



Military Police
Complaints Commission
of Canada

Commission d'examen des plaintes
concernant la police militaire
du Canada

Privacy Act

Annual Report

April 1, 2018 – March 31, 2019

For an electronic version of the publication, please consult the Military Police Complaints Commission of Canada's website at mpcc-cppm.gc.ca.

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1. Introduction

Purpose of the *Privacy Act*

The *Privacy Act* (PA) protects the privacy of individuals with respect to personal information about themselves held by a government institution and provides individuals with a right of access to that information.

The Annual Report to Parliament on the PA is prepared and tabled in Parliament in accordance with section 72 of the PA.

Military Police Complaints Commission of Canada

The Mandate

The Military Police Complaints Commission of Canada (MPCC) provides independent civilian oversight of the Canadian Armed Forces (CAF) Military Police (MP) and carries out its quasi-judicial functions pursuant to the powers conferred under Part IV of the *National Defence Act*.

The MPCC reviews and investigates complaints concerning MP conduct and investigates allegations of interference in MP investigations. The MPCC reports its findings and makes recommendations directly to the MP and national defence leadership.

The Mission

The mission of the MPCC is to promote and ensure the highest standards of conduct of MP in the performance of policing duties, and to discourage interference in any MP investigation.

2. Application of the *Privacy Act*

Institutional Organization of Activities

The Organization

The Military Police Complaints Commission of Canada (MPCC) is a micro-agency consisting of 29 planned full-time equivalents with an ongoing annual budget of \$4.7M.

As Deputy Head, the Chairperson is supported by the Senior General Counsel and Director General, the Senior Director of Corporate Services, the General Counsel and Senior Director of Operations, up to four part-time Governor-in-Council (GIC) appointed Commission Members, MPCC personnel and consultants.

MPCC Access to Information and Privacy (ATIP) Program

The MPCC ATIP program provides services/products under the *Access to Information Act* (ATIA) and PA, but also provides services/products during the phases of large Public Interest Hearings (PIH) and investigations. Furthermore, the MPCC continues to utilize an *Access to Information and Privacy Framework- Plans and Strategies* encompassing documented processes and management accountability to strengthen the integrity of the ATIP program.

MPCC Access to Information and Privacy Coordinator and Personnel

The ATIP Coordinator for the MPCC is the Senior Director of Corporate Services (SDCS) who is supported by the Senior Planning & Administration Coordinator (SPAC). The MPCC also engages an ATIP consultant, as required. As such, ATIP requests are a shared responsibility between two delegated salaried employees, an assistant who provides administrative support and the Offices of Primary Interest (i.e. Operations, Registrar, Finance, the Records and Information Management Officer, etc.) who also perform ATIP duties in addition to their regular workload.

The main activities of the individual handling ATIP requests are the following;

- Handles assigned cases, analyzes purpose/history of request, interprets legislation and determines information that may be disclosed, exempted and excluded;
- Provides advice and consultation to requesters and third party stakeholders and MPCC management and employees, responds to questions and concerns and ensures that they have a clear understanding of legislation and MPCC policies and procedures for handling requests and other ATIP related issues, including document security classification;
- Conducts research and consultations with other departments and third parties to prepare responses to requesters;
- Analyzes and provides recommendations in the preparation of exhibits for disclosure during a PIH in accordance with ATIP legislation, Open Court Principles and other related policies and procedures; and
- Prepares reports for MPCC management on ATIP requests, other ATIP related issues, including statistical reports, Annual Reports for submission to Parliament and Info Source.

The MPCC does not have any regional offices.

3. Delegation

Pursuant to section 73 of the PA, the Chairperson appointed the SDCS, the ATIP Officer and the SPAC with the duty to exercise certain powers and to perform duties and functions under the PA and Regulations. (**Appendix A – Privacy Act Delegation Order**).

4. Privacy Act Statistics

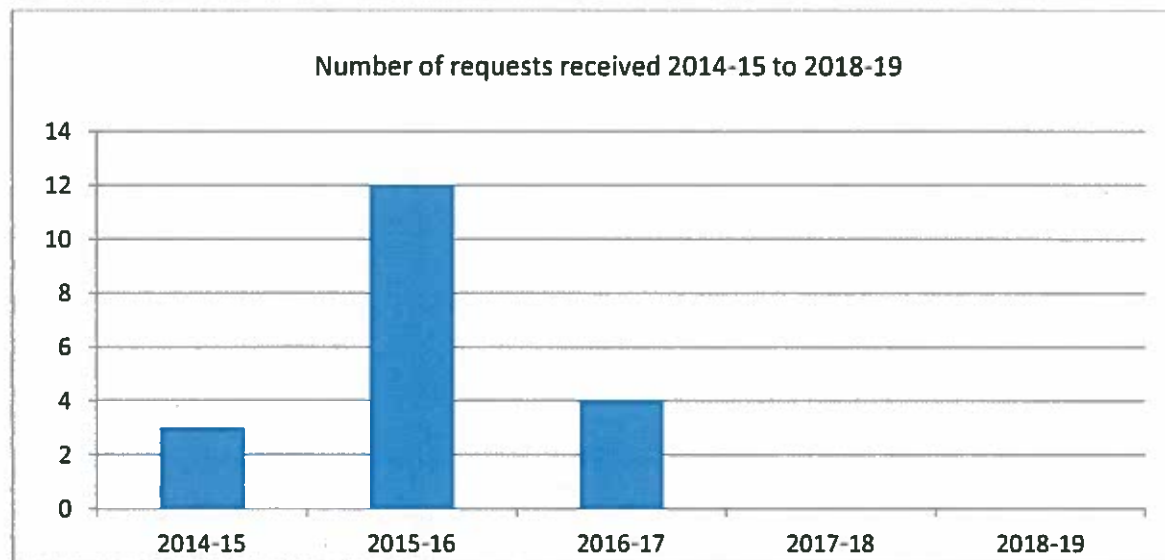
During this review period, no requests were received by the MPCC. For additional information, please refer to **Appendix B**.

Consultations from Other Institutions

The MPCC did not receive any consultations from other government departments.

Multi-Year Trends

Due to the generally small numbers of requests, it is difficult to extrapolate trends. Although there was a 300% increase from 2014-15 to 2015-16, the number of requests from 2015-16 to 2016-17 dropped significantly. No Privacy Requests were received by MPCC in 2017-18, and no Privacy Requests were received during the current reporting period.



5. Training

In addition to completing two mandatory online courses through the Canada School of Public Service, Access to Information and Privacy Fundamentals (I015) and Fundamentals of Information Management (I301)), 100% of MPCC employees received an ATIP awareness session. The session provided general information related to the PA and roles and responsibilities of institutions and employees.

6. Institutional Policies and Procedures

During the reporting period, the Treasury Board Secretariat launched the Government of Canada's ATIP Online Request Portal that provides a centralized point of access for the public for a faster, easier and more convenient way to submit access to information or privacy requests. The MPCC started accepting requests through this system in January 2019.

The MPCC continued to use a manual Tickler system (time limit reminder) to more efficiently respond to files within legislative deadlines and a weekly review of current files. Procedures for processing Access to Information were updated and provided to staff during ATIP training sessions.

Handling of Formal Requests

The MPCC has adopted the following process to handle formal requests:

1. Receive and acknowledge receipt of the privacy request;
2. Create a file and register the request including capturing and updating the information in the Report on the PA;
3. Review the request and determine next steps;
4. Gather and review all documents including redacting the information if required;
5. Validate and approve the release of the information; and
6. Audits.

7. Complaints, Audits and Investigations

No complaints were received by the Office of the Privacy Commissioner of Canada, no audits were conducted and no appeals concerning ATIA requests with the MPCC were filed in Federal Court during the reporting period. No Privacy Complaints were received by MPCC during the reporting period.

8. Monitoring

All ATIP requests are monitored by the SDCS/ATIP Coordinator throughout the year and information such as the statistics and time to process ATI requests are captured in an ATIP report. This monitoring occurs from the receipt to the closure of all ATIP requests.

On a quarterly basis, the SDCS/ATIP Coordinator submits ATIP reports (i.e. ATIA and PA Annual Reports and Statistical Reports, Info Source, Personal Information Bank, etc.) to the Executive Committee as a standing agenda item. The Executive Committee consists of the Chairperson (Deputy Head), the Senior General Counsel and Director General, the SDCS/ATIP Coordinator and the General Counsel and Senior Director of Operations. The report is tabled, discussed and approved at these quarterly meetings.

9. Privacy Breaches

No privacy breach occurred at the MPCC during the reporting period.

10. Privacy Impact Assessments (PIA)

No PIA were conducted during the reporting period.

11. Disclosure

The MPCC has not disclosed any personal information pursuant to subsection 8(2)(m) of the PA.



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du Canada

***Access to Information Act and Privacy
Act Delegation Order***

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

The Chairperson of the Military Police Complaints Commission of Canada, pursuant to section 73 of the *Access to Information Act* and section 73 of the *Privacy Act*, hereby designates the persons holding the positions set out in the schedule hereto, or the persons occupying on an acting basis those positions, to exercise the powers, duties and functions of the Chairperson as the head of Military Police Complaints Commission of Canada, under the provisions of the Act and related regulations set out in the schedule opposite each position. This designation 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*, la présidente de la Commission d'examen des plaintes concernant la police militaire du Canada délègue aux titulaires des postes mentionnés à l'annexe ci-après, ainsi qu'aux personnes occupant à titre intérimaire lesdits postes, les attributions dont le/la président(e) est, en qualité de responsable de Commission d'examen des plaintes concernant la police militaire du Canada, investi[e] par les dispositions de la Loi ou de son règlement mentionnées en regard de chaque poste. Le présent document remplace et annule tout arrêté antérieur.

La présidente de
La Commission d'examen des plaintes concernant la police militaire du Canada

Hilary C. McCormack
Chairperson
Military Police Complaints Commission of Canada

Signed in Ottawa, Ontario, Canada this 15th day of May, 2019
Signé à Ottawa, Ontario, Canada le 15^{ème} jour de mai 2019

Privacy Act Delegation Order

The Chairperson of the Military Police Complaints Commission of Canada, pursuant to section 73 of the *Privacy Act*, hereby designates the persons holding the positions set out in the schedule hereto or the persons occupying on an acting basis those positions, to exercise the powers, duties and functions of the Chairperson as the head of the Military Police Complaints Commission of Canada, under the provisions of the Act and related regulations set out in the schedule opposite each position. This designation replaces all previous designation orders.

Access to Information Act

Provision	Description	Chairperson*	Senior Director of Corporate Services	Senior Planning and Administration Coordinator	Administrative Services Officer
8(2)(e)	Disclose to investigative body	•	•		
8(2)(j)	Disclosure for research or statistical purposes	•	•		
8(2)(m)	Disclosure in the public interest or in the interest of the individual	•	•		
8(4)	Copies of requests under paragraph 8(2)(e)	•	•	•	•
8(5)	Notice of disclosure under paragraph 8(2)(m)	•	•		
9(1)	Record of disclosure	•	•		
9(4)	Consistent uses	•	•		
10	Personal information banks	•	•		
14	Notice where access requested	•	•	•	•
15	Extension of time	•	•		
16(1)(a)(b)	Where access refused	•	•		
17(2)(b)	Language of access	•	•	•	•
17(3)(b)	Access in an alternative format	•	•	•	•
<i>Exemption Provisions of the Privacy Act</i>					
Provision	Description	Chairperson*	Senior Director of Corporate Services	Senior Planning and Administration Coordinator	Administrative Services Officer
18(2)	Exemption – Exempt banks	•	•		
19(1)	Exemption – Personal information obtained in confidence	•	•		

19(2)	Exemption – where disclosure authorized	•	•		
20	Exemption – Federal-provincial affairs	•	•		
21	Exemption – International affairs and defence	•	•		
22	Exemption – Law enforcement and investigations	•	•		
22.3	Exemption – <i>Public Servants Disclosure Protection Act</i>	•	•		
23	Exemption – Security clearances	•	•		
24	Exemption – Individuals sentenced for an offence	•	•		
25	Exemption – Safety of individuals	•	•		
26	Exemption – Information about another individual	•	•		
27	Exemption – Solicitor-client privilege	•	•		
28	Exemption – Medical record	•	•		
Other Provisions of the Privacy Act					
Provision	Description	Chairperson*	Senior Director of Corporate Services	Senior Planning and Administration Coordinator	Administrative Services Officer
33(2)	Right to make representations	•	•		
35(1)(b)	Notice of actions to implement recommendations of Commissioner	•	•	•	•
35(4)	Access to be given to complainant	•	•	•	•
36(3)(b)	Notice of actions to implement recommendations of Commissioner concerning exempt banks	•	•	•	•
51(2)(b)	Special rules for hearings	•	•		
51(3)	<i>Ex parte</i> representations	•	•		
72	Annual report to Parliament	•	•		

Privacy Regulations					
Provision	Description	Chairperson*	Senior Director of Corporate Services	Senior Planning and Administration Coordinator	Administrative Services Officer
9	Examination of information	•	•	•	•
11(2)	Notification that correction to personal information has been made	•	•	•	•
11(4)	Notification that correction to personal information has been refused	•	•	•	•
14	Examination in presence of medical practitioner or psychologist	•	•		

Dated at the City of Ottawa this 15th day of May 2019.



Hilary C. McCormack
Chairperson
Military Police Complaints Commission of Canada

APPENDIX B

Statistical Report on the Privacy Act

Name of institution: MPCC

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

Part 1: Requests Under the Privacy Act

	Number of Requests
Received during reporting period	0
Outstanding from previous reporting period	0
Total	0
Closed during reporting period	0
Carried over to next reporting period	0

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	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
No records exist	0	0	0	0	0	0	0	0
Request abandoned	0	0	0	0	0	0	0	0
Neither confirmed nor denied	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0

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)	0	22(1)(b)	0	24(b)	0
19(1)(d)	0	22(1)(c)	0	25	0
19(1)(e)	0	22(2)	0	26	0
19(1)(f)	0	22.1	0	27	0
20	0	22.2	0	28	0
21	0	22.3	0		

2.2.1 New Exemptions

Section	Number of requests
22.4 National Security and Intelligence Committee	0
27.1 Patent or Trademark privilege	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	0	0	0
Disclosed in part	0	0	0
Total	0	0	0

2.5 Complexity

2.5.1 Relevant pages processed and disclosed

Disposition of Requests	Number of Pages Processed	Number of Pages Disclosed	Number of Requests
All disclosed	0	0	0
Disclosed in part	0	0	0
All exempted	0	0	0
All excluded	0	0	0
Request abandoned	0	0	0
Neither confirmed nor denied	0	0	0
Total	0	0	0

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	0	0	0	0	0	0	0	0
Disclosed in part	0	0	0	0	0	0	0	0	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	0	0	0	0	0	0	0	0	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	0	0	0	0	0
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	0	0	0	0	0

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
0	0	0	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	0	0
16 to 30 days	0	0	0
31 to 60 days	0	0	0
61 to 120 days	0	0	0
121 to 180 days	0	0	0
181 to 365 days	0	0	0
More than 365 days	0	0	0
Total	0	0	0

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	0
Requests for correction accepted	0
Total	0

Part 5: Extensions

5.1 Reasons for extensions and disposition of requests

Disposition of Requests Where an Extension Was Taken	15(a)(i) Interference With Operations	15(a)(ii) Consultation		15(b) Translation or Conversion
		Section 70	Other	
All disclosed	0	0	0	0
Disclosed in part	0	0	0	0
All exempted	0	0	0	0
All excluded	0	0	0	0
No records exist	0	0	0	0
Request abandoned	0	0	0	0
Total	0	0	0	0

5.2 Length of extensions

Length of Extensions	15(a)(i) Interference with operations	15(a)(ii) Consultation		15(b) Translation purposes
		Section 70	Other	
1 to 15 days	0	0	0	0
16 to 30 days	0	0	0	0
Total	0	0	0	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	0	0	0	0
Outstanding from the previous reporting period	0	0	0	0
Total	0	0	0	0
Closed during the reporting period	0	0	0	0
Pending at the end of the reporting period	0	0	0	0

6.2 Recommendations and completion time for consultations received from other Government 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	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
0	0	0	0	0

Part 9: Privacy Impact Assessments (PIAs)

Number of PIA(s) completed	0
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Part 10: Resources Related to the Privacy Act

10.1 Costs

Expenditures		Amount
Salaries		\$0
Overtime		\$0
Goods and Services		\$0
• Professional services contracts	\$0	
• Other	\$0	
Total		\$0

10.2 Human Resources

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

Note: Enter values to two decimal places.