

Civilian Review and
Complaints Commission
for the RCMP



Commission civile d'examen
et de traitement des plaintes
relatives à la GRC

Privacy Act

Annual Report

**Civilian Review and Complaints Commission
for the Royal Canadian Mounted Police**

2018-2019



Civilian Review and Complaints Commission for the RCMP

Privacy Reporting for 2018-2019

1. INTRODUCTION

The *Privacy Act* (Act) provides individuals with a right of access to their personal information and protects the privacy of individuals with respect to personal information under the control of government institutions.

This Annual Report was prepared in accordance with section 72 of the Act, which stipulates that annual reports on privacy shall be tabled in Parliament.

2. ABOUT THE CIVILIAN REVIEW AND COMPLAINTS COMMISSION FOR THE ROYAL CANADIAN MOUNTED POLICE

The Civilian Review and Complaints Commission for the Royal Canadian Mounted Police (CRCC) operates pursuant to the *Royal Canadian Mounted Police Act*, R.S.C. 1985, c. R-10. The CRCC provides civilian review of RCMP members' conduct in performing their policing duties so as to hold the RCMP accountable to the public.

The CRCC's main role is to take public complaints about members of the RCMP. These complaints are then forwarded to the RCMP for initial investigation as mandated by the *Royal Canadian Mounted Police Act*; however, if the complainant is dissatisfied with the response that he or she receives from the RCMP, the CRCC will review the complaint with a view to determining the reasonableness of the RCMP's response. In appropriate cases, the CRCC will undertake its own investigation or hearing into a complaint. The Chairperson of the CRCC also has the power to file his or her own complaint if he or she feels that a matter is deserving of investigation.

Additionally, even in the absence of a public complaint, the CRCC is empowered to conduct a review of RCMP activities to evaluate compliance with legislation, regulations, ministerial directions, policy, procedures and/or guidelines.



3. ATIP RESPONSIBILITIES

At the CRCC, the Access to Information and Privacy (ATIP) Unit consists solely of the ATIP Coordinator. The ATIP Coordinator processes all requests from the public and consultations from other departments or agencies. The ATIP Coordinator also provides advice to CRCC employees and senior officials on ATIP-related matters, prepares annual statistical reports, ensures the ongoing accuracy of Info Source, prepares completed Access to Information summaries for proactive disclosure on the CRCC's website, participates in forums for the ATIP community and monitors changes in ATIP policy, guidelines and directives.

When processing requests and consultations under the Access to Information and Privacy Acts, the ATIP Coordinator also benefits from some administrative assistance from personnel in the Information Management Unit of the CRCC.

The CRCC Chairperson, under delegated authority from the Minister of Public Safety, provides the final approval for all responses on ATIP requests and consultations.

4. DELEGATION ORDER

The Minister of Public Safety has delegated full authority under the Act to the CRCC Chairperson and Senior Director, Operations. The Minister has also delegated administrative duties and functions to the CRCC ATIP Coordinator. The most recent delegation order was signed by the Minister of Public Safety on July 4, 2016 (see **Annex A**).

5. PRIVACY REQUESTS RECEIVED

During the course of the reporting period, twenty-seven (27) new requests for personal information under the Act were received. One request was carried over from the previous year. Of those twenty-eight (28), twenty-one (21) requests were processed during that period and seven (7) were carried forward into 2019-2020.

Eleven (11) of the requests for personal information that were processed during 2018-2019 were from individuals seeking their personal information from public complaints or other files held by the CRCC. The other ten (10) were from individuals who erroneously applied to the CRCC to obtain law enforcement information from the RCMP or other institutions.



6. STATISTICAL REPORT

The twenty-seven (27) Privacy requests received by the CRCC in 2018-2019 represent a considerable increase over the number of Privacy requests received in recent years:

2018-19	27
2017-18	11
2016-17	9
2015-16	7

Of the twenty-one (21) requests processed during the reporting period, one (1) was released without redaction and nine (9) were released with exemptions claimed under paragraph 19(1)(c) (Provincial government information), sub-paragraph 22(1)(a)(i) (Information obtained by an investigative body), paragraph 22(1)(b) (Information the disclosure of which could be injurious to lawful investigations), section 25 (Safety of individuals), section 26 (Personal information of a third party), and section 27 (Solicitor-client privilege) of the *Privacy Act*. In the other eleven (11) requests, no records were found to exist.

External consultation was required for seven (7) requests.

The statutory deadlines were not met for six (6) requests (three were due to external consultation, while the other three were due to workload). Therefore, fifteen (15) of the twenty-one (21) requests processed (71%) were responded to within the established timelines.

The total number of pages processed for the ten (10) requests where information was found to exist was 5,625 pages.

During the reporting period, the CRCC received two (2) requests for correction of personal information. The CRCC refused the corrections and attached notations to the records.

Three (3) consultations were received from other Government of Canada institutions during the reporting period. These consultations all related to documents having to do with public complaints against RCMP members. All three consultations were closed during the reporting period, resulting in 44 pages processed.

See **Annex B** for the Statistical Report.



7. TRAINING

During the reporting period, CRCC employees participated in a group session that highlighted Offices of Primary Interest's responsibilities relating to access to information and privacy.

8. SIGNIFICANT CHANGES

During the reporting period, the CRCC began using the ATIP Online Request Service (AORS). This service provides Canadians with a convenient way to submit their Privacy requests electronically. Since joining the AORS service, the CRCC has noticed a marked increase of Privacy requests from individuals who erroneously applied to the CRCC to obtain law enforcement information from the RCMP or other institutions.

9. MONITORING OF TIMELINESS

The CRCC monitors the time to process Privacy requests through its case management software. The ATIP Coordinator keeps track of upcoming deadlines for requests and consultations. Reminders of approaching deadlines are provided to senior management at least once a month. The ATIP Coordinator meets regularly with the CRCC Chairperson and Legal Counsel to discuss various issues pertaining to in-progress ATIP files.

10. PRIVACY IMPACT ASSESSMENTS

The CRCC has one privacy impact assessment in progress. Once it is finalized, the CRCC plans to submit it to Treasury Board and the Privacy Commissioner.

11. PRIVACY BREACHES

There were no material privacy breaches at the CRCC during the reporting period.

12. DISCLOSURES MADE PURSUANT TO PARAGRAPH 8(2)(m) OF THE *PRIVACY ACT*

There were no disclosures made under paragraph 8(2)(m) during the reporting period.



13. COMPLAINTS

There were four (4) complaints filed against the CRCC during the reporting period, all by the same requester. One complaint involved a time extension due to the large volume of records pertinent to a request. Once the response package was sent to the requester, the Office of the Privacy Commissioner determined that the complaint was “well-founded, resolved.” The other three (3) complaints were still under investigation by the Office of the Privacy Commissioner on March 31, 2019 (i.e. two involved refusals to make corrections and one related to exemptions applied by the CRCC). Four (4) complaints that were filed against the CRCC during the previous period by the same requester (i.e. two involved refusals to make corrections and two related to exemptions applied by the CRCC) were also still under investigation by the Office of the Privacy Commissioner on March 31, 2019.

There were no audits or other investigations conducted during the reporting period.



ANNEX A

Delegation Order

Delegation Order – Privacy Act and Privacy Regulations
Arrêté de délégation en vertu de la Loi sur la protection des renseignements personnels et du
Règlement sur la protection des renseignements personnels
Civilian Review and Complaints Commission for the RCMP/Commission civile d'examen et de traitement
des plaintes relatives à la GRC

The Minister of Public Safety Canada, pursuant to section 73 of the *Privacy Act**, hereby designates the persons holding the positions set out below, or acting in those positions, to exercise the powers and perform the duties and functions of the Minister as the head of a government institution, that is, the **Civilian Review and Complaints Commission for the RCMP**, under the section of the Act set out opposite each position.

En vertu de l'article 73 de la *Loi sur la protection des renseignements personnels**, le ministre de la Sécurité publique Canada délègue aux titulaires des postes sous mentionnés, ou aux personnes qui occupent ces postes à titre intérimaire, les pouvoirs et les fonctions dont il est, en qualité de responsable d'une institution fédérale, c'est-à-dire le **Commission civile d'examen et de traitement des plaintes relatives à la GRC**, investi conformément à l'article de la Loi mentionné à l'égard de chaque poste.

		Chairperson / Président	Senior Director, Operations / Directeur principal, Opérations	ATIP Coordinator / Coordonnateur d'AIPRP
Privacy Act / Loi sur la protection des renseignements personnels				
Section / Article				
8(2)(j)	Disclosure for research purposes / Communication à des fins de recherche	●	●	
8(2)(m)	Disclosure in the public interest or in the interest of the individual / Communication dans l'intérêt public ou d'une personne	●	●	
8(4)	Copies of requests under 8(2)(e) to be retained / Conservation des copies des demandes en vertu de 8(2)(e)	●	●	●
8(5)	Notice of disclosure under 8(2)(m) / Avis de communication dans le cas de 8(2)(m)	●	●	
9(1)	Record of disclosures to be retained / Conservation d'un relevé des cas d'usage	●	●	
9(4)	Consistent uses / Usages compatibles	●	●	
10	Personal information to be included in personal information banks / Renseignements personnels versés dans des fichiers de renseignements personnels	●	●	
14	Notice where access requested / Aviser l'auteur de la demande d'accès	●	●	●
15	Extension of time limits / Prorogation du délai	●	●	●
17(2)(b)	Language of access / Version de la communication	●	●	●
17(3)(b)	Access to personal information in alternative format / Communication sur support de substitution	●	●	●
18(2)	Exemption (exempt banks) – Disclosure may be refused / Exception (fichiers inconsultables) – Autorisation de refuser	●	●	

19(1)	Exemption – Personal information obtained in confidence / Exception – Renseignements personnels obtenus à titre confidentiel	●	●	
19(2)	Exemption – Where disclosure authorized / Exception – Cas où la divulgation est autorisée	●	●	
20	Exemption – Federal-provincial affairs / Exception – Affaires fédéro-provinciales	●	●	
21	Exemption – International affairs and defence / Exception – Affaires internationales et défense	●	●	
22	Exemption – Law enforcement and investigation / Exception – Application de la loi et enquêtes	●	●	
22.3	Exemption – <i>Public Servants Disclosure Protection Act</i> / Exception – <i>Loi sur la protection des fonctionnaires divulgateurs d'actes répréhensibles</i>	●	●	
23	Exemption – Security clearances / Exception – Enquêtes de sécurité	●	●	
24	Exemption – Individuals sentenced for an offence / Exception – Individus condamnés pour une infraction	●	●	
25	Exemption – Safety of individuals / Exception – Sécurité des individus	●	●	
26	Exemption – Information about another individual / Exception – Renseignements concernant un autre individu	●	●	
27	Exemption – Solicitor-client privilege / Exception – Secret professionnel des avocats	●	●	
28	Exemption – Medical record / Exception – Dossiers médicaux	●	●	
31	Notice of intention to investigate / Avis d'enquête	●	●	●
33(2)	Right to make representation / Droit de présenter des observations	●	●	●
35(1)	Findings and recommendations of Privacy Commissioner (complaints) / Conclusions et recommandations du Commissaire à la protection de la vie privée (plaintes)	●	●	●
35(4)	Access to be given / Communication accordée	●	●	●
36(3)	Report of findings and recommendations (exempt banks) / Rapport des conclusions et recommandations (fichiers inconsultables)	●	●	●
37(3)	Report of findings and recommendations (compliance review) / Rapport des conclusions et recommandations du Commissaire (contrôle d'application)	●	●	●
51(2)(b)	Special rules for hearings / Règles spéciales (auditions)	●	●	
51(3)	<i>Ex parte</i> representations / Présentation d'arguments en l'absence d'une partie	●	●	
72(1)	Report to Parliament / Rapports au Parlement	●	●	

<i>Privacy Regulations / Règlement sur la protection des renseignements personnels</i>				
7	Retention for 2 years/Conservation pendant 2 ans	●	●	●
9	Reasonable facilities and time provided to examine personal information / Fournir des installations convenables et fixer un moment pour examiner les renseignements personnels	●	●	●
11(2)	Notification that correction to personal information has been made / Avis que les corrections demandées ont été effectuées	●	●	●
11(4)	Notification that correction to personal information has been refused / Avis que les corrections demandées ont été refusées	●	●	●
13(1)	Disclosure of personal information relating to physical or mental health may be made to a qualified medical practitioner or psychologist for an opinion on whether to release information to the requestor / Le cas échéant, autoriser la communication des renseignements personnels concernant l'état physique ou mental de l'individu à un médecin ou à un psychologue en situation légale d'exercice, afin que celui-ci puisse donner son avis quant à savoir si la prise de connaissance de ces renseignements par l'individu lui porterait préjudice	●	●	●
14	Disclosure of personal information relating to physical or mental health may be made to a requestor in the presence of a qualified medical practitioner or psychologist / Le cas échéant, communiquer à l'individu les renseignements personnels concernant son état physique ou mental en la présence d'un médecin ou d'un psychologue en situation légale d'exercice	●	●	●

Dated, at the City of Ottawa,
this 4th day of July, 2016

Daté, en la ville d'Ottawa,
le 4e jour de juillet, 2016

Hon. Ralph Goodale, P.C., M.P. / L'hon. Ralph Goodale, C.P., député

*R.S.C. 1985, c. P-21

*L.R.C. 1985, ch. P-21



Government
of Canada

Gouvernement
du Canada

REPORT ON THE *PRIVACY ACT*
RAPPORT CONCERNANT LA *LOI SUR LA PROTECTION DES*
RENSEIGNEMENTS PERSONNELS

ANNEX B

Statistical Report



Statistical Report on the *Privacy Act*

Name of institution: CRCC

Reporting period: 2018-04-01 to 2019-03-31

1: Requests Under the *Privacy Act*

	Number of Requests
Received during reporting period	27
Outstanding from previous reporting period	1
Total	28
Closed during reporting period	21
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	1	2	5	1	0	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	6	5	0	0	0	0	0	11
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	6	7	2	5	1	0	0	21

2.2 Exemptions

Section	Number of Requests	Section	Number of Requests	Section	Number of Requests
18(2)	0	22(1)(a)(i)	1	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)	1	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	4
19(1)(e)	0	22(2)	0	26	8
19(1)(f)	0	22.1	0	27	3
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)	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

Disposition	Paper	Electronic	Other formats
All disclosed	1	0	0
Disclosed in part	4	5	0
Total	5	5	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	347	347	1
Disclosed in part	5278	4531	9
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	0
Neither confirmed nor denied	0	0	0
Total	5625	4878	10

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	0	0	1	347	0	0	0	0	0	0
Disclosed in part	1	21	5	1054	1	909	2	2547	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	0	0	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0	0	0
Total	1	21	6	1401	1	909	2	2547	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	7	0	0	0	7
All exempted	0	0	0	0	0
All excluded	0	0	0	0	0
Request abandoned	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0
Total	7	0	0	0	7

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
6	3	3	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	2	1	3
61 to 120 days	0	1	1
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	2	4	6

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 Subsections 8(2) and 8(5)

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

Part 4: Requests for Correction of Personal Information and Notations

Disposition for Correction Requests Received	Number
Notations attached	2
Requests for correction accepted	0
Total	2

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	2	0	6	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	2	0	6	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	2	0	6	0
Total	2	0	6	0

Part 6: Consultations Received From Other Institutions and Organizations

6.1 Consultations received from other Government of Canada institutions and other organizations

Consultations	Other Government of Canada Institutions	Number of Pages to Review	Other Organizations	Number of Pages to Review
Received during the reporting period	3	44	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	3	44	0	0
Closed during the reporting period	3	44	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 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	2	0	0	0	0	0	0	2
Disclosed in part	1	0	0	0	0	0	0	1
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	3	0	0	0	0	0	0	3

6.3 Recommendations and completion time for consultations received from other organizations

Recommendation	Number of days required to complete consultation requests							
	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	Total
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

Part 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 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

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

Part 8: Complaints and Investigations Notices Received

Section 31	Section 33	Section 35	Court action	Total
4	2	1	0	7

Part 9: Privacy Impact Assessments (PIAs)

Number of PIA(s) completed	0
----------------------------	---

Part 10: Resources Related to the *Privacy Act*

10.1 Costs

Expenditures	Amount
Salaries	\$34,690
Overtime	\$0
Goods and Services	\$385
• Professional services contracts	\$0
• Other	\$385
Total	\$35,075

10.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	0.37
Part-time and casual employees	0.00
Regional staff	0.00
Consultants and agency personnel	0.00
Students	0.00
Total	0.37

Note: Enter values to two decimal places.

New Exemptions

<i>Privacy Act</i> New Exemptions	
Section	Number of requests
22.4 National Security and Intelligence Committee	0
27.1 Patent or Trademark privilege	0