



Public Prosecution
Service of Canada

Service des poursuites
pénales du Canada

Annual Report on the *Privacy Act*

Public Prosecution Service of Canada

2019-2020



Annual Report on the *Privacy Act* (Public Prosecution Service of Canada), 2019-2020

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1 Introduction

The *Privacy Act* (the *Act*) came into force on July 1, 1983. The purpose of the *Act* is to protect the privacy of individuals with respect to personal information about themselves held by government institutions as well as to provide individuals with a right of access to that information.

The Public Prosecution Service of Canada (PPSC) became subject to the *Act* when it was established as an independent organization on December 12, 2006, with the coming into force of the *Director of Public Prosecutions Act* (Part 3 of the *Federal Accountability Act*).

Pursuant to section 72 of the *Act*, this 2019-2020 Annual Report on the *Act* has been prepared for tabling in the House of Commons and the Senate. This Report provides an analysis of the information contained in the PPSC's Statistical Report on the *Act*. In addition, it reports on emerging trends, training activities, internal policies, guidelines and procedures with respect to the PPSC's administration of the *Act*.

2 The Public Prosecution Service of Canada

The PPSC's mandate is set out in the *Director of Public Prosecutions Act* (*DPPA*). The *DPPA* empowers the Director of Public Prosecutions (DPP), as Deputy Attorney General of Canada, to:

- Initiate and conduct federal prosecutions;
- Intervene in proceedings that raise a question of public interest that may affect the conduct of prosecutions or related investigations;
- Issue guidelines to federal prosecutors;
- Advise law enforcement agencies or investigative bodies on general matters relating to prosecutions and on particular investigations that may lead to prosecutions;
- Communicate with the media and the public on all matters that involve the initiation and conduct of prosecutions;
- Exercise the authority of the Attorney General of Canada in respect of private prosecutions; and
- Exercise any other power or carry out any other duty or function assigned by the Attorney General of Canada that is compatible with the office of the DPP.

The *DPPA* also empowers the DPP to:

- Initiate and conduct prosecutions under the *Canada Elections Act*; and
- Act, when requested by the Attorney General of Canada, in matters under the *Extradition Act* and the *Mutual Legal Assistance in Criminal Matters Act*.

The DPP has the rank and status of a deputy head of a department, and in this capacity is responsible for the management of the PPSC as a distinct government institution.

3 The ATIP Office

The ATIP Office holds primary responsibility for the implementation and administration of the *Act*. The Office deals directly with the public in relation to personal information requests, liaises with Offices of Primary Interest to prepare responses, and serves as the centre of expertise for ATIP within the PPSC.

The ATIP Office fulfills its responsibilities by:

- Processing requests for personal information in accordance with the *Act*, the *Privacy Regulations* (the *Regulations*) and the Treasury Board Secretariat of Canada's (TBS) policies, directives and guidelines;
- Responding to consultations submitted by other federal institutions or other levels of government on PPSC records being considered for release;
- Providing advice to PPSC managers and employees regarding the application and interpretation of the *Act*, the *Regulations* the TBS's policies, directives and guidelines;
- Responding to requests received from other government institutions for the review of solicitor-client privilege in records related to criminal proceedings in which the PPSC is involved;
- Reviewing PPSC policies, procedures and agreements to ensure that they comply with the requirements of the *Act* and making recommendations for amendments;
- Monitoring the PPSC's compliance with the *Act*, its *Regulations* and the TBS's policies, directives and guidelines;
- Communicating with investigators of the Office of the Privacy Commissioner of Canada to resolve complaints filed against the PPSC;
- Reviewing documents relevant to proactive publication, such as audits and evaluations or contracts over \$10,000, prior to their publication on the PPSC's website, to ensure that they do not contain personal information;
- Delivering training sessions intended to familiarize the PPSC's managers and employees with the requirements of the *Act*, the *Regulations* and the TBS's policies, directives and guidelines;
- Updating the PPSC's chapter of the federal government's *Information About Programs and Information Holdings* publication (formerly known as *Info Source: Sources of Government and Employee Information*);
- Submitting an annual statistical report on the administration of the *Act* to the TBS; and
- Preparing an annual report on the administration of the *Act* for tabling in both Houses of Parliament.

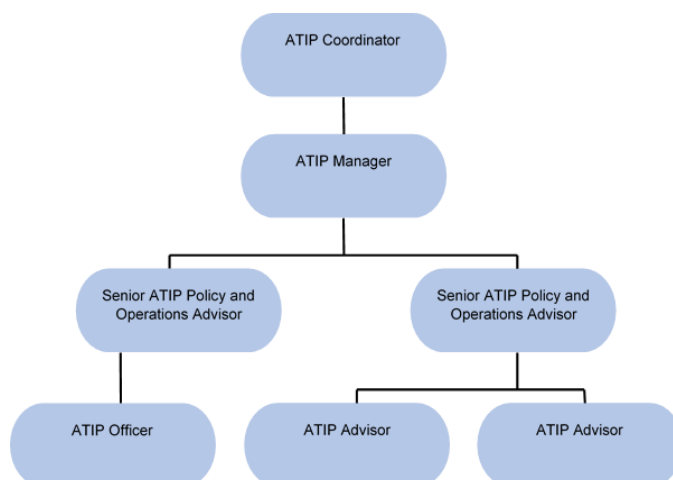
3.1 Organizational structure

The Executive Director, Corporate Planning and External Relations Division (CPERD), acts as the PPSC's ATIP Coordinator.

During the period from April 1, 2019, to March 31, 2020, the ATIP Office comprised a Manager, two Senior Advisors, two Advisors, and an ATIP Officer. The Office also had the support of one additional resource for part of the year.

The following chart outlines the organizational structure of the ATIP Office on March 31, 2020:

Figure 1: Organizational structure



4 Delegated authorities

Pursuant to section 73 of the *Act*, the head of a government institution may designate one or more officers or employees of that institution, by order, to exercise or perform any of the powers, duties or functions of the head of the institution under the *Act*.

The DPP, as the “head of institution,” has designated the authority to exercise the powers and perform the duties and functions conferred to her under the *Act* to the Executive Director, CPERD, as well as the Senior Director General, Corporate Services, and the ATIP Manager (Delegation Order in Appendix A). The ATIP Manager exercises this authority in the absence of the Executive Director, CPERD. The Senior Director General, Corporate Services, exercises this authority in the absence of both the Executive Director, CPERD, and the ATIP Manager.

5 Interpretation of the statistical report

The following section provides a summary and analysis of the information contained in the 2019-2020 Statistical Report on the *Act* in Appendix B of this report.

5.1 Requests received under the *Act*

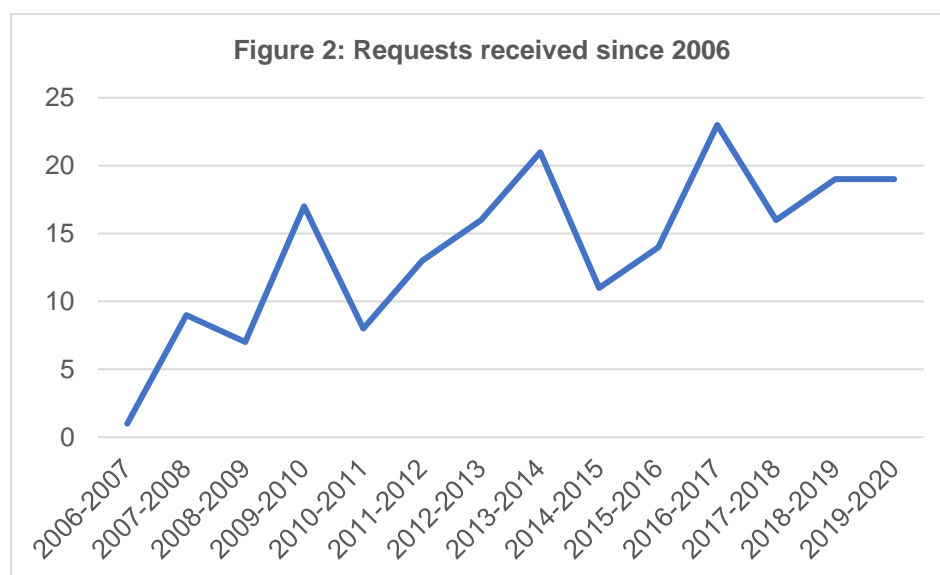
The PPSC received 19 formal personal information requests in 2019-2020, the same amount as in the previous fiscal year.

Additionally, eight (8) requests were carried over from fiscal year 2018-2019. Altogether, the PPSC had 27 requests to process in 2019-2020.

The PPSC received 79% of its personal information requests **online** this fiscal year.

Since its creation on December 12, 2006, the PPSC has received 194 personal information requests in total. Over time, the organization has experienced periodic, sharp increases in the number of received requests. Despite the fluctuations, the overall trend of the past 14 fiscal years suggests that the number of requests received by the PPSC is gradually increasing.

The following chart illustrates this trend:



Note: As the PPSC was created on December 12, 2006, data for 2006-2007 only reflects a three-month period.

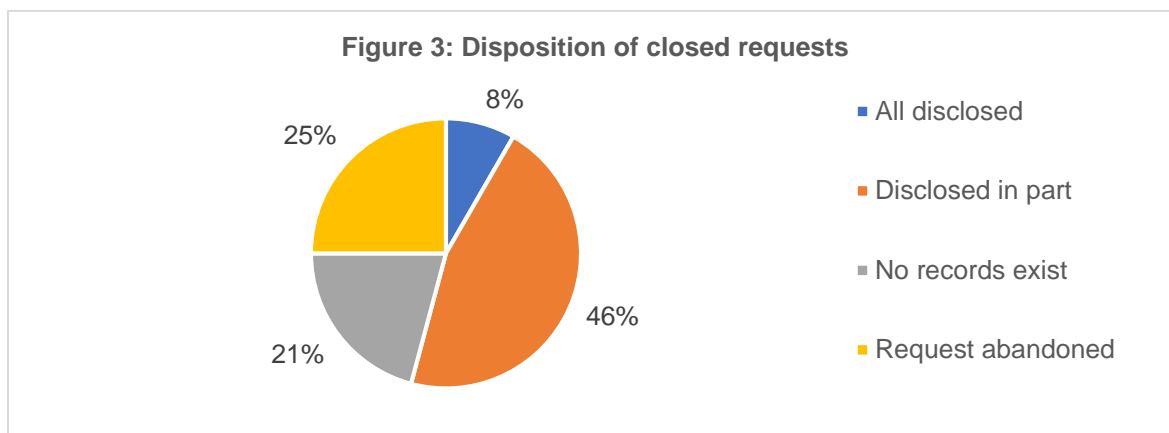
5.2 Requests closed during the fiscal year

5.2.1 Disposition of requests

Out of the 27 requests received or carried over from the previous period, the PPSC responded to 24 formal personal information requests, which is 33% more than the number of requests closed in 2018-2019.

Three (3) requests remained outstanding as of March 31, 2020, and were carried forward to the next fiscal year. In comparison, eight (8) requests were outstanding by the end of the previous fiscal year.

The disposition of requests closed in 2019-2020 was as follows:



Of the 24 requests closed in 2019-2020, records were fully or partially disclosed in 13 cases. On average, 60% of requests closed over the past five (5) fiscal years have resulted in a full or partial disclosure of records to applicants.

There were no requests closed in 2019-2020 where records were all exempted or excluded. Other requests were disposed of as follows:

No records exist

Five (5) requests could not be processed because relevant records did not exist under the control of the PPSC. Where possible, applicants were advised of other government institutions that may have records and were provided with contact information accordingly.

Request abandoned

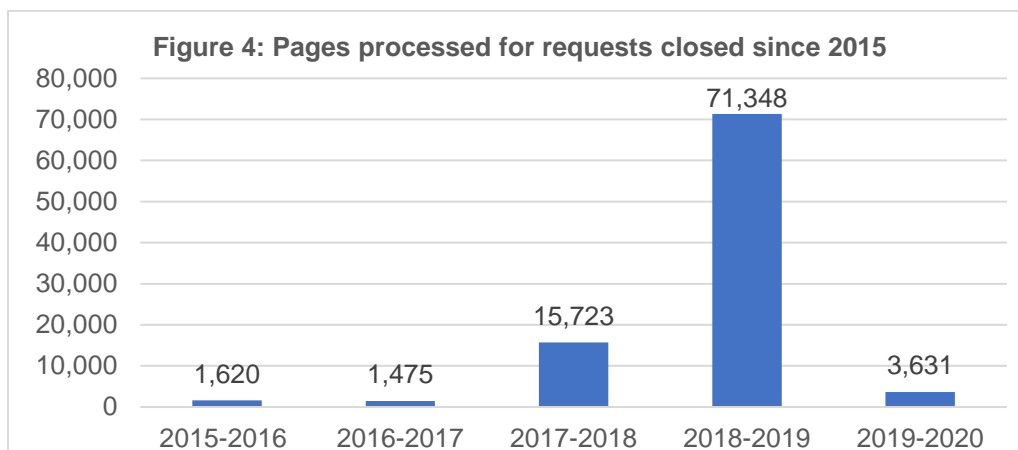
Six (6) requests were abandoned by the applicants. In most abandoned cases, clarification is needed from the applicants in order to process their requests. When the applicants do not provide clarification, the requests are deemed as abandoned. In other cases, the applicants choose to abandon their requests.

5.2.2 Number of pages processed

For the 24 cases closed in 2019-2020, the PPSC processed 3,631 pages relevant to the requests. This is in sharp contrast to the previous fiscal year, where a single request closed in 2018-2019 involved 65,759 pages.

The PPSC ATIP Office also reviewed an additional 743 pages received from across the organization that were ultimately deemed to be not relevant to the requests and were therefore not included as part of the responses.

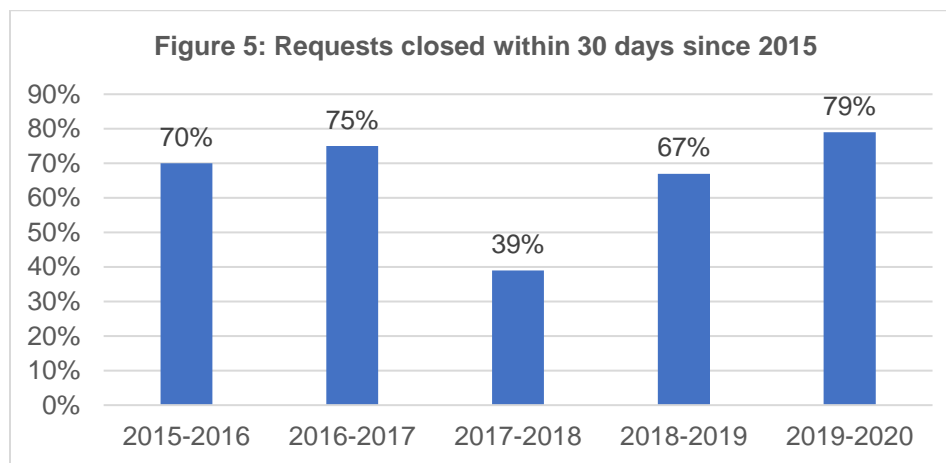
The following is a summary of the relevant pages processed by the PPSC over the last five (5) fiscal years:



5.2.3 Completion time

Of those closed in 2019-2020, 19 requests were processed within the initial 30-day statutory deadline. This is 58% more closed within the same timeframe in 2018-2019. This increase could be attributed to the overall decrease in page volume for the requests closed in this fiscal year, as compared with the previous period. Even setting aside the single request of 65,759 pages, there were 1,958 more pages processed in 2018-2019 than in 2019-2020.

The proportion of requests closed within this timeframe in the last five (5) fiscal years is as follows:



Overall, the PPSC has processed 67% of requests closed over the last five (5) fiscal years within 30 days of receipt.

The following table is a breakdown of the number of days taken to respond to requests in 2019-2020:

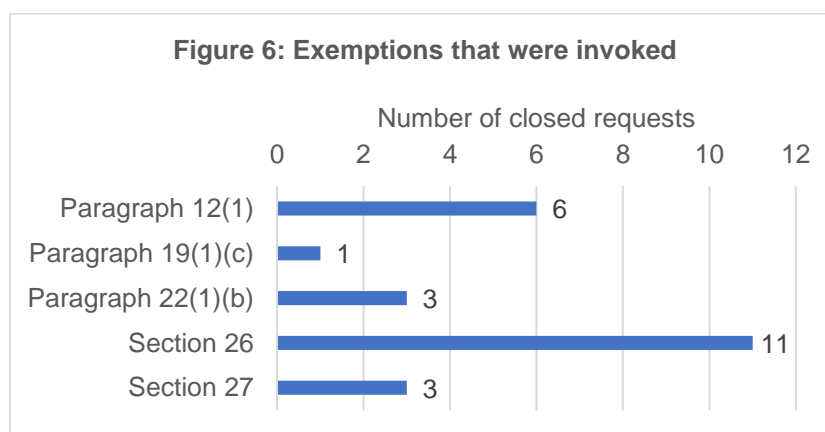
Table 1: Completion time

Completion time	Number of requests	%
1 to 15 days	10	42%
16 to 30 days	9	38%
31 to 60 days	1	4%
61 to 120 days	0	0%
121 to 180 days	1	4%
181 to 365 days	3	13%
Total	24	100%

5.2.4 Exemptions

An individual's right of access to his or her personal information is subject to limited and specific exceptions. Limitations to the right of access are set out in sections 18 through 28 of the *Act*.

The following is a breakdown of the exemptions applied by the PPSC in 2019-2020 for closed requests:



Over the last five (5) fiscal years, sections 26 (information about another individual) and 27 (solicitor-client privilege) of the *Act* have been most often invoked by the PPSC when exempting information from disclosure. This reflects the mandate of the PPSC to conduct federal prosecutions, which often involve individuals, and to provide legal advice to law enforcement agencies and investigative bodies on matters relating to prosecutions.

5.2.5 Exclusions

Records or parts thereof to which the *Act* does not apply are considered to be “excluded.” Pursuant to section 69, the *Act* does not apply to library or museum material preserved solely for public record or material placed in Library and Archives Canada. Records containing confidences of the Queen's Privy Council for Canada, also known as Cabinet confidences, and which have been in existence for less than 20 years are also excluded from the *Act* pursuant to section 70.

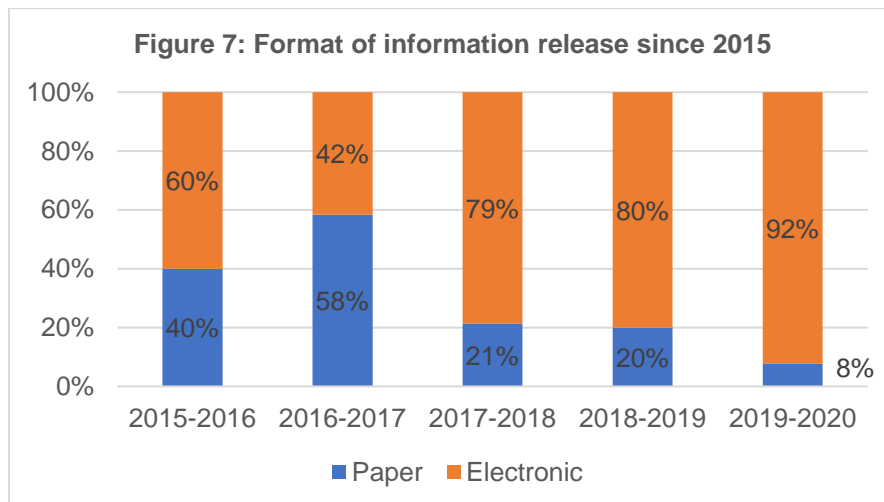
The PPSC did not invoke any exclusions in 2019-2020.

5.2.6 Format of information released

Of the 13 requests where the PPSC fully or partially disclosed records in 2019-2020, information was released to the applicants by email or on compact disk in response to 12 requests. This represents 92% of all releases made this fiscal year and is an increase from 2018-2019, where information was released electronically 80% of the time. At the request of the applicant, the PPSC provided paper copies of the records in response to only one (1) case completed in 2019-2020.

Overall, in the last five (5) fiscal years, 72% of releases have been in electronic format, while 28% have been paper-based.

The proportion of electronic to paper-based releases of records from year to year is as follows:



5.2.7 Complexity

Due to the nature of the PPSC's work, processing requests can be challenging, and requests are regularly deemed “complex” based on a number of factors:

- Consultation is sometimes required. Records held by the PPSC often contain information relating to criminal or regulatory investigations or prosecutions that frequently involve other organizations at the federal, provincial, or territorial level. The

need for consultation was the predominant factor driving complexity in three (3) requests closed in 2019-2020.

- In three (3) cases involving records, the main source of complexity was a need to retrieve them from across the country. Officials based outside of the PPSC's headquarters searched for records relevant to an additional three (3) requests where none were ultimately found. The Ontario and Alberta regional offices were most frequently involved in these searches, which were each tasked five (5) times for requests closed in 2019-2020.
- The applicant's personal information is often intermixed with that of another individual. In these cases, section 26 of the *Act* could be applied to protect the personal information of other individuals. Intermixed personal information was the main source of complexity in eight (8) cases.

5.2.8 Deemed refusals

Requests that are not closed within the initial 30-day statutory deadline or within a timeframe covered by an extension provided by the *Act* are referred to as "deemed refusals." Further information on the circumstances in which an extension to the original deadline is permitted by the *Act* is available in section 5.4 (Extensions) of this report.

Four (4) requests were closed as deemed refusals in 2019-2020, one (1) fewer than in the previous period. Two (2) requests became deemed refusals due to workload, one (1) because of an administrative error that resulted in the request being set aside for an extended period of time, and the other due to an extended consultation with a provincial government institution. Aside from the one (1) request affected by administrative error, a relatively high volume of pages processed were likely the primary factor in closing these requests past deadline. Altogether, the deemed refusals involved 1,025 pages, which represents nearly a third of all pages processed for requests closed this fiscal year.

5.2.9 Requests for translation

During the 2019-2020 fiscal year, the PPSC did not receive any requests from applicants to translate records from one official language to the other. This is consistent with the last five (5) fiscal years.

5.3 Requests for correction of personal information and notations

Paragraph 12(2)(a) of the *Act* provides every individual that is given access to their personal information the right to request correction if:

- The individual believes there is an error or omission regarding their information; and
- The information has been, is being used, or is available for use for an administrative purpose (i.e., a decision-making process that directly affects the individual).

Where correction is not possible, the individual has the right to request that a notation about the error or omission be placed on the file.

There were no requests for correction of personal information or notations in 2019-2020. This has been typical of the last five (5) fiscal years.

5.4 Extensions

Paragraph 15(a) of the *Act* allows for an extension of the initial statutory deadline for a maximum of 30 additional days in cases where meeting the original deadline would unreasonably interfere with the operations of the government institution processing the request, or when consultations with other government institutions are necessary and cannot be reasonably completed within the original deadline.

The PPSC took four (4) extensions to process requests closed during the 2019-2020 reporting period.

All extensions were for the maximum length permitted by the *Act*, three (3) of which because the requests involved a high volume of records and processing them within the original deadline would have interfered with the PPSC's operations. The PPSC took the other extension in order to consult another federal government institution.

Over the last five (5) fiscal years, the PPSC has taken, on average, **five (5)** extensions under the *Privacy Act* each year.

The following table summarizes the length and reasons for the extensions:

Table 2: Extensions

Length of extensions	Reasons for extensions							
	Sub-paragraph 15(a)(i) -Interference with operations				Sub-paragraph 15(a)(ii) - Consultation			Paragraph 15(b) – Translation purposes or conversion
	Further review required to determine exemptions	Large volume of pages	Large volume of records	Records are difficult to obtain	Cabinet confidences (Section 70)	External	Internal	
15 days or less	0	0	0	0	0	0	0	0
16 to 30 days	0	3	0	0	0	1	0	0
Total	0	3	0	0	0	1	0	0

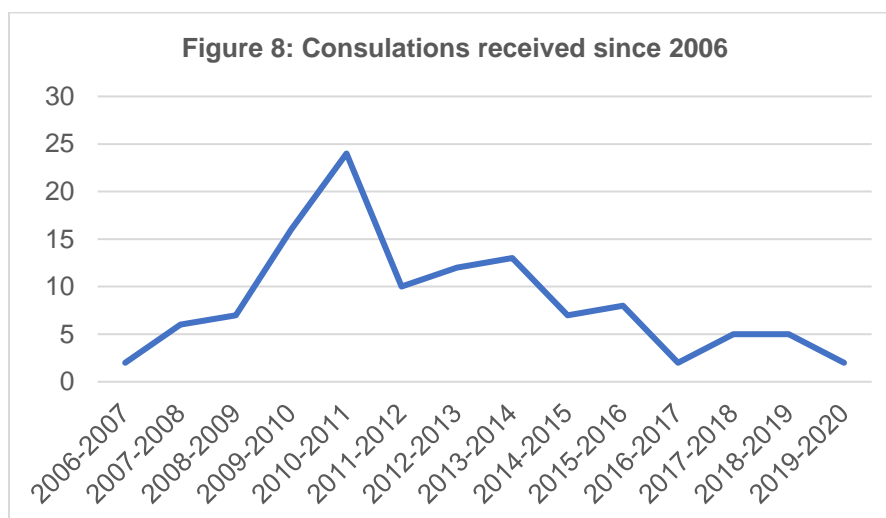
5.5 Consultations received from other institutions

5.5.1 Number of consultations

The PPSC received two (2) consultations from other government institutions and organizations for processing under the *Act* in 2019-2020, three (3) fewer than in 2018-2019.

The PPSC has received 119 consultations in total since December 12, 2006. There was a sharp increase in the number of consultations in 2010-2011, but since then and especially in recent fiscal years, the number of consultations received by the PPSC has generally declined.

The following chart illustrates this trend:



Note: As the PPSC was created on December 12, 2006, data for 2006-2007 only reflects a three-month period.

5.5.2 Sources of consultations

One (1) consultation received in 2019-2020 originated from the Royal Canadian Mounted Police, which is also subject to the *Act* and has been a frequent source of consultations for the PPSC over the last five (5) fiscal years.

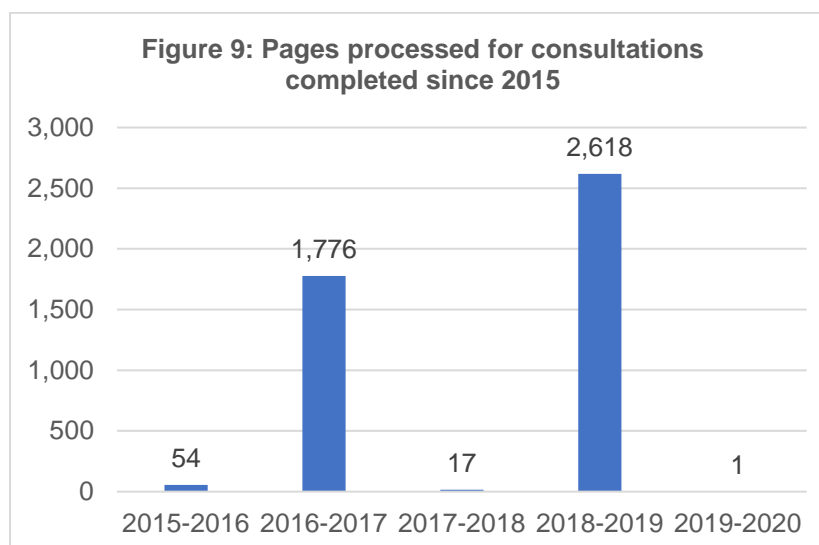
One (1) other consultation was sent by a provincial government institution, the Ministry of Alberta Justice and the Solicitor General.

5.5.3 Disposition and recommendations

The PPSC responded to one (1) consultation in 2019-2020. The other remained outstanding as of March 31, 2020, and was carried forward to the next fiscal year.

One (1) page was processed in closing this consultation, which is a significant decrease from the 2,618 pages processed in the previous period.

The number of pages processed each year over the last five (5) fiscal periods is as follows:



In the case of the consultation completed in 2019-2020, the PPSC recommended that the other organization disclose the record in full.

Over the last five (5) fiscal years, the PPSC has never recommended full exemption of the records sent in consultation.

5.5.4 Completion time

The consultation closed in 2019-2020 was completed quickly, within 15 days of receipt. Over the last five (5) fiscal years, 71% of consultations were completed within 30 days or less.

6.6 Consultations on Cabinet confidences

No consultations on the application of section 70 (Cabinet confidence) of the *Act* were carried out during fiscal year 2019-2020.

6.7 Resources related to the *Act*

In the 2019-2020 fiscal year, the PPSC spent a total of \$222,910 administering the *Act*, of which salaries accounted for 82% (\$182,808) of expenditures, while goods and services accounted for the remaining 18% (\$40,102). Of the latter, \$34,125 consisted of a professional contract that provided the ATIP Office with an additional resource for part of the fiscal year.

No overtime expenditures were incurred during this period.

6 Training activities

Three (3) formal ATIP awareness sessions were delivered in 2019-2020.

One (1) session was an overview of ATIP legislation and employee obligations. It was delivered to approximately 25 human resource professionals at the PPSC.

The other two (2) sessions were delivered to members of the PPSC Senior Advisory Board, as part of a larger initiative within the organization to raise awareness of the various corporate services available to managers and employees. The presentations were also shared online with all PPSC employees through the internal website.

Communiqués on ATIP were also distributed as part of the PPSC's corporate newsletters.

ATIP personnel provided informal learning to employees on an *ad hoc* basis regarding the processing of personal information requests, and regularly provided advice to PPSC officials regarding the interpretation of the *Act* to ensure that personal information is appropriately collected, used, disclosed and protected.

7 Policies, guidelines, procedures and initiatives

7.1 ATIP governance structure

The PPSC *ATIP Governance Structure* was approved by the PPSC's Executive Council in October 2011. It outlines the reporting relationships within the PPSC and establishes clear responsibilities for decision-making for the purposes of administering the *Act*.

7.2 Information about Programs and Information Holdings

Information about Programs and Information Holdings (formerly known as *Info Source: Sources of Government and Employee Information*) is published on the Government of Canada's canada.ca website. It provides information about the functions, programs, activities and related information holdings of government institutions subject to the *Access to Information Act* and the *Privacy Act*.

It also serves as the Government's repository of personal information banks, which outline how personal information is collected, used, disclosed, retained, and disposed of in order to administer the Government's programs and services.

Each year, the PPSC ATIP Office updates information about the PPSC's activities and information holdings in the publication. In 2019-2020, the PPSC terminated one (1) personal information bank regarding personal information held by the Commissioner of Canada Elections (CCE). The CCE is responsible for ensuring compliance with and enforcement of the *Canada Elections Act* and the *Referendum Act*. As of April 1, 2019, the CCE left the PPSC and joined the Office of the Chief Electoral Officer (Elections Canada), with the coming into force of *An Act to amend the Canada Elections Act and other Acts and to make certain consequential amendments*. Requests for personal information under the control of the CCE can now be made to Elections Canada.

7.3 Initiatives

The PPSC did not implement any new initiatives relating to privacy during the 2019-2020 fiscal year. The organization expects to develop revised privacy policies and procedures throughout the next fiscal year in preparation for the continuing modernization of ATIP digital services.

Privacy tools were also updated in 2019-2020 as required so that the organization may continue to process requests efficiently and protect personal information in compliance with the *Act* and related policies.

7.4 COVID-19 mitigation measures

On March 16, 2020, the PPSC closed its offices across the country and limited its activities to comply with the public health measures that were put in place to mitigate community spread of the coronavirus responsible for the global COVID-19 pandemic. The PPSC ATIP Office continued its operations remotely in accordance with the COVID-19 business continuity plan that the organization had recently developed in anticipation of a pandemic situation.

The PPSC did not receive any further requests between March 16 and the end of the fiscal year, March 31, 2020, and no formal requests were closed past deadline during this same period. Nonetheless, the ATIP Office was currently processing several requests during the lockdown and it experienced significant challenges when operations suddenly shifted to an exclusively remote working environment.

The ATIP Office experienced difficulty connecting remotely to the PPSC servers and therefore accessing requests, records, and other ATIP-related work. The ATIP Office also sought solutions where paper-based or office-based activities were no longer possible, such as the receipt of requests by mail, obtaining approvals of responses by signature, or the search for or processing of records available only in paper format.

Certain measures taken, as well as other factors, assisted the PPSC in mitigating the impact of these challenges:

- The PPSC expanded its network capacity within the first two weeks to accommodate large-scale telework.
- The ATIP Office, as well as the organization as a whole, was already in transition to an increasingly digital workspace, such as with the implementation of an electronic corporate document repository, the use of an electronic ATIP case management system and redaction software, and the adoption of e-signatures. Furthermore, the majority of requests received by the PPSC over the past two (2) fiscal years have been received online and are therefore accessible to the ATIP Office by email. Relevant records are often provided by PPSC officials to the ATIP Office by email or through shared electronic dropboxes.
- A PPSC employee was designated with checking for ATIP-related mail on a regular basis.

- Encryption, procedures, and other measures were already in place within the organization to securely handle PPSC information in a remote working environment; and
- Files involving physical records that were only available at the office were managed on a case-by-case basis in consultation with the applicants.

At the same time, PPSC committees were created to manage the health and safety of employees in the workplace. An ATIP Office representative participated in these meetings to advise on privacy considerations during emergency situations and for when business activities resume, once public health restrictions are lifted.

While the ATIP Office experienced limitations in managing operations remotely, PPSC officials were enabled to act quickly in compliance with the *Act* and every effort was made to ensure that request applicants received complete responses within established timelines.

8 Complaints, audits, and investigations

Decisions made under the *Act* are subject to a two-tiered system of review. This ensures government institutions' compliance with their privacy protection obligations as well as respect for applicants' right of access to their personal information and fair treatment. The first level of review is a formal complaint made to the Privacy Commissioner. The second level is an application for judicial review to the Federal Court.

The PPSC reviews the outcomes of all Office of the Privacy Commissioner (OPC) investigations and incorporates lessons learned into business processes, where appropriate.

During the 2019-2020 fiscal period, one (1) new complaint was filed with the OPC against the PPSC.

Following the conclusion of the investigations, the PPSC received findings or recommendations from the Commissioner in connection with the new complaint as well five (5) other complaints carried over from previous fiscal years. The OPC decided that all six (6) complaints were well-founded. The reasons are as follows:

- Three (3) complaints pertained to delays in responding to three (3) separate applicants. These requests involved a high volume of complex records received from across the organization (16,866 pages in total). Because of these factors, the PPSC was unable to process the requests within the statutory deadline. One (1) applicant received a response in 2019-2020 while the PPSC was still processing records for the other two (2) cases by the end of the fiscal year.
- Three (3) complaints pertained to the application of exemptions to the records. In two (2) cases, the applicant submitted two (2) requests on a similar topic and objected to the application of several exemptions to the records, particularly sections 26 and 27 of the *Act*, which protect personal information belonging to individuals other than the applicant as well as solicitor-client privileged information, respectively. The PPSC agreed to release some of the information to the applicant, while the OPC agreed that the

protection of the remaining information from disclosure was appropriate. In the other case, the complaint involved the application of section 27. The PPSC agreed with the OPC that some of the information could be released and the applicant was provided an updated disclosure accordingly.

No privacy audits were undertaken with respect to the PPSC in 2019-2020.

The following table summarizes the reasons for the complaints received by the PPSC in fiscal year 2019-2020, including those carried over from previous fiscal years, as well as the OPC's findings for concluded investigations:

Table 3: Complaints and investigations

Reason for complaint	Number of complaints	Results of investigations			
		Well-founded	Not well-founded	Discontinued	OPC has yet to issue its findings
Refusal – Exemptions	3	3	0	0	0
Refusal – General	0	0	0	0	0
Delay	3	3	0	0	0
Total	6	6	0	0	0

9 Court action

There were no applications for judicial review filed with the Federal Court in 2019-2020.

10 Monitoring compliance

The ATIP Office maintains a comprehensive statistical reporting and performance measurement system. The ATIP Manager meets with the ATIP Coordinator weekly on the status of active requests, complaints and any issues that have arisen.

The ATIP Office also provides reports to the PPSC's senior management on its activities, investigations, and trends related to privacy on an *ad hoc* basis.

11 Material privacy breaches

A material privacy breach involves improper or unauthorized collection, use, disclosure, retention or disposal of sensitive personal information, which could be reasonably expected to cause serious injury or harm to the individual to whom it relates.

The ATIP Office received one (1) report of a material privacy breach in 2019-2020. In this case, one PPSC regional office transferred a prosecution file to another office and a package containing the relevant file was sent by courier accordingly. The package should have included an electronic storage device containing sensitive personal information relating to the case. When it arrived at its destination, the device could not be located within the file. Following an extensive search in both offices, the device was determined to be lost and the investigative body on the case was notified of the breach.

The breach was also reported to the OPC and the TBS, as required, and the OPC's investigation into the incident is ongoing as of the end of the fiscal year.

12 Privacy impact assessments

A privacy impact assessment (PIA) is a tool that assists a government institution in meeting its privacy responsibilities regarding the management of personal information. Institutions initiate PIAs when assessing the privacy implications of new or substantially modified programs and activities involving personal information.

The PPSC did not complete any PIAs in 2019-2020.

13 Public interest disclosures

Subsection 8(2) of the *Act* describes the circumstances under which personal information under the control of a government institution may be disclosed without the individual's consent.

In particular, disclosures without consent may be made when in the public interest, pursuant to paragraph 8(2)(m) of the *Act*. During the 2019-2020 fiscal year, no such disclosures were made.

14 Appendix A – Delegation order

Access to Information Act and Privacy Act Delegation Order

Arrêté sur la délégation en vertu de la *Loi sur l'accès à l'information* et la *Loi sur la protection des renseignements personnels*

<p>The Director of Public Prosecutions, pursuant to section 73 of the <i>Access to Information Act</i> and section 73 of the <i>Privacy Act</i>, hereby designates the persons holding the positions set out in the schedule hereto to exercise the powers, duties and functions of the Director of Public Prosecutions as the head of the Office of the Director of Public Prosecutions, under the provisions of the Acts and related regulations set out in the schedule opposite each position. This designation replaces all previous delegation orders.</p>	<p>En vertu de l'article 73 de la <i>Loi sur l'accès à l'information</i> et de l'article 73 de la <i>Loi sur la protection des renseignements personnels</i>, la directrice des poursuites pénales délègue aux titulaires des postes mentionnés à l'annexe ci-après les attributions dont la directrice des poursuites pénales est, en qualité de responsable du Bureau du directeur des poursuites pénales, investi par les dispositions des Lois ou de leur règlement mentionnées en regard de chaque poste. Le présent document remplace et annule tout arrêté antérieur.</p>
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Schedule/Annexe

Position/Poste	<i>Access to Information Act and Regulations / Loi sur l'accès à l'information et règlements</i>	<i>Privacy Act and Regulations / Loi sur la protection des renseignements personnels et règlements</i>
Senior Director General, Corporate Services / Directeur général principal, Services ministériels	Full authority/Autorité absolue	Full authority/Autorité absolue
Executive Director, Corporate Planning and External Relations Division / Directeur exécutif, Direction de la planification ministérielle et des relations externes	Full authority/Autorité absolue	Full authority/Autorité absolue
Manager, ATIP, ATIP Office / Gestionnaire, AIPRP, Bureau de l'AIPRP	Full authority/Autorité absolue	Full authority/Autorité absolue

Dated, at the City of Ottawa, this <u>3rd</u> day of <u>October</u> , 2018	Daté, en la ville d'Ottawa, ce <u>3^e</u> jour de <u>octobre</u> 2018
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Kathleen Roussel
Director of Public Prosecutions
Directrice des poursuites pénales

15 Appendix B – Statistical report on the *Privacy Act*



Government
of Canada

Gouvernement
du Canada

Statistical Report on the *Privacy Act*

Name of institution: Public Prosecution Service of Canada

Reporting period: 2019-04-01 to 2020-03-31

Section 1: Requests Under the *Privacy Act*

1.1 Number of requests

	Number of Requests
Received during reporting period	19
Outstanding from previous reporting period	8
Total	27
Closed during reporting period	24
Carried over to next reporting period	3

Section 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	to 180 Days	181 to 365 Days	Than 365 Days	
All disclosed	2	0	0	0	0	0	0	2
Disclosed in part	0	7	1	0	1	2	0	11
All exempted	0	0	0	0	0	0	0	0
All excluded	0	0	0	0	0	0	0	0
No records exist	3	1	0	0	0	1	0	5
Request abandoned	5	1	0	0	0	0	0	6
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	10	9	1	0	1	3	0	24

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Canada

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)	0	22(1)(a)(ii)	0	23(b)	0
19(1)(b)	0	22(1)(a)(iii)	0	24(a)	0
19(1)(c)	1	22(1)(b)	3	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	11
19(1)(f)	0	22.1	0	27	3
20	0	22.2	0	27.1	0
21	0	22.3	0	28	0
		22.4	0		

2.3 Exclusions

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

2.4 Format of information released

Paper	Electronic	Other
1	12	0

2.5 Complexity**2.5.1 Relevant pages processed and disclosed**

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
3,631	1,273	19

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	2	10	0	0	0	0	0	0	0	0
Disclosed in part	4	51	5	842	0	0	2	370	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
Request abandoned	6	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	12	61	5	842	0	0	2	370	0	0

2.5.3 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	0	2	2
Disclosed in part	3	0	8	0	11
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	1	1
Neither confirmed nor denied	0	0	0	0	0
Total	3	0	8	3	14

2.6 Closed requests

2.6.1 Number of requests closed within legislated timelines

	Requests closed within legislated timelines
Number of requests closed within legislated timelines	20
Percentage of requests closed within legislated timelines (%)	83.3

2.7 Deemed refusals

2.7.1 Reasons for not meeting legislated timelines

Number of Requests Closed Past the Legislated Timelines	Principal Reason			
	Interference with Operations / Workload	External Consultation	Internal Consultation	Other
4	2	1	0	1

2.7.2 Requests closed beyond legislated timelines (including any extension taken)

Number of Days Past Legislated Timelines	Requests Past Legislated Timeline Where No Extension Was Taken	Past Legislated Timelines Where an Extension Was Taken	Total
1 to 15 days	0	0	0
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	3	3
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	0	4	4

2.8 Requests for translation

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

Section 3: Disclosures Under Subsections 8(2) and 8(5)

Paragraph 8(2)(e)	Paragraph 8(2)(m)	Subsection 8(5)	Total
0	0	0	0

Section 4: Requests for Correction of Personal Information and Notations

Disposition for Correction Requests Received	Number
Notations attached	0
Requests for correction accepted	0
Total	0

Section 5: Extensions**5.1 Reasons for extensions and disposition of requests**

Number of requests where an extension was taken	15(a)(i) Interference with operations				15 (a)(ii) Consultation			15(b) Translation purposes or conversion
	Further review required to determine exemptions	Large volume of pages	Large volume of requests	Documents are difficult to obtain	Cabinet Confidentiality Section (Section 70)	External	Internal	
4	0	3	0	0	0	1	0	0

5.2 Length of extensions

Length of Extensions	15(a)(i) Interference with operations				15 (a)(ii) Consultation			15(b) Translation purposes or conversion
	Further review required to determine exemptions	Large volume of pages	Large volume of requests	Documents are difficult to obtain	Cabinet Confidentiality Section (Section 70)	External	Internal	
1 to 15 days	0	0	0	0	0	0	0	0
16 to 30 days	0	3	0	0	0	1	0	0
31 days or greater								0
Total	0	3	0	0	0	1	0	0

Section 6: Consultations Received From Other Institutions and Organizations**6.1 Consultations received from other Government of Canada institutions and other organizations**

Consultations	Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during the reporting period	1	685	1	1
Outstanding from the previous reporting period	0	0	0	0
Total	1	685	1	1
Closed during the reporting period	0	0	1	1
Carried over to the next reporting period	1	685	0	0

6.2 Recommendations and completion time for consultations received from other Government of Canada 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	More Than 365 Days	
All disclosed	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	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	More Than 365 Days	
All disclosed	1	0	0	0	0	0	0	1
Disclosed in part	0	0	0	0	0	0	0	0
All exempted	0	0	0	0	0	0	0	0
All excluded	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	1	0	0	0	0	0	0	1

Section 7: Completion Time of Consultations on Cabinet Confidences

7.1 Requests with Legal Services

Number of Days	Fewer Than 100 Pages Processed		101-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More than 5000 Pages	
	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
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

7.2 Requests with Privy Council Office

Number of Days	Fewer 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
1 to 15	0	0	0	0	0	0	0	0	0	0
16 to 30	0	0	0	0	0	0	0	0	0	0
31 to 60	0	0	0	0	0	0	0	0	0	0
61 to 120	0	0	0	0	0	0	0	0	0	0
121 to 180	0	0	0	0	0	0	0	0	0	0
181 to 365	0	0	0	0	0	0	0	0	0	0
More than 365	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0	0

Section 8: Complaints and Investigations Notices Received

Section 31	Section 33	Section 35	Court action	Total
1	0	6	0	7

Section 9: Privacy Impact Assessments (PIA) and Personal Information Banks (PIB)**9.1 Privacy Impact Assessments**

Number of PIA(s) completed	0
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9.2 Personal Information Banks

Personal Information Banks	Active	Created	Terminated	Modified
	6	0	1	0

Section 10: Material Privacy Breaches

Number of material privacy breaches reported to TBS	1
Number of material privacy breaches reported to OPC	1

Section 11: Resources Related to the *Privacy Act***11.1 Costs**

Expenditures		Amount
Salaries		\$182,808
Overtime		\$0
Goods and Services		\$40,102
• Professional services contracts	\$34,125	
• Other	\$5,977	
Total		\$222,910

11.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	1.64
Part-time and casual employees	0.51
Regional staff	0.00
Consultants and agency personnel	0.26
Students	0.00
Total	2.41

Note: Enter values to two decimal places.