



GPA Global Privacy and Data Protection Awards 2023

Entry Form

To submit an entry to the GPA Global Privacy and Data Protection Awards please complete and email this form to secretariat@globalprivacyassembly.org **no later than 16 June 2023**.

Note: GPA member authorities can submit as many entries as they wish, but a separate form should be used for each different entry, submitted by the deadline above.

Languages: The GPA documentation Rule 6.2¹ applies.

1. CONTACT DETAILS FOR THIS ENTRY

Privacy/Data Protection Authority:	Office of the Privacy Commissioner of Canada	
Person completing this form:	Brent	Homan
	<i>First name</i>	<i>Last name</i>
Job title:	Deputy Commissioner Compliance, OPC Canada	
Email address:	Brent.homan@priv.gc.ca	

2. ELIGIBILITY

By submitting this entry, I confirm that (*please tick all boxes to confirm*):

- ☒ The Authority is a member of the Global Privacy Assembly
- ☒ The initiative described in this entry was undertaken since January 2022.
- ☒ I am aware that the information in the entry (other than the contact details in 1(a) above) will be publicised by the GPA Secretariat.

3. CATEGORIES

Please indicate which category you wish to enter.

*Please tick **one**; please use a separate form for each category you wish to enter:*

- ☐ Education and Public Awareness
- ☐ Accountability
- ☒ Dispute Resolution and Enforcement
- ☐ Innovation
- ☐ People's Choice

¹ [GPA Rules and Procedures](#), Rule 6.2 'Assembly documents':

Without prejudice to section 4.2, Assembly documents, including accreditation and observer applications may be submitted in English or in another language. In the latter case, the documents shall be accompanied by an English version. Members with the ability and the resources to do so are encouraged to translate proposed resolutions and other Assembly documents such as the Assembly Rules and Procedures.

4. DESCRIPTION OF THE INITIATIVE

a. Please provide a brief summary of the initiative (no more than 75 words)

During the Pandemic, the Office of the Privacy Commissioner of Canada (“OPC Canada”) investigated complaints relating to the Public Health Agency of Canada’s (“PHAC”) collection and use of Canadians’ mobility data to combat the COVID crisis. After analysis of the mobility data de-identification process, the OPC Canada found that the data had been successfully deidentified, such that no personal information was collected by PHAC for their COVID tracking purposes.

b. Please provide a full description of the initiative (no more than 350 words)

Over the course of the Pandemic, the OPC Canada investigated complaints concerning the Public Health Agency of Canada (PHAC)’s collection and use of deidentified and aggregated mobility data for public health monitoring.

The complainants alleged that PHAC secretly collected data on 33 million mobile devices during the COVID-19 pandemic, and that it planned to continue to collect Canadians’ mobility data over the ensuing 5 years.

OPC Canada’s investigation assessed whether there was a serious possibility that an individual could be identified using the mobility data procured by PHAC alone, or in combination with other available information. The data had been collected by PHAC from 3rd parties including a leading Canadian Telecom provider and other data-providers.

After the review of evidence and technological analysis of the de-identification process, we concluded that the combination of de-identification measures and the safeguards against re-identification that were implemented by PHAC and its data providers, reduced the risk that individuals could be re-identified below the “serious possibility” threshold.

Therefore, we found that PHAC did not collect personal information and the *Privacy Act* does not apply.

The OPC’s investigation Report highlighted key examples and guidance on effective safeguards against re-identification, including: (i) stripping data from direct identifiers, (ii) aggregation using acceptable minimum cell sizes to obfuscate individual information and (iii) contractual and physical protections on access and use to prevent attempts of re-identification.

This finding illustrates of how a novel and potentially invasive technology can be used to address a global health crisis, while respecting individuals’ right to Privacy.

This case also reinforced the importance of developing clear legal frameworks that define the different types of de-identified data and specifies the rules that should govern their production and use.

c. Please explain why you think the initiative deserves to be recognised by an award
(no more than 200 words)

The digital economy and society is shaped and driven by the blinding fast pace of technological innovation and its use of personal data for novel public and private sector purposes. A key challenge in this landscape for both governments and organizations around the Globe, is how to successfully de-identify and/or anonymize data.

Similarly, DPAs and Privacy Experts have been working to both provide advice and solutions, such that the power of data may be harnessed in a manner that respects the privacy and data protection right of individuals. It is both a complex and technologically challenging endeavour, especially when one considers how anonymization becomes more difficult over time with advancement in re-identification techniques.

The analysis and findings of this investigation demonstrate that despite the challenge, de-identification can indeed be successful, such that we can realize a substantial public good (i.e. the fight against COVID) while promoting and protecting the privacy rights of individuals. In other words, **Privacy and Innovation can, and do, work in support of each other.**

Mindful of the importance of this global issue (anonymization and de-identification), the OPC Canada ensured the most rigorous of technological investigations and crafted the Investigation Report in a manner that would highlight best practices of successful de-identification, such that it could be used as an example to promote compliance with organizations in Canada and around the world.

d. Please include a photograph or image, if you wish (This will be published with your entry on the GPA website. The image can be pasted into the box below, be sent as an attachment or a link may be provided)

e. Please provide the most relevant link on the authority's website to the initiative, if applicable (The website content does not need to be in English)

[OPC Pandemic Mobility Data Investigation](#)

f. Please provide any other relevant links that help explain the initiative or its impact or success (e.g. links to news reports or articles):

[OPC Special Report to Parliament on the Pandemic](#)