



The Correctional Investigator  
Canada

L'Enquêteur correctionnel  
Canada

**Annual Report to Parliament**  
**on the**  
***Privacy Act***

**April 1, 2023 to March 31, 2024**

# Table of Contents

Introduction	Page 3
Our Mandate	Page 3
Our Mission	Page 3
Privacy Activities	Page 3
During the Reporting Period	Page 4
Costs	Page 6
Five-year Historical Trend Analysis	Page 6
Appendix A - Delegation Order	Page 8

## **INTRODUCTION**

The Office of the Correctional Investigator is pleased to submit to Parliament its annual report on the administration of the *Privacy Act (PA or the Act)* for the fiscal year commencing on April 1, 2023 and ending March 31, 2024. This report is submitted in accordance with section 72 of the *PA*. This report is tabled in Parliament by the Minister of Public Safety, Democratic Institutions and Intergovernmental Affairs.

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 them 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 offender complaints. The Office also has a responsibility to review and make recommendations on the Correctional Service of Canada's policies and procedures 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 portfolio.

## **PRIVACY ACTIVITIES**

The Minister of Public Safety 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. Full authority under the *Act* has also 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 November 30, 2015 (see Appendix A).

While the responsibilities of the ATIP Coordinator are assigned to the Director and Legal Counsel, the actual processing of requests and any associated activities are generally carried out by a consultant. Given the limited number of requests, 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;
- Promoting awareness of the *Act* to ensure the organization's responsiveness to the obligations imposed on the government;
- Monitoring the Office'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 Office in dealings with the Treasury Board Secretariat, the Privacy Commissioner and other government agencies regarding the application of the *Act* as they relate to the OCI; and
- Supporting the Office in meeting its commitments in relation to greater openness and transparency through proactive disclosure of information and the disclosure of information through informal avenues.

The OCI is not subject to any agreements under section 73.1 of the *Privacy Act*.

## **DURING THE REPORTING PERIOD**

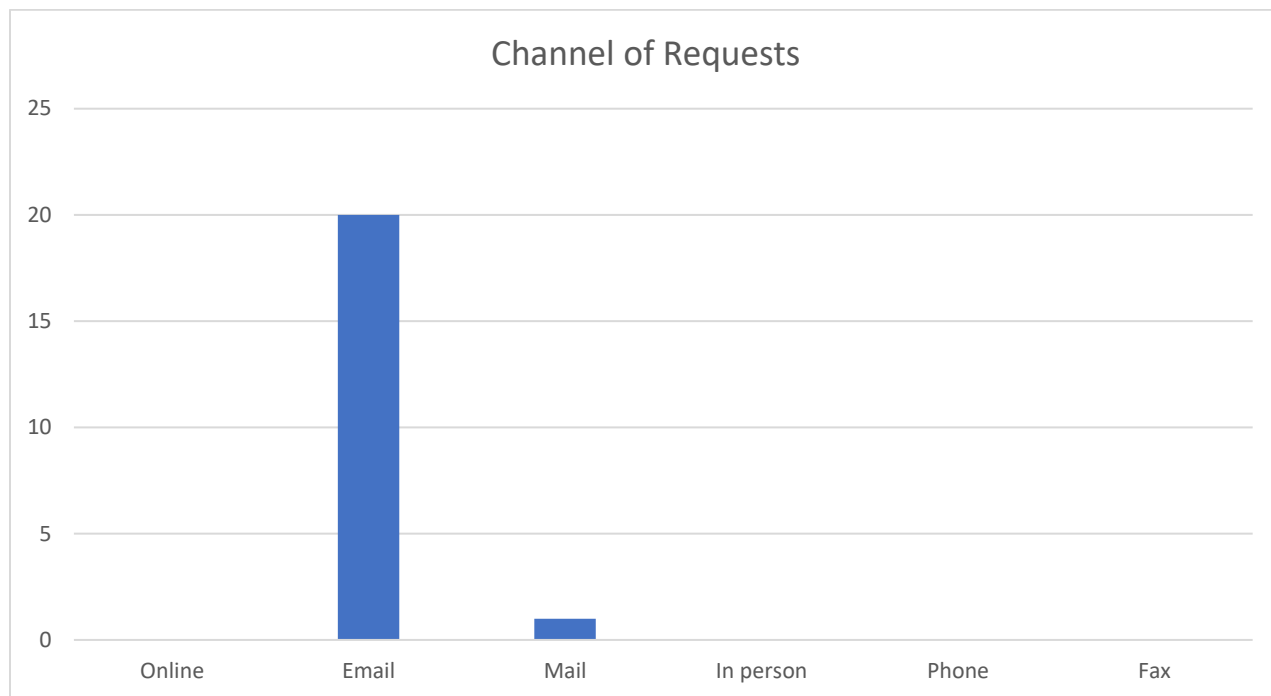
Twenty-one (21) requests were received and there was one (1) outstanding request from the previous reporting period. Of these requests;

- Twelve (12) were disclosed in part (57%)
- Four (4) were disclosed in their entirety (19%)
- None were exempted or excluded in their entirety
- None were abandoned
- Three (3) had no records (14%)
- Two (2) were carried forward to the next reporting period (9%)

There was (1) request outstanding from the 2022-2023 reporting period and it remains open at the time of reporting.

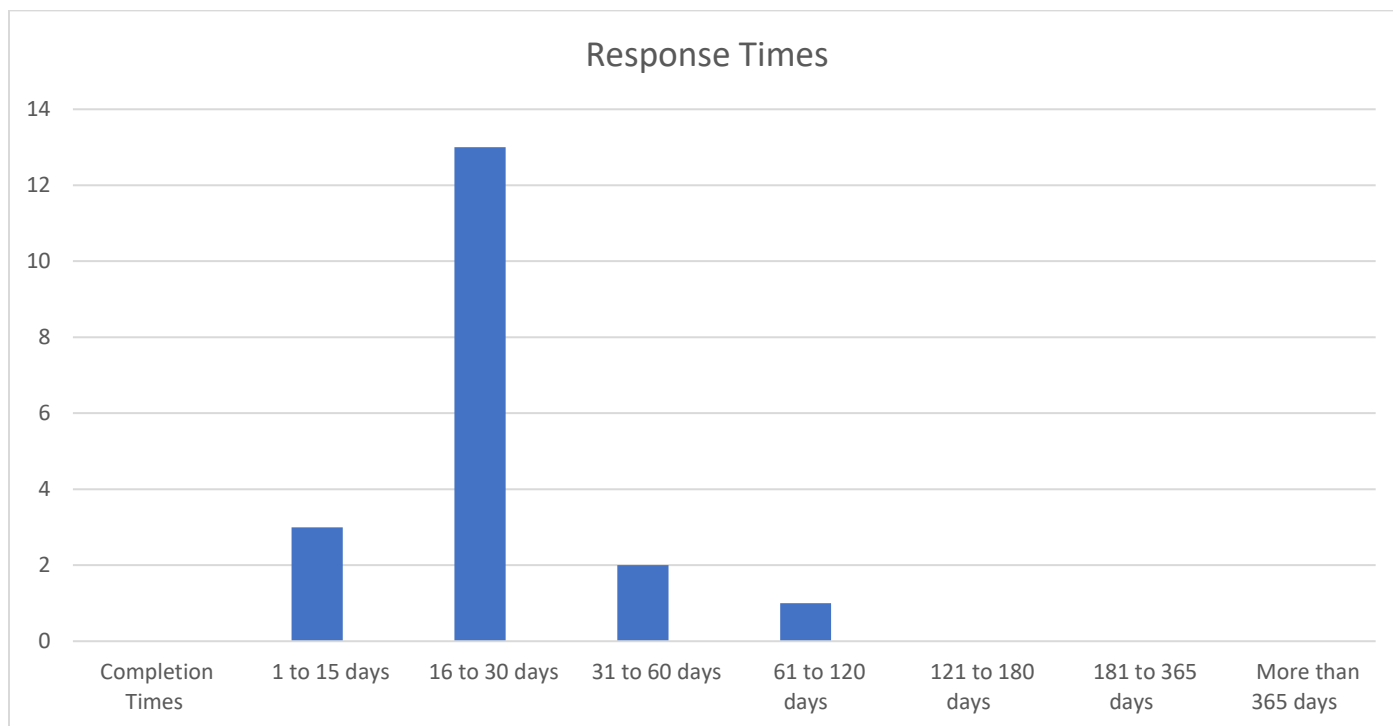
There were no consultations received.

Similar to last year, all but one request, which was received by mail, were received by email during the reporting period.



One extension was taken for consultation.

The Office could not meet the statutory response time for two (2) requests during the reporting period. The OCI responded to 89% of requests within the legislated timelines. This is a significant improvement from the previous year.



Monitoring, of the time required to process these privacy requests was completed by the ATIP Coordinator in preparing the historical trend analysis below. The Executive Director and the ATIP

Coordinator are advised by way of a briefing note when requests are not closed within the required time limits. The briefing note advises of the reason for the late response.

No training sessions were provided during the reporting period. Advice, guidance and recommendations were provided by the consultant on an as required basis to Management and staff.

There were no material privacy breaches reported this year.

The OCI received one (1) complaint during the reporting year. The complaint was found to be not well-founded.

No Privacy Impact Assessments (PIAs) were completed; no new data sharing activities took place and the Office made no disclosures of personal information pursuant to subsection 8(2)(m) of the *Privacy Act*. There are no new collection or new consistent uses of Social Insurance Numbers.

## COSTS

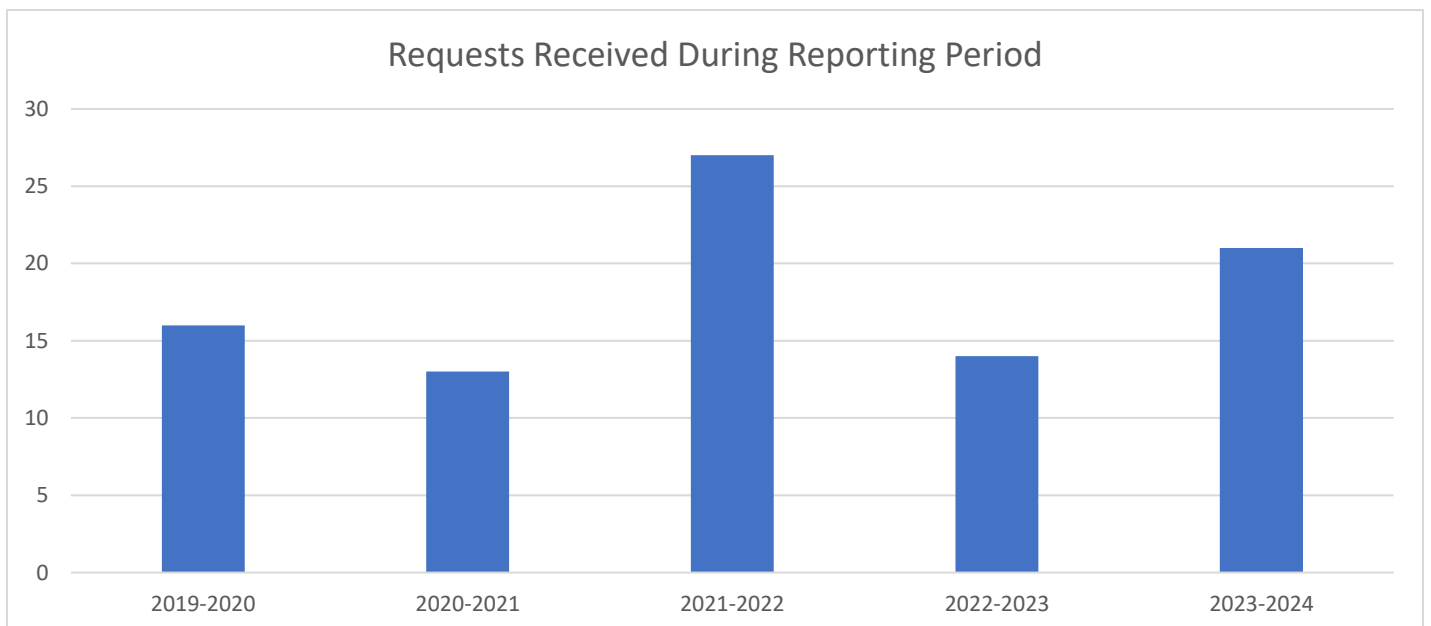
For 2023-2024, the costs directly associated with the administration of the *Privacy Act* are estimated at \$32,265.

Staff	\$8,089
Consultant fees	\$21,521
Other	\$2,655

The associated employee resources for 2023-2024 are estimated at 0.280 FTE for administering the *Privacy Act*.

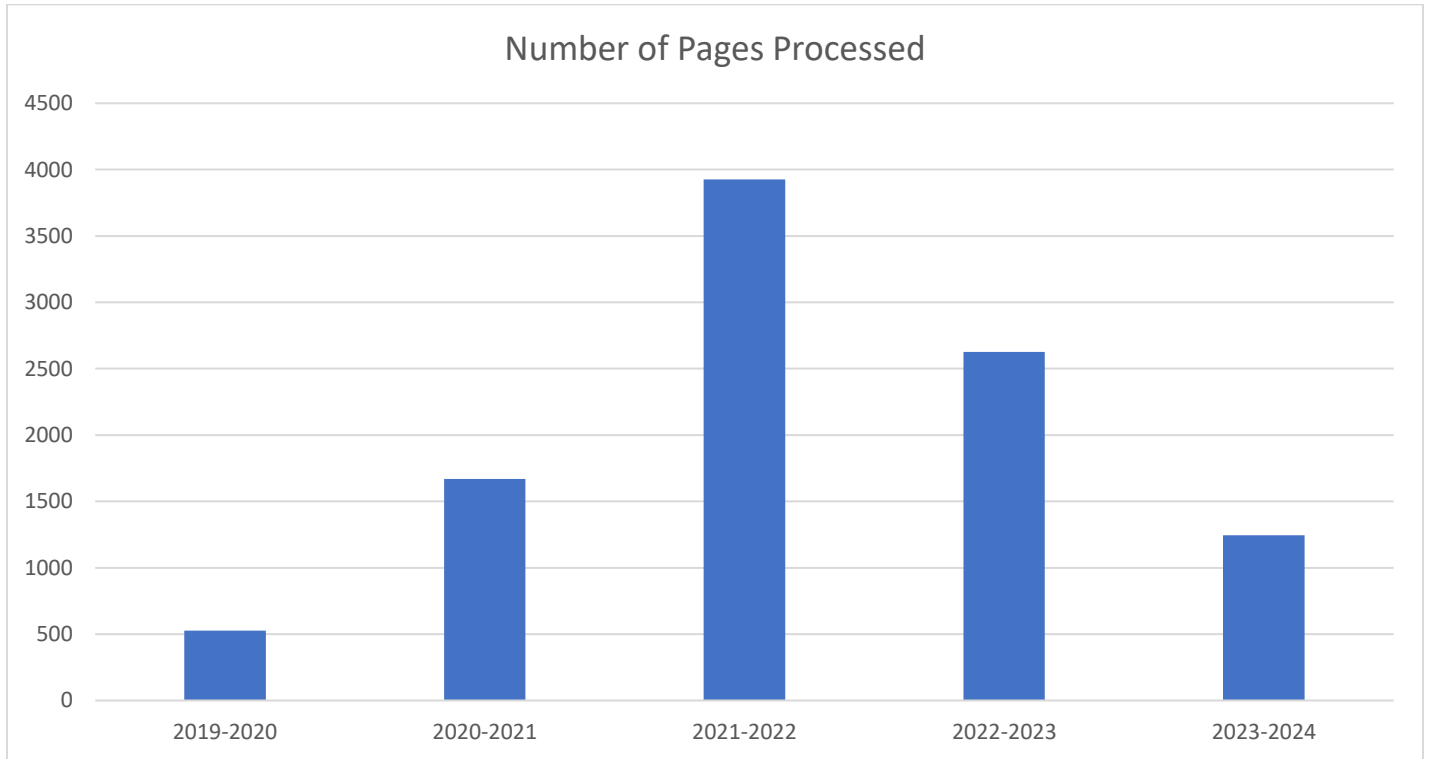
## FIVE-YEAR HISTORICAL TREND ANALYSIS

Over a five-year period, from 2019-2020 to 2023-2024, the OCI received an average of eighteen (18) requests annually.



Over the last five years, the OCI has maintained a 65% completion rate of requests processed between 1-60 days.

With regards to the number of pages processed, an average of one thousand, nine hundred and ninety-nine (1,999) are processed per year.



The most frequently used exemptions remain:

- 26 at 55%
- 22(1)(c) at 34%
- 21(1)(c) and 22(1)(b) at 8%

A total of twelve (12) extensions for consultations were recorded for an average of two (2) per reporting period. A total of one (1) consultation was received from other government organizations.

This baseline data will continue to be used in future years to assess trends, inform ongoing improvements in the processing of Privacy requests and implement corrective measures where necessary.

APPENDIX A  
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

Sections of the Privacy Act and Regulations

Poste

Articles de la Loi sur la Protection des renseignements personnels et Règlement

Correctional Investigator  
Enquêteur correctionnel

Full Authority  
Autorité absolue

Executive Director and General Counsel  
Directeur exécutif et avocat général

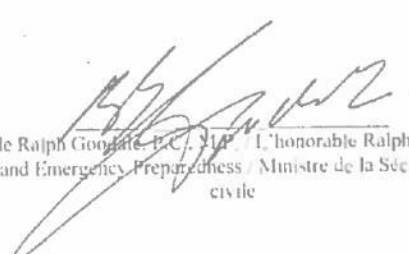
Full Authority (except 8(2)(m))  
Autorité absolue (sauf 8(2)(m))

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

Full Authority (except 8(2)(m))  
Autorité absolue (sauf 8(2)(m))

Dated at the City of Ottawa this 30th day of  
Nov, 2015

Daté en la ville d'Ottawa ce \_\_\_\_\_ième jour de  
\_\_\_\_\_, 2015

  
The Honourable Ralph Goodale, P.C., M.P. / L'honorable Ralph Goodale, C.P., député  
Minister of Public Safety and Emergency Preparedness / Ministre de la Sécurité publique et de la Protection  
civile