Office of the Privacy Commissioner Commissariat à la protection de la vie privée

MEMORANDUM

Date:

October 28, 2014

File:

5260/R893-5-A

To:

File

c.c. :

From:

Tom J. Fitzpatrick

Subject:

Review of the Royal Canadian Mounted Police - Problems with statistics

and identifying warrantless access files

Background

Prior to commencing our review we were aware of an RCMP document related to the numbers of warrantless access requests for basic subscriber information in 2010. This information had been provided further to an *Access to Information Act* (ATIA) request. We expected that these statistics would be accurate, complete and up-to-date and that they would allow us to review RCMP files related to such warrantless access requests. Based on the evidence below we found, on the contrary, that the statistics provided for 2010 (and later for 2011-2013) were inaccurate, incomplete, not current and they were not useful in identifying PROS files for review.

One of the problems we noted right away was that the data provided for 2010 was not complete as it was not consistently used by RCMP units. This explanation was found in a footnote to the ATIP response at TAB-A. We also noted that the Form 6306 used to report instances of warrantless access requests does not have an entry for the PROS number, which would have allowed us to link a report to a relevant operational file, for the purposes of an audit. Problems with the reliability of data were also provided by way of interviews with senior officials.

In a written response to questions addressed to Inspector Jeff Beaulac of the Technical, Policy, Research and Development Branch, on December 12, 2013 he indicated that

In speaking about the

numbers of reports received in 2012 and 2013 he also indicated that

There is no

From these discussions we also found that statistics for warrantless access are inaccurate because of lack of reporting, multiple reporting or overlapping reporting.
In a February 10, 2014 e-mail from Inspector Jeff Beaulac he indicated that
At a February 20, 2014 meeting with Inspector Jeff Beaulac he stated that
Our review of the statistics for 2011 to 2013 showed what appeared to be inconsistencies from region to region and with the way statistics were reported. Inspector Beaulac advised us at a later date that
region and with the way statistics were reported. Inspector beautiful davised as at a later date that

In conclusion, based on our review of statistics and interviews with senior officials at the RCMP we were unable to rely upon the numbers provided for warrantless access requests, nor was there any linkage between reports of such requests and the actual operational files containing such requests.

s.16.1(1)(d)