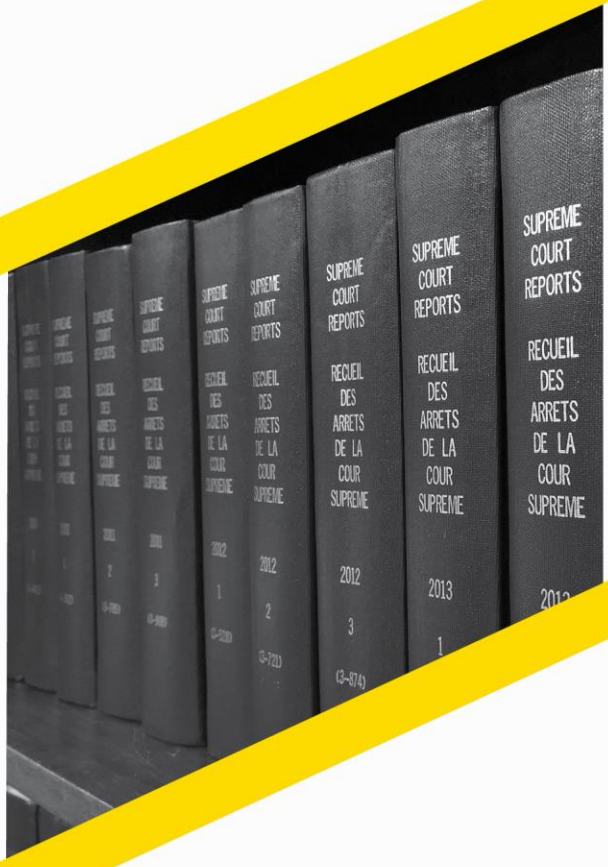
Public Prosecution Service of Canada | Service des poursuites pénales du Canada

Annual Report on the *Privacy Act*

Public Prosecution Service of Canada

2021-2022



Canada

Annual Report on the *Privacy Act* (Public Prosecution Service of Canada), 2021-2022

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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 2021-2022 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 *Privacy Act*, along with the *Access to Information Act* (collectively known as ATIP). The Office deals directly with the public in relation to personal information requests, liaises with Offices of Primary Interest (the subject matter experts) to prepare responses, and serves as the centre of ATIP expertise within the PPSC.

The ATIP Office fulfills its responsibilities by:

- Processing requests for personal information in accordance with the *Privacy Act*, the *Privacy Regulations* (the Regulations), and the Treasury Board of Canada's policies, directives, and guidelines;
- Responding to consultations submitted by other federal government institutions or other levels of government on PPSC records being considered for release, including the review of solicitor-client privilege in records related to criminal proceedings;
- Providing advice to PPSC managers and employees regarding the application and interpretation of the Act, the Regulations, and Treasury Board policies and directives;
- Reviewing PPSC policies, procedures, and agreements as well as making recommendations to ensure that they comply with the requirements of the Act;
- Monitoring the PPSC's compliance with the Act, its Regulations, and Treasury Board policies and directives;
- 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 briefing note titles and contracts over $10,000, prior to their publication on the PPSC's website, ensuring 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 Treasury Board policies and directives;
- 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 Treasury Board of Canada Secretariat (TBS); and
- Preparing an annual report on the administration of the Act for tabling in both Houses of Parliament.

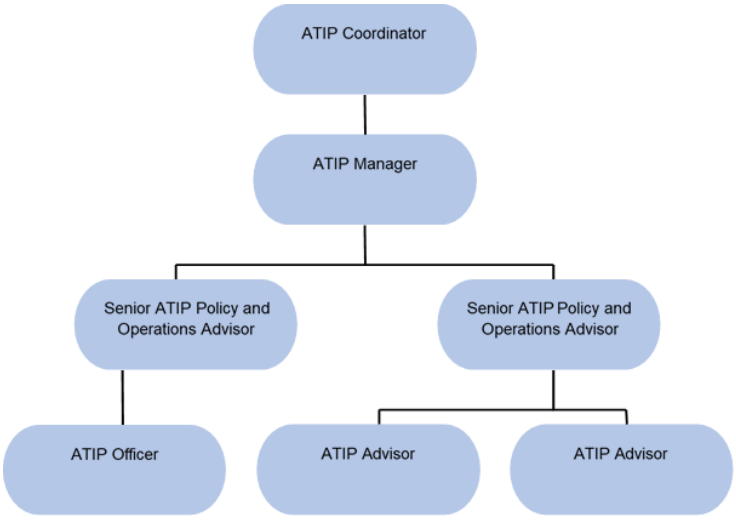
3.1 Organizational structure

The Director General, Communications and Parliamentary Affairs (CPA), acts as the PPSC's ATIP Coordinator.

During the period from April 1, 2021, to March 31, 2022, the ATIP Office comprised a Manager, two Senior Advisors, two Advisors, and an ATIP Officer.

The following chart outlines the organizational structure of the ATIP Office on March 31, 2022:

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 this authority to the Director General, CPA, 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 Director General, CPA. The Senior Director General, Corporate Services, exercises this authority in the absence of both the Director General, CPA, and the ATIP Manager.

5 Performance

The following section provides an overview of key data on the PPSC's performance for the fiscal year, as reflected in the 2021-2022 Statistical Report on the Act in Appendix B of this report as well as the 2021-2022 Supplemental Statistical Report in Appendix C.

5.1 Requests received under the *Privacy Act*

5.1.1 Number of requests

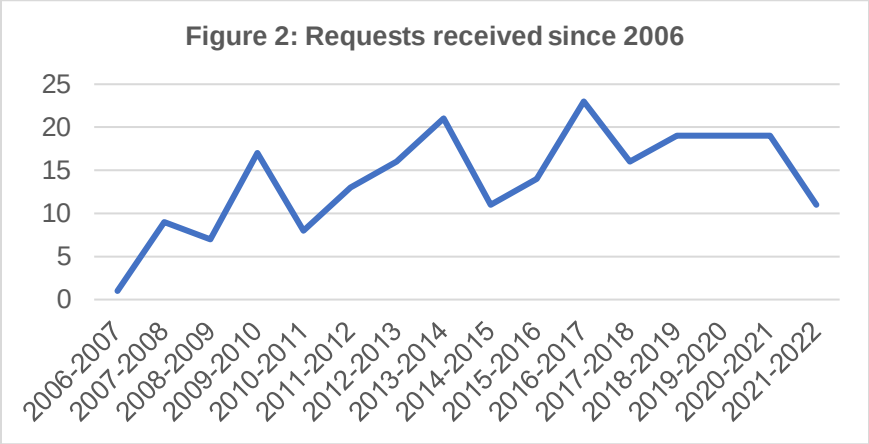
The PPSC received 11 formal personal information requests in 2021-2022, fewer than the 19 received in the previous fiscal year.

The PPSC completely received 72% of its personal information requests **online** this fiscal year.

Additionally, seven (7) requests were carried over from fiscal year 2020-2021. Altogether, the PPSC had 18 requests to process in 2021-2022.

Since its creation on December 12, 2006, the PPSC has received 224 personal information requests in total. Over time, the organization has experienced periodic, sharp increases in the number of requests received each year. Despite the fluctuations, the overall trend suggests that the number of requests received by the PPSC had been gradually increasing, though the growth rate has begun to slow in more recent years.

The following chart illustrates this trend:



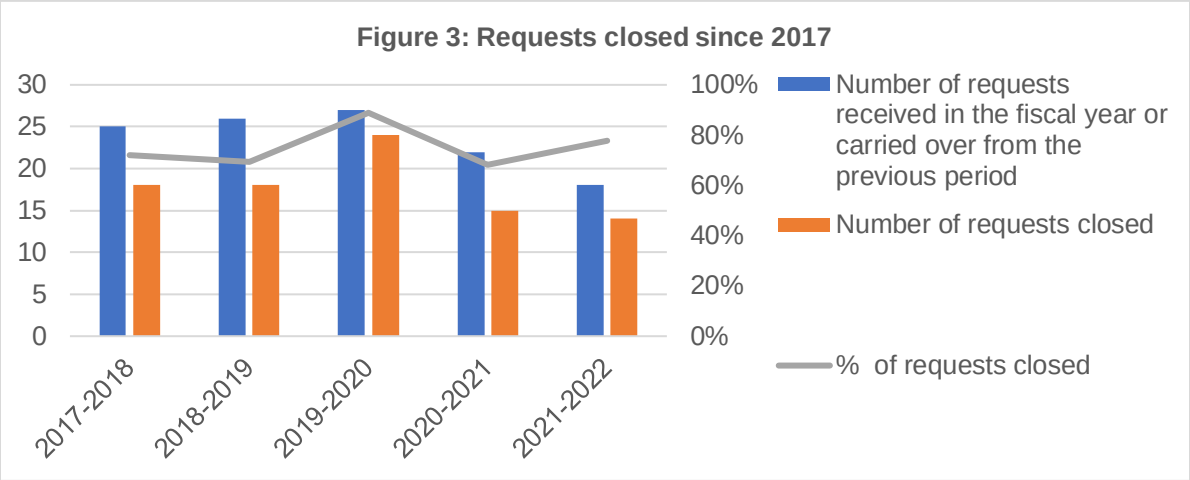
Note: As the PPSC was created on December 12, 2006, data for 2006-2007 only reflects a three-month period.

5.2 Requests closed during the fiscal year

5.2.1 Disposition of requests

The PPSC has responded to 78% of the 18 requests received in 2021-2022 or carried over from the previous period, 14 in total, which is one (1) fewer than the 15 requests closed in the previous fiscal year. The proportion of closed requests is also similar to the rate in earlier reporting periods.

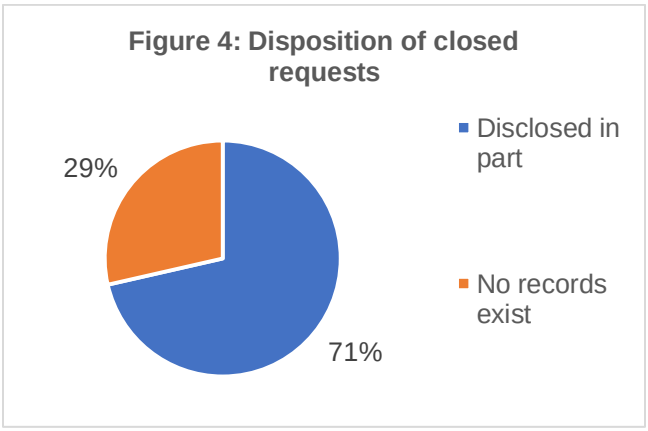
The trend is described in the chart below, which sets out the closure rate from the past five fiscal years:



Four (4) requests remained outstanding as of March 31, 2022, and were carried forward to the next fiscal year, which is three (3) fewer than the number of outstanding requests at the end of the previous reporting period.

Of these four (4) requests, two (2) were received within the current fiscal year and were still within legislated timelines at the end of the same reporting period. The other active requests were received earlier, one (1) in 2020-2021 and the other in 2016-2017. Extensions to the initial 30-day statutory deadline were taken on both files to process a high volume of pages. Despite these extensions, further time is needed for processing and they are now past the extended deadline.

The disposition of requests closed in 2021-2022 is as follows:



Of the 14 requests closed in 2021-2022, records were partially disclosed in 10 cases. No records were disclosed in full. On average, 64% of requests closed over the past five reporting periods have resulted in a full or partial disclosure of records to applicants.

The four (4) remaining 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.

There were no requests closed in 2021-2022 where records were all exempted or excluded, as was the case in the past two fiscal years.

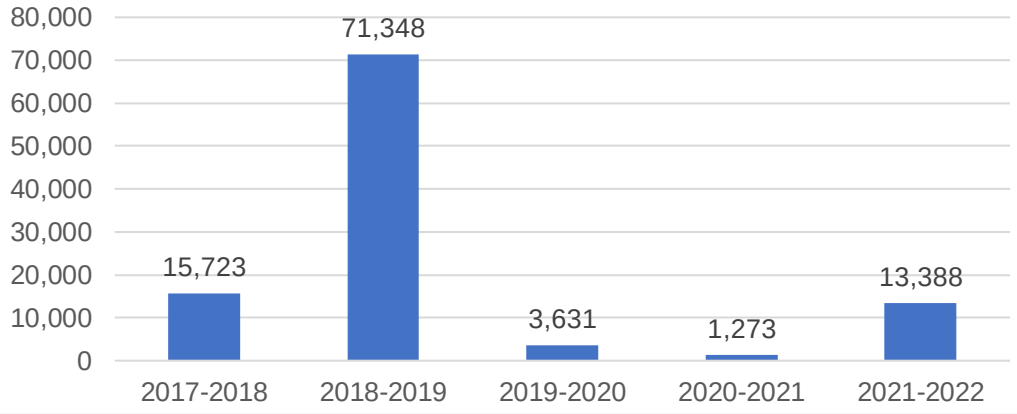
5.2.2 Number of pages processed

For the 14 cases closed in 2021-2022, the PPSC processed 13,388 pages relevant to the requests, which is significantly more than the 1,273 pages processed for a similar number of requests closed in the previous period. The sharp increase is partially due to closing a single request relating to a prosecution that involved 6,148 pages. Additionally, there were three (3) other requests where more than a thousand pages of records were processed. Altogether, these four (4) requests accounted for nearly all of the pages processed over the past fiscal year (12,464 pages in total).

The PPSC ATIP Office also reviewed an additional 4,752 pages received from across the organization that were 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 fiscal years:

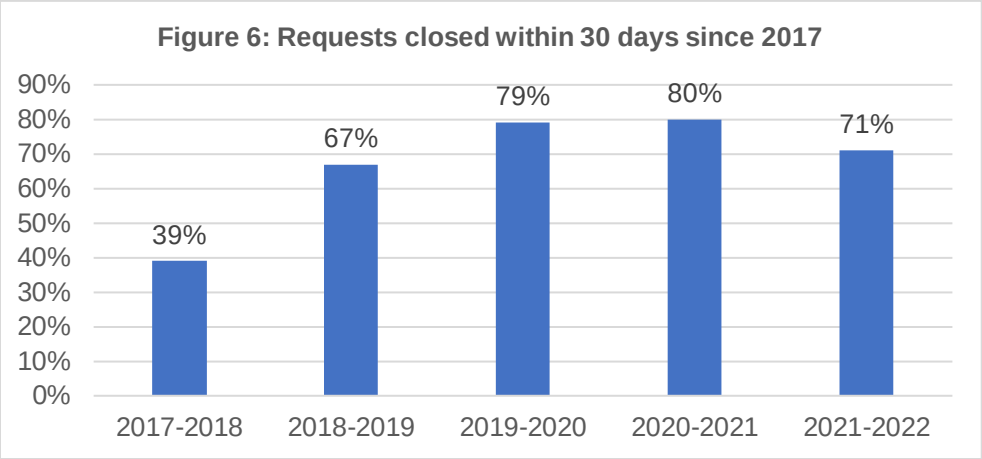
Figure 5: Pages processed for requests closed since 2017



5.2.3 Completion time

Of those closed in 2021-2022, 10 requests were processed within the initial 30-day statutory deadline, representing 71% of requests. This is two (2) fewer than those closed within the same timeframe in 2020-2021.

The proportion of requests closed within 30 days of receipt has steadily increased since the 2017-2018 reporting period, where fewer requests were closed within that timeframe due to a shortage of human resources in the ATIP Office. This trend is demonstrated in the chart that follows:



Over the four (4) most recent fiscal years, the PPSC has processed 74% of closed requests within the first 30 days, on average.

The following table is a breakdown of the number of days taken to respond to requests in 2021-2022:

Table 1: Completion time

Completion time	Number of requests	%
1 to 15 days	3	21%
16 to 30 days	7	50%
31 to 60 days	2	14%
61 to 120 days	0	0%
121 to 180 days	1	7%
181 to 365 days	0	0%
More than 365 days	1	7%
Total	**14**	**100%**

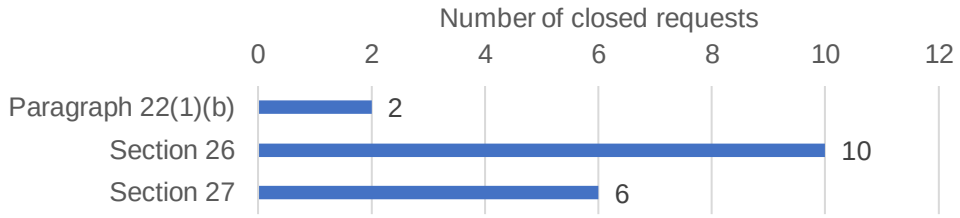
Note: Each percentage has been rounded to the nearest whole value. For this reason, the percentages set out in the chart do not add up to an exact 100%.

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 2021-2022 for closed requests:

Figure 7: Exemptions that were invoked



Over the last five 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 personal information about 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.

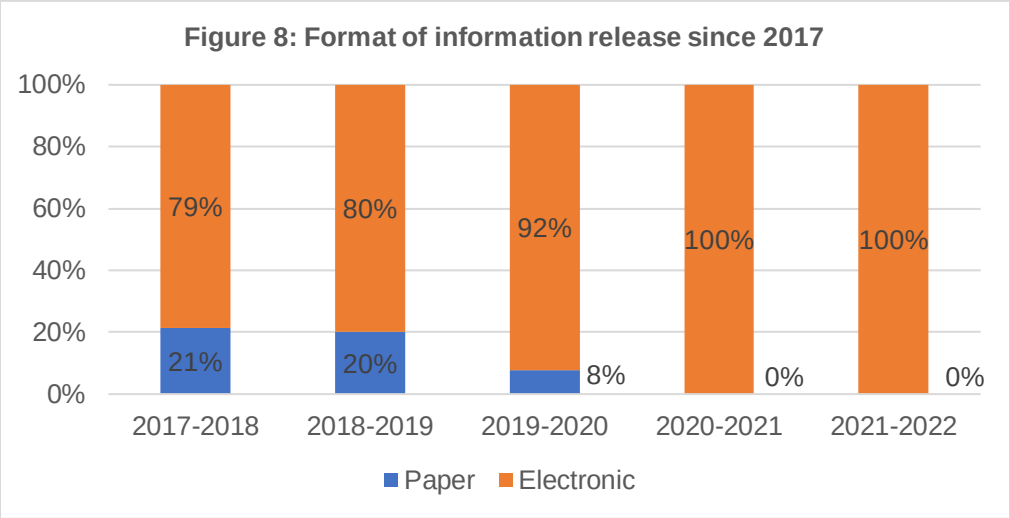
The PPSC did not invoke any exclusions in 2021-2022.

5.2.6 Format of information released

Information was released electronically for all 10 requests where the PPSC partially disclosed records in 2021-2022.

Overall, in the last five fiscal years, 89% of releases have been in electronic format, whether by email or compact disk, while 11% 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:

- Records held by the PPSC often contain information relating to criminal or regulatory investigations or prosecutions that also frequently involve other organizations at the federal, provincial or territorial level. This was the main source of complexity for one (1) case closed in 2021-2022.
- The applicant's personal information can be 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 complicating factor in five (5) requests closed in 2021-2022, as was the case in the previous fiscal year.
- Regarding other requests closed during the fiscal year, four (4) were deemed complex primarily due to a need to retrieve records from regions across the country. In general, regional searches most frequently involved the Ontario Regional Office, which was tasked four (4) times in the current period.

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.

The vast majority of the 14 requests closed in the reporting period were responded to within the initial deadline or within an extended timeframe, representing 86% of cases.

Two (2) requests, involving records related to prosecutions, were closed as deemed refusals in 2021-2022, one (1) more than in the previous period. These delays were principally due to interference with operations and a high workload – both files combined represented 61% of the pages processed in the current period.

5.2.9 Requests for translation

During the 2021-2022 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 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, an individual has the right to request that a **notation** about the error or omission be placed on their file.

There were no requests for correction of personal information or notations in 2021-2022. This has been typical of the last five 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 three (3) extensions to process requests closed during the 2021-2022 reporting period, one (1) more than the previous period.

Each extension was for the maximum length permitted by the Act, all because the requests involved a high volume of records and processing them within the original deadline would have interfered with the PPSC's operations.

Over the last five fiscal years, the PPSC has taken, on average, **five (5)** extensions under the 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	0	0	0
Total	**0**	**3**	**0**	**0**	**0**	**0**	**0**	**0**

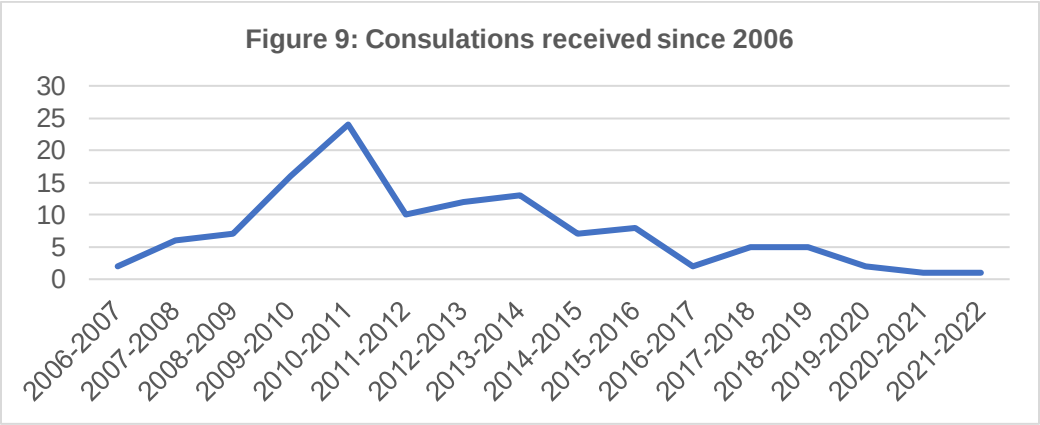
5.5 Consultations received from other institutions

5.5.1 Number of consultations

The PPSC received one (1) consultation from another government institution for processing under the Act in 2021-2022, as was the case in 2020-2021. No consultations were carried over from the previous period.

The PPSC has received 121 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

The consultation received in 2021-2022 originated from the Public Health Agency of Canada, which is also subject to the Act. This is not typical of personal information consultations undertaken with the PPSC. Instead, the Royal Canadian Mounted Police, the Canada Border Services Agency, and the Ministry of Alberta Justice and the Solicitor General have been the most frequent sources of consultations over the last five fiscal years.

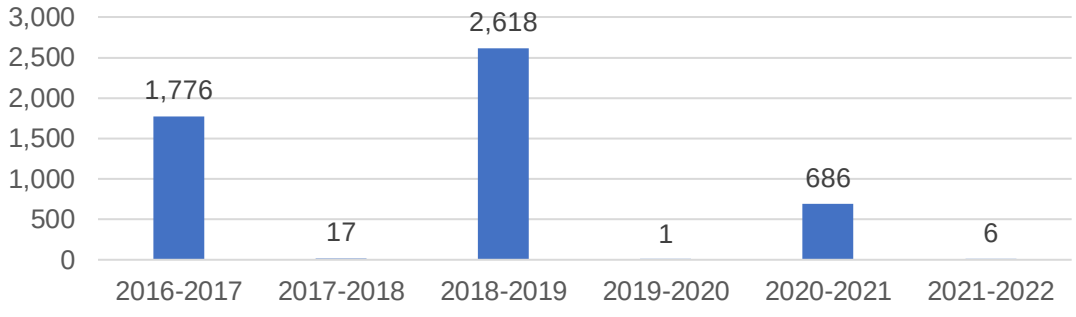
5.5.3 Disposition and recommendations

The PPSC responded to the one (1) consultation received in 2020-2021. Accordingly, there were no consultations outstanding as of March 31, 2022, and carried forward to the next fiscal year.

The PPSC processed six (6) pages in closing the consultation, which is a significant decrease from the 686 pages processed in 2020-2021.

The number of pages processed over the last five fiscal periods have considerably fluctuated from year to year, which is demonstrated in the following chart:

Figure 10: Pages processed for consultations completed since 2017



For the consultation completed in 2021-2022, the PPSC recommended that the records be disclosed in part. Over the last five fiscal years, the PPSC has never recommended full exemption of the records sent in consultation.

5.5.4 Completion time

The consultation closed in 2021-2022 was completed within the first 30 days of receipt.

Over the last five fiscal years, half of the consultations received were completed within this timeframe.

5.6 Consultations on Cabinet confidences

No consultations regarding section 70 (Cabinet confidences) of the Act were carried out during fiscal year 2021-2022.

5.7 Costs

In the 2021-2022 fiscal year, the PPSC spent a total of $219,501 administering the Act, of which salaries accounted for nearly all expenditures at $218,492, while goods and services accounted for the remaining $1,009.

No overtime expenditures were incurred during this period.

6 Training and awareness activities

No formal ATIP awareness sessions were delivered in 2021-2022.

Presentations were delivered in the recent past to raise awareness of corporate responsibilities regarding ATIP. These materials continue to be made available to all PPSC employees through the internal website. Communiqués on ATIP topics were also distributed throughout the year as part of the PPSC's corporate newsletters, which included promoting Data Privacy Day 2022.

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 on the interpretation of the Act, including the appropriate collection, use, disclosure, and safeguarding of personal information.

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.

At least once a year, the PPSC ATIP Office reviews and updates information, if necessary, about the PPSC's activities and information holdings in the publication. No updates were required in 2021-2022.

7.3 Initiatives

The PPSC did not implement any new initiatives relating to privacy during the 2021-2022 fiscal year. The organization expects to develop revised privacy policies and procedures in upcoming years in preparation for updated government-wide directives as well as the ongoing modernization of ATIP digital services.

Privacy tools were updated as needed in 2021-2022, such as procedural manuals for PPSC officials, so that the organization may continue to process requests efficiently and protect personal information in compliance with the Act and Treasury Board policies and directives.

7.4 COVID-19 mitigation measures

The ongoing COVID-19 pandemic continues to present a unique challenge for the ATIP Office. In response to emergency public health measures put in place at the end of the 2019-2020 fiscal period, the Office had transferred the majority of its operations to a remote working environment.

The ATIP Office was largely prepared for the transition due to efforts in recent years to build its digital capacity, such as becoming an early adopter of the government-wide ATIP Online Request Service (AORS). Furthermore, templates and forms were adapted for electronic signature early on in the pandemic and PPSC officials submit most records to the ATIP Office by email or through shared, digital dropboxes.

Since its launch, the **vast majority** of applicants have used the ATIP Online Request Service to submit requests to the PPSC.

The Office's capacity to process requests and consultations was at first significantly affected when the work involved paper-based records or records only available on compact disk. In accordance with the early stages of the PPSC's business continuity and business resumption plans, staff were not authorized to work on the premises during total lockdowns put in place by local governments for business and other activities. As a result, the PPSC experienced 11 weeks in total throughout the reporting period where it had no capacity to process these types of records.

In these cases, the ATIP Office limited the disruption by implementing work plans to prioritize and process these records post-lockdown. Staff also consulted applicants and other government institutions on a case-by-case basis to find solutions for moving these requests and consultations forward.

As the frequency of total lockdowns declined and more targeted restrictions on business activities were implemented within the community to manage later pandemic case surges, ATIP Office staff were authorized to return to work onsite based on operational requirements. Minor processing delays sometimes occurred, dependent on the volume of records involved or when staff could obtain prior approval to work onsite. Further information on operational capacity is available in the 2021-2022 Supplemental Statistical Report in Appendix C of this report.

While the ATIP Office experienced some limitations in managing operations remotely, every effort was made to ensure applicants received complete responses within established timelines.

8 Complaints 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 2021-2022 fiscal year, one (1) new complaint investigation was opened against the PPSC and closed during the same period. The maximum extension permitted under the Act was taken to process the large volume of pages relevant to the request under complaint. Additional time was then needed beyond the extended timeframe to manage the workload and the applicant filed a complaint with the OPC on account of the delay. During the course of the investigation, the PPSC released the relevant records to the applicant. The OPC closed their investigation accordingly, deeming the complaint to be well-founded and resolved.

There was one (1) complaint investigation that remained outstanding as of March 31, 2022, and carried forward to the next fiscal year. This complaint was opened in 2018-2019.

The Commissioner did not undertake any privacy audits involving the PPSC in 2021-2022. There were also no applications for judicial review filed with the Federal Court during this same period.

9 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 an *ad hoc* basis about its activities, caseload, investigations, and trends related to privacy.

10 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. These cases are to be reported to the TBS and the OPC, as required by the Treasury Board's *Directive on Privacy Practices*.

The ATIP Office did not receive any reports of material privacy breaches having occurred at the PPSC in 2021-2022.

11 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 2021-2022.

12 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 in the public interest, pursuant to paragraph 8(2)(m) of the Act. The PPSC did not make any such disclosures during the current fiscal year.

13 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 de la *Loi sur la protection des renseignements personnels*

The Director of Public Prosecutions, pursuant to section 73 of the *Access to Information Act* and section 73 of the *Privacy Act*, as they existed prior to June 21, 2019, and pursuant to the current subsection 95(1) of the *Access to Information Act* and section 73(1) of the *Privacy Act*, hereby delegates to the persons holding the positions set out in the schedule hereto 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 Delegation Order replaces all previous delegation orders.	En vertu de l'article 73 de la *Loi sur l'accès à l'information* et de l'article 73 de la *Loi sur la protection des renseignements personnels*, tels qu'ils existaient avant le 21 juin 2019, et en vertu de l'article 95(1) de la *Loi sur l'accès à l'information* et de l'article 73(1) de la *Loi sur la protection des renseignements personnels*, présentement en vigueur, la directrice des poursuites pénales délègue aux titulaires des postes mentionnés à l'annexe ci-après, les attributions qui lui sont conférées, en qualité de responsable du Bureau du directeur des poursuites pénales, par les dispositions des lois ou de leurs règlements d'application mentionnées en ce qui concerne chacun des postes. Le présent arrêté remplace et annule tout arrêté antérieur sur la délégation.

Schedule/Annexe

Position/Poste	***Access to Information Act* and Regulations/*Loi sur l'accès à l'information* et son règlement d'application**	***Privacy Act* and Regulations/*Loi sur la protection des renseignements personnels* et son règlement d'application**
Senior Director General, Corporate Services/Directrice générale principale, Services ministériels	Full authority/Autorité absolue	Full authority/Autorité absolue
Director General, Communications and Parliamentary Affairs/Directrice générale, Communications et Affaires parlementaires	Full authority/Autorité absolue	Full authority/Autorité absolue
Manager, ATIP/Gestionnaire, AIPRP	Full authority/Autorité absolue	Full authority/Autorité absolue

Dated, at the City of Ottawa, this day of , 2021	Daté, en la ville d'Ottawa, ce jour de 2021

Roussel, Kathleen

Digitally signed by Roussel, Kathleen
DN: C=CA, O=GC, OU=EC-EC, CN="Roussel, Kathleen"
Reason: I am approving this document
Location: your signing location here
Date: 2021-02-22 11:13:35
Foxit PhantomPDF Version: 10.0.0

Kathleen Roussel
Director of Public Prosecutions
Directrice des poursuites pénales

14 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: 2021-04-01 to 2022-03-31

Section 1: Requests Under the *Privacy Act*

1.1 Number of requests received

		Number of Requests
Received during reporting period		11
Outstanding from previous reporting periods		7
• Outstanding from previous reporting period	5	
• Outstanding from more than one reporting period	2	
Total		18
Closed during reporting period		14
Carried over to next reporting period		4
• Carried over within legislated timeline	2	
• Carried over beyond legislated timeline	2	

1.2 Channels of requests

Source	Number of Requests
Online	8
E-mail	3
Mail	0
In person	0
Phone	0
Fax	0
Total	11

Section 2: Informal requests

2.1 Number of informal requests

		Number of Requests
Received during reporting period		0
Outstanding from previous reporting periods		0
• Outstanding from previous reporting period	0	
• Outstanding from more than one reporting period	0	
Total		0
Closed during reporting period		0
Carried over to next reporting period		0

2.2 Channels of informal requests

Source	Number of Requests
Online	0
E-mail	0
Mail	0
In person	0
Phone	0
Fax	0
Total	0

2.3 Completion time of informal requests

Completion Time							
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
0	0	0	0	0	0	0	0

2.4 Pages released informally

Less Than 100 Pages Released		100-500 Pages Released		501-1000 Pages Released		1001-5000 Pages Released		More Than 5000 Pages Released	
Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released	Number of Requests	Pages Released
0	0	0	0	0	0	0	0	0	0

Section 3: Requests Closed During the Reporting Period

3.1 Disposition and completion time

	Completion Time							
Disposition of 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	6	2	0	1	0	1	10
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	0	0	4
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	3	7	2	0	1	0	1	14

3.2 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)	0	22(1)(b)	2	24(b)	0

19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	10
19(1)(f)	0	22.1	0	27	6
20	0	22.2	0	27.1	0
21	0	22.3	0	28	0
		22.4	0		

3.3 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

3.4 Format of information released

Paper	Electronic				Other
	E-record	Data set	Video	Audio	
0	10	0	0	0	0

3.5 Complexity

3.5.1 Relevant pages processed and disclosed for paper and e-record formats

Number of Pages Processed	Number of Pages Disclosed	Number of Requests
13388	4614	10

3.5.2 Relevant pages processed by request disposition for paper and e-record formats by size of requests

Disposition	Less Than 100 Pages Processed		100-500 Pages Processed		501-1000 Pages Processed		1001-5000 Pages Processed		More Than 5000 Pages Processed	
	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed	Number of Requests	Pages Processed
All disclosed	0	0	0	0	0	0	0	0	0	0
Disclosed in part	1	15	5	909	0	0	3	6316	1	6148
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	15	5	909	0	0	3	6316	1	6148

3.5.3 Relevant minutes processed and disclosed for audio formats

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

3.5.4 Relevant minutes processed per request disposition for audio formats by size of requests

Disposition	Less than 60 Minutes processed		60-120 Minutes processed		More than 120 Minutes processed	
	Number of requests	Minutes Processed	Number of requests	Minutes Processed	Number of requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Total	0	0	0	0	0	0

3.5.5 Relevant minutes processed and disclosed for video formats

Number of Minutes Processed	Number of Minutes Disclosed	Number of Requests
0	0	0

3.5.6 Relevant minutes processed per request disposition for video formats by size of requests

Disposition	Less than 60 Minutes processed		60-120 Minutes processed		More than 120 Minutes processed	
	Number of requests	Minutes Processed	Number of requests	Minutes Processed	Number of requests	Minutes Processed
All disclosed	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0
All exempted	0	0	0	0	0	0
All excluded	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0
Total	0	0	0	0	0	0

3.5.7 Other complexities

Disposition	Consultation Required	Legal Advice Sought	Interwoven Information	Other	Total
All disclosed	0	0	0	0	0
Disclosed in part	1	0	5	4	10
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	1	0	5	4	10

3.6 Closed requests

3.6.1 Number of requests closed within legislated timelines

Number of requests closed within legislated timelines	12
Percentage of requests closed within legislated timelines (%)	85.71428571

3.7 Deemed refusals

3.7.1 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
2	2	0	0	0

3.7.2 Request closed beyond legislated timelines (including any extension taken)

Number of days past legislated timelines	Number of requests past legislated timeline where no extension was taken	Number of requests past legislated timeline 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	0	0
181 to 365 days	0	0	0
More than 365 days	1	0	1
Total	1	1	2

3.8 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 4: 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 5: 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 6: Extensions

6.1 Reasons for extensions

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 ConfidenceSection (Section 70)	External	Internal	
3	0	3	0	0	0	0	0	0

6.2 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 ConfidenceSection (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	0	0	0
31 days or greater								0
Total	0	3	0	0	0	0	0	0

Section 7: Consultations Received From Other Institutions and Organizations

7.1 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	1	6	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	1	6	0	0
Closed during the reporting period	1	6	0	0
Carried over within negotiated timelines	0	0	0	0
Carried over beyond negotiated timelines	0	0	0	0

7.2 Recommendations and completion time for consultations received from other Government of Canada institutions

	Number of Days Required to Complete Consultation Requests

Recommendation	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
Disclose entirely	0	0	0	0	0	0	0	0
Disclose in part	0	1	0	0	0	0	0	1
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	1	0	0	0	0	0	1

7.3 Recommendations and completion time for consultations received from other organizations outside the Government of Canada

	Number of days required to complete consultation requests							
Recommendation	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
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

Section 8: Completion Time of Consultations on Cabinet Confidences

8.1 Requests with Legal Services

	Fewer Than 100 Pages Processed		100–500 Pages Processed		501–1000 Pages Processed		1001–5000 Pages Processed		More than 5000 Pages Processed	
Number of Days	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

8.2 Requests with Privy Council Office

	Fewer Than 100 Pages Processed		100–500 Pages Processed		501–1000 Pages Processed		1001–5000 Pages Processed		More than 5000 Pages Processed	
Number of Days	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 9: Complaints and Investigations Notices Received

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

Section 10: Privacy Impact Assessments (PIAs) and Personal Information Banks (PIBs)

10.1 Privacy Impact Assessments

Number of PIAs completed	0
Number of PIAs modified	0

10.2 Institution-specific and Central Personal Information Banks

Personal Information Banks	Active	Created	Terminated	Modified
Institution-specific	6	0	0	0
Central	0	0	0	0
Total	6	0	0	0

Section 11: Privacy Breaches

11.1 Material Privacy Breaches reported

Number of material privacy breaches reported to TBS	0
Number of material privacy breaches reported to OPC	0

11.2 Non-Material Privacy Breaches

Number of non-material privacy breaches	3

Section 12: Resources Related to the Privacy Act

12.1 Allocated Costs

Expenditures		Amount
Salaries		$218,492
Overtime		$0
Goods and Services		$1,009
• Professional services contracts	$0	
• Other	$1,009	
Total		$219,501

12.2 Human Resources

Resources	Person Years Dedicated to Privacy Activities
Full-time employees	2.320
Part-time and casual employees	0.000
Regional staff	0.000

Consultants and agency personnel	0.000
Students	0.000
Total	2.320

Note: Enter values to three decimal places.

15 Appendix C – Supplemental statistical report on the *Access to Information Act* and the *Privacy Act*

Government of Canada / Gouvernement du Canada

Supplemental Statistical Report on the *Access to Information Act* and the *Privacy Act*

Name of institution: Public Prosecution Service of Canada

Reporting period: 2021-04-01 to 2022-03-31

Section 1: Capacity to Receive Requests under the Access to Information Act and the Privacy Act

Enter the number of weeks your institution was able to receive ATIP requests through the different channels.

	Number of Weeks
Able to receive requests by mail	41
Able to receive requests by email	52
Able to receive requests through the digital request service	52

Section 2: Capacity to Process Records under the Access to Information Act and the Privacy Act

2.1 Enter the number of weeks your institution was able to process paper records in different classification levels.

	No Capacity	Partial Capacity	Full Capacity	Total
Unclassified Paper Records	11	22	19	52
Protected B Paper Records	11	22	19	52
Secret and Top Secret Paper Records	11	22	19	52

2.2 Enter the number of weeks your institution was able to process electronic records in different classification levels.

	No Capacity	Partial Capacity	Full Capacity	Total
Unclassified Electronic Records	0	0	52	52
Protected B Electronic Records	0	0	52	52
Secret and Top Secret Electronic Records	0	33	19	52

Canada

Section 3: Open Requests and Complaints Under the Access to Information Act

3.1 Enter the number of open requests that are outstanding from previous reporting periods.

Fiscal Year Open Requests Were Received	Open Requests that are *Within* Legislated Timelines as of March 31, 2022	Open Requests that are *Beyond* Legislated Timelines as of March 31, 2022	Total
Received in 2021-2022	12	0	12
Received in 2020-2021	0	0	0
Received in 2019-2020	0	1	1
Received in 2018-2019	0	0	0
Received in 2017-2018	0	0	0
Received in 2016-2017	0	0	0
Received in 2015-2016 or earlier	0	0	0
Total	12	1	13

Row 8, Col. 3 of Section 3.1 must equal Row 7, Col. 1 of Section 1.1 of the 2021-2022 Statistical Report on the *Access to Information Act*

3.2 Enter the number of open complaints with the Information Commissioner of Canada that are outstanding from previous reporting periods.

Fiscal Year Open Complaints Were Received by Institution	Number of Open Complaints
Received in 2021-2022	1
Received in 2020-2021	3
Received in 2019-2020	1
Received in 2018-2019	1
Received in 2017-2018	0
Received in 2016-2017	0
Received in 2015-2016 or earlier	0
Total	6

Section 4: Open Requests and Complaints Under the Privacy Act

4.1 Enter the number of open requests that are outstanding from previous reporting periods.

Fiscal Year Open Requests Were Received	Open Requests that are *Within* Legislated Timelines as of March 31, 2022	Open Requests that are *Beyond* Legislated Timelines as of March 31, 2022	Total
Received in 2021-2022	2	0	2
Received in 2020-2021	0	1	1
Received in 2019-2020	0	0	0
Received in 2018-2019	0	0	0
Received in 2017-2018	0	0	0
Received in 2016-2017	0	1	1
Received in 2015-2016 or earlier	0	0	0
Total	2	2	4

Row 8, Col. 3 of Section 4.1 must equal Row 7, Col. 1 of Section 1.1 of the 2021-2022 Statistical Report on the *Privacy Act*

4.2 Enter the number of open complaints with the Privacy Commissioner of Canada that are outstanding from previous reporting periods.

Fiscal Year Open Complaints Were Received by Institution	Number of Open Complaints
Received in 2021-2022	0
Received in 2020-2021	0
Received in 2019-2020	0
Received in 2018-2019	1
Received in 2017-2018	0
Received in 2016-2017	0
Received in 2015-2016 or earlier	0
Total	1

Section 5: Social Insurance Number (SIN)

Did your institution receive authority for a new collection or new consistent use of the SIN in 2021-2022?	No