendations and completion time for consultations received from other government institutions

Recommendation	Number of days required to complete consultation requests							Total
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	than 365 days	
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

6.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of days required to complete consultation requests							Total
	1 to 15 days	16 to 30 days	31 to 60 days	61 to 120 days	121 to 180 days	181 to 365 days	than 365 days	
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	0	0	0	0	0	0	0
Exempt entirely	0	0	0	0	0	0	0	0
Exclude entirely	0	0	0	0	0	0	0	0
Consult other institution	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

PART 7 – Completion time of consultations on Cabinet confidences

Number of days	Number of responses received	Number of responses received past deadline
1 to 15	0	0
16 to 30	0	0
31 to 60	0	0
61 to 120	0	0
121 to 180	0	0
181 to 365	0	0
More than 365	0	0
Total	0	0

PART 8 – Resources related to the *Privacy Act*

8.1 Costs

Expenditures		Amount
Salaries		\$6,474
Overtime		\$0
Goods and Services		\$23,311
• Contracts for privacy impact assessments	\$0	
• Professional services contracts	\$23,311	
• Other	\$0	
Total		\$29,785

8.2 Human Resources

Resources	Dedicated full-time	Dedicated part-time	Total
Full-time employees	0.25	0.00	0.25
Part-time and casual employees	0.00	0.00	0.00
Regional staff	0.00	0.00	0.00
Consultants and agency personnel	0.00	0.75	0.75
Students	0.00	0.00	0.00
Total	0.25	0.75	1.00

Appendix B

Additional Reporting

Appendix B

Completed Privacy Impact Assessments (PIAs)

Institution	Number of Completed PIAs
Office of the Correctional Investigator	0

Appendix C

Delegation Order

Privacy Act Delegation Order

Arrêté sur la délégation en vertu de la
Loi sur la protection des renseignements personnels

The Minister of Public Safety and Emergency Preparedness, pursuant to section 73 of the Privacy Act, hereby designates the persons holding the positions set out in the schedule hereto to exercise the powers and perform the duties and functions of the Minister as head of a government institution, that is, the Office of the Correctional Investigator, under the sections of the Act set out in the schedule opposite each position.

En vertu de l'article 73 de la Loi sur la protection des renseignements personnels, le Ministre de la Sécurité publique et de la Protection civile délègue aux titulaires des postes mentionnés à l'annexe ci-après les attributions dont il est, en qualité de responsable d'une institution fédérale, c'est à dire, Bureau de l'enquêteur correctionnel, investi par les articles de la Loi mentionnés en regard de chaque poste.

Schedule

Annexe

Position

Poste

Correctional Investigator
Enquêteur correctionnel

Executive Director and General Counsel
Directeur exécutif et avocat général

Access to Information and Privacy Coordinator
Coordonnateur, accès à l'information et protection des renseignements personnels

Sections of the Privacy Act

Articles de la Loi sur la Protection des renseignements personnels

8(2)(j), 8(2)(m), 8(4), 8(5), 9, 10, 14, 15, 17(2), (3), 18(2) 19 to/à 28 incl., 31, 33(2), 35(1), 35(4), 36(3), 37(3), 51, 72(1).

Section of the Regulations
Articles des Règlements

9, 11(2), 11(4), 13(1), 14.

Dated at the City of Ottawa this 21st day of
January, 2014

Daté en la ville d'Ottawa ce 21 ième jour de
janvier, 2014


Steven Blaney, P.C. / M.P. / Steven Blaney, C.P., député

Minister of Public Safety and Emergency Preparedness / Ministre de la Sécurité publique et de la Protection civile