



ABOVE BOARD

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Welcome Commissioner Hatfield!

Kerry Hatfield is the new Information and Privacy Commissioner

Kerry R. Hatfield was appointed the Information and Privacy Commissioner for Newfoundland and Labrador effective December 5, 2024. Kerry comes with extensive knowledge and experience in access and privacy issues from her 20 plus year legal practice, including 11 years providing legal strategy and advice to the Eastern Regional Health Authority, now NL Health Services. Kerry was made

Director of Corporate Legal Services in 2022 upon the succession of NL Health Services from the previous regional health authorities. Kerry has expertise in regulatory compliance in privacy, security, data governance, and information management within the healthcare sector and broad-based experience in corporate governance, contracts, and procurement.

Prior to working in the healthcare sector, Kerry worked as a partner in private practice at a St. John's law firm where she specialized in privacy, access to information, and litigation including representing the Office of the Information and Privacy Commissioner (OIPC) at both the Supreme Court of NL and the Court of Appeal. Kerry obtained a Bachelor of Arts from Mount Allison University in 1997 and a Bachelor of Laws from the University of New Brunswick in 2001. Kerry has been a member of the



Law Society of Newfoundland and Labrador since 2002. She is past president and director of the Rotary Club of St. John's Northwest and a member of the Board of Directors for the Bowring Park Foundation. Outside of work, Kerry is a mom to two sons and enjoys spending her time with family and friends. In her spare time, Kerry enjoys the great outdoors and is often found hiking, running, or walking the family dog Penny.

Commissioner's Message

It is an honour to represent the province as the new Information and Privacy Commissioner. Access to information is a vital piece of promoting democracy as the world changes rapidly around us. Access to information promotes democracy by ensuring our institutions are transparent and accountable, fostering public participation in decision making, and builds trust in our institutions. We must all work to safeguard and promote access to information where access is the rule and secrecy is the exception. I look forward to working with all parties who interact with the OIPC including public bodies and custodians who work tirelessly every day to ensure democracy is protected and our rights to privacy are upheld.

I wish to thank Acting Commissioner Jackie Lake Kavanagh for providing leadership and support to this Office while the recruitment for a permanent Commissioner was underway and I wish Ms. Lake Kavanagh all the best.

Data Privacy Week 2025

Data Privacy Day is celebrated each year on January 28th. Data Privacy Day began as a day to commemorate the 1981 signing of Convention 108, the first legally binding international treaty dealing with privacy and data protection. Over time, Data Privacy Day has expanded to a week of initiatives creating awareness about the importance of privacy and the protection of personal information.

OIPC NL joins other Information and Privacy Commissioners and privacy advocates across the country and around the world in celebrating **Data Privacy Week from January 27 - 31, 2025**.

Privacy has been recognized by the Supreme Court of Canada as a right of all Canadians under the Charter of Rights and Freedoms. In this province, privacy is protected by law through the **Access to Information and Protection of Privacy Act, 2015** and the **Personal Health Information Act**.

Data Privacy Week Event hosted by IPC ON – January 28, 2025

The Office of the Information and Privacy Commissioner of Ontario (IPC ON) is hosting an event to celebrate Data Privacy Day! Privacy experts from the public and private sectors, academia, and law will discuss “The power of PETs: Privacy enhancing technologies” to gain a clearer understanding of what privacy enhancing technologies are and how they can be adopted to help address some of the most pressing privacy and data issues facing organizations today.

This panel discussion will include:

- a primer on the different kinds of privacy enhancing technologies;
- a discussion of the comparative advantages and disadvantages of each;
- how privacy enhancing technologies are being applied in practice across various sectors;

- the promise and perils of privacy enhancing technologies from an opportunity, risk, and reputational perspective; and
- how modern privacy laws are beginning to incorporate concepts of deidentification and anonymization.

The event will be held on **Tuesday, January 28, 2025**, from 9:15 am – 12:00 pm EST (**10:45 am - 1:30 pm in Newfoundland and Labrador**). To register, and to learn more about the agenda and the panelists, visit the IPC ON's [website](#).

Data Privacy Week Event hosted by OIPC Saskatchewan - January 31, 2025

The Saskatchewan Office of the Information and Privacy Commissioner is also hosting an event in recognition of Data Privacy Day! This online panel discussion will feature Commissioners from the provinces of Alberta, British Columbia, and Ontario, as well as the Privacy Commissioner of Canada. The Commissioners will be discussing a data privacy issue that is top of mind for them.

This event will be held on **Friday, January 31, 2025** from 12:00 pm - 1:30 pm EST (**1:30 pm – 3:00 pm in Newfoundland and Labrador**) and interested individuals can register for the Zoom webinar here: [Register](#).

APSIM Conference – November 28 - 29, 2024

The Access, Privacy, Security and Information Management (APSIM) Conference took place on November 28 and 29, 2024 and it was a great success!

This was our first in-person conference in several years, and it was held at the Health Innovation Acceleration Centre (HIAC) located in St. John's, NL. The conference was aimed at individuals working in the public sector, health care community, and those interested in access, privacy, security, and information management topics.



Keynotes

Our keynote speakers shared their thoughts on artificial intelligence (AI), cyber security, privacy and the Constitution, and the privacy landscape.

The conference kicked off with our first keynote speaker, Katrina Ingram, who took us on a deep dive into the world of AI and explored the question: is it possible to advance responsible AI? AI is here and used in so many aspects of our lives already. Katrina encouraged attendees to think about how data impacts AI and vice versa, as well as who is using AI and why. She also spoke to future considerations as the world struggles to regulate AI and left attendees to contemplate how to build a responsible AI culture.

Katrina's session was followed by a speaker from our province's own Cyber Security Office as well as two speakers from the Canadian Centre for Cyber Security (CCCS) who took attendees on a journey across the cyber threat landscape. This presentation gave attendees insight into the extent of cyber activity happening behind the scenes and highlighted that, at times, it is possible to detect

these threats in advance and warn organizations. The CCCS presenters even left us with an early Christmas present - a wonderful resource titled [Cyber Security Readiness Goals: Securing our Most Critical Systems!](#)

On the second day of the conference our first keynote speaker presented on privacy as it relates to the Constitution, and the view that it is already a protected right. Kate Robertson raised some interesting thoughts on privacy and how many focus on provincial legislation and forget to consider that privacy is a right protected under the Charter and in the Constitution.

Deputy Federal Privacy Commissioner Marc Chénier followed Kate with a wonderful overview of the privacy landscape and the work that the Office of the Privacy Commissioner of Canada is doing with investigations, guidance, court decisions as well as some of the challenges they face.

Other plenary sessions included a very informative presentation on data governance and why it is important, as well as a lively panel discussion on the role of journalism in access to information and keeping public bodies accountable and transparent featuring some of our local journalists!

Breakout Sessions

We had a total of 11 breakout sessions, each mostly focusing on a particular area of either access to information, privacy, information management, or security, including the following:

- We had two great breakout sessions involving panel discussions. One of the panels discussed **Handling Difficult Conversations**. Panelists in that session shared their thoughts and opinions drawing on their vast experience in access to information and privacy! The panel had great representation from the health, municipal, and government sectors.
- The other panel discussion was focused on **Information Management (IM)**. This panel of experienced professionals shared their insights and strategies to empower attendees to champion IM within their organization with lots of tips and suggestions on how to navigate the difficult challenges facing the IM community.
- Some of the individual sessions included Bill Peddle's presentation on **Large Scale Records Digitization** which was jam packed and highlighted the details and considerations required to make a digitization initiative successful.
- The **Change Management** session, presented by Ronnie Walsh, was energetic and engaging! She really encouraged attendees to consider how change affects individuals in an organization. This presentation highlighted steps that organizations can take to help when transitions are happening and emphasized how communicating with employees and staff helps tremendously in times of change.
- Joe Hines' presentation on **Cyber Security** was a reminder that all organizations are vulnerable to cyber threats and highlighted how cyber insurance plays an important role. Attendees were given a rundown of critical and important cyber hygiene requirements organizations need to have!
- Dr. Chandra Kavanagh spoke to attendees about mental health and maintaining psychological health in diverse work environments. An important topic and a great presentation as this affects everyone!
- These are just a few highlights from the breakout sessions. To see the full Agenda, the speakers that presented and their materials please visit our [APSIM Conference website](#).

Municipal Workshop

In addition to the in-person APSIM Conference, we also hosted a virtual half-day Municipal Workshop, which took place a few days prior to the conference on November 26, 2024. With the large geographic distribution of municipalities in our province, we wanted to offer something specific to municipalities that they did not need to travel to attend.



This workshop covered three topics; Information Management, Cyber Security, and Privacy (CCTV).

IM Session

Our first speaker was Melissa Thorne, Town Clerk and ATIPP Coordinator at the Town of Hughes Brook. She provided great tips for developing policies and procedures for municipalities, using examples from her own experience working in a municipality in Ontario as well as Hughes Brook. She emphasized that policies and procedures are important to guide municipalities (staff and councillors) as they provide a roadmap of how things are supposed to function and keep the municipality accountable to its citizens. Furthermore, policies and procedures play a key role in succession planning. When people leave jobs and when roles change, there needs to be a documented plan so that the functioning of the municipality can continue with as little disruption as possible. Finally, policies and procedures help municipalities figure out what they have – if you don't know where your records are or what kinds of records you, have how are you supposed to access them and rely on them when necessary?

Cyber Security Session

Our second speaker, Brad Hynes from the Town of St. Marys (Ontario) gave us a great behind the scenes look at a cyber incident that happened shortly after he had taken his job with the Town of St. Marys. Brad spoke about how cyber attacks can happen to small, medium, and large municipalities and that it's not about "IF" it will happen, it's about "WHEN" it will happen. He provided insight into the timelines and how fast things went from a normal day to dealing with a cyber attack and how the town managed this attack. The town decided to make the public aware of the attack and what was happening and even though in the end the town ended up paying a ransom to get the information back, the town learned some valuable lessons and will be entirely more prepared if something like this were to happen again.

Privacy and CCTV Session

Our last speakers were Rod Hynes, Chief Administrative Officer (CAO)/Clerk of the Town of Pouch Cove, and Erin Drover, Manager at the ATIPP Office, who spoke on Privacy and CCTV. They explained that municipalities should not just be putting up CCTV and surveillance on a whim. There has to be a reason for the surveillance and then the municipality needs to consider the privacy implications. How much information is being captured, how long is it going to be retained, and who has access to that information? These are some of the questions municipalities should be asking before they decide to set up CCTV. As well, towns should have policies and procedures in place for CCTV before it is used. Rod provided tips from his extensive experience in working with the OIPC on the CCTV Guidelines, his time at the ATIPP Office and his role now as CAO at the Town of Pouch Cove. Municipalities should contact Erin at the ATIPP Office with questions on CCTV as she can provide assistance on the privacy protections that should be in place if the municipality is planning on using CCTV.

We hope that everyone who attended the in-person APSIM Conference here in St. John’s enjoyed it and left with information they can take back to their organizations to help in any of the areas of access to information, privacy, information management and security. Similarly, for those who attended the virtual Municipal Workshop, we hope that attendees got some tips to help your municipality.

We wish to thank everyone who helped make the APSIM Conference a success!

FPT Joint Resolutions

OIPC joined other Federal, Provincial and Territorial (FPT) Information and Privacy Commissioners and Ombudspersons on October 8 - 10, 2024, in Toronto, Ontario for their annual meeting, which included consideration of three important joint resolutions.

To read the full resolutions please visit our website under [Joint Statements](#).

Joint Resolution on IPV and Responsible Information Sharing 1

This resolution, titled **Responsible information sharing in situations involving intimate partner violence (IPV)**, calls on governments and organizations to develop privacy compliant governance frameworks, including policies and procedures, around the disclosure of personal information in situations where there is a risk of serious harm to life, health, or safety.

FPT

This resolution, titled **Identifying and mitigating harms from privacy-related deceptive design patterns**, calls on individuals and organizations to avoid websites and apps that use deceptive design patterns (dark patterns) to influence, manipulate, or coerce users to make decisions that are not in their best interests.

2 Joint Resolution on Deceptive Design Patterns

This resolution, titled **Transparency by default – Information Regulators Call for a New Standard in Government Service**, calls on governments to take transparency into account in the early stages of designing any new systems, administrative processes, procedures, and governance models and to embed it in their day-to-day operations.

Joint Resolution on Government Transparency 3

Cyber Security Tips

We would like to highlight a great resource by the Canadian Centre for Cyber Security (CCCS). This [Cyber Hygiene](#) tips sheet outlines things organizations and individuals can do to stay cyber safe!

Following are some examples of tips from the [Cyber Hygiene](#) sheet:

- Mobile Security
 - Do not use “Remember Me” features on websites and mobile applications. Always type in your ID and password.
 - Disable features not in use such as GPS, Bluetooth, or Wi-Fi.
- Passwords
 - Use different passwords for work and home accounts.
 - Try using a memorable phrase to create a stronger password using a mix of characters.
- Email Spear Phishing
 - Before opening an attachment check to make sure the web address or attachment is relevant to the content of the email.
 - Use extra caution if the email is from a personal address or a suspicious domain.
- Social Media Tips
 - Review your account’s website security and privacy policies regularly for changes.
 - Use judgement when posting personal information on social media platforms for both privacy and cyber security reasons.
- Security Measures on Your Device
 - Understand the security measures that exist on your devices and what methods are acceptable for communicating sensitive and non-sensitive information.
- Travelling with Your Device
 - Don’t use storage devices such as a USB key given to you or purchased from unknown sources.
 - Only use the charging equipment you brought.

Should organizations want a more detailed resource on cyber security, the CCCS recently published the [Cyber Security Readiness Goals: Securing Our Most Critical Systems](#). This resource can be used by any organization in Canada to help improve their cyber security.

ATIPPA, 2015 Privacy Breach Statistics October 1 – December 31, 2024

During the last quarter of 2024 (October 1 – December 31, 2024), OIPC received 42 privacy breach reports from 16 public bodies under ATIPPA, 2015. This is an increase from the 29 breaches reported during the previous quarter. There were two intentional breaches reported during this quarter. One involved the anonymous disclosure of personal information of an employee to other co-workers and the public body is investigating in an attempt to determine the source of the breach. The other breach, while seemingly intentional, was investigated and determined to be an accidental error by the individual disclosing the information. The numbers indicate that email breaches continue to make up a very significant portion of the overall privacy breaches reported.

Summary by Public Body	
Central Health	1
City of St. John's	2
College of the North Atlantic	1
Department of Children, Seniors and Social Development	1
Department of Digital Government and Service NL	6
Department of Education	10
Department of Justice and Public Safety	1
Memorial University	4
Newfoundland and Labrador Housing Corporation	3
NL Health Services	3
NL Hydro	1
Public Service Commission	1
Royal Newfoundland Constabulary	3
Town of Bay Bulls	1
Town of Portugal Cove-St. Philip's	3
Town of St. George's	1

