



October 2, 2014

Calgary Police Service
5111 47 St. N.E.
Calgary, Alberta, Canada
T3J 3R2

ATTENTION: RICK HANSON

Dear Chief Hanson:

Re: "Civil Liberties group urges caution over police body-worn cameras", *Calgary Herald*, October 1, 2014

I noted with interest the above referenced article published in the *Calgary Herald* on October 1, 2014. The article states that "The police service decided in 2013 it wants to equip all its uniformed officers with [body-worn] cameras, after a successful nine-month pilot project in November 2012", and further, that "During the Calgary police commission meeting on Tuesday, Supt. Kevan Stuart said the police service will eventually have 550 body-worn cameras for its rank and file officers, beginning in December."

I write because the deployment of body-worn camera technology raises a number of privacy and access to information issues. As Commissioner, I have a legislated mandate to ensure that the access and privacy rights of individuals are upheld. I would like to reassure myself, and Albertans, that the Calgary Police Service's deployment of body-worn camera technology is in compliance with Alberta's *Freedom of Information and Protection of Privacy Act* (the FOIP Act).

Given the range of potential access and privacy issues that the CPS's proposed deployment of this technology raises, I strongly recommend the CPS consult with its internal FOIP Coordinators when deciding how to proceed in this matter. Further, although not mandatory under the FOIP Act, I urge the CPS to complete a Privacy Impact Assessment (PIA) for this initiative, and provide that PIA to my office for review and comment before the new technology is rolled-out. A PIA will allow CPS to identify privacy and security risks ahead of implementation, helping to avoid costly mistakes and reputational damage.

A PIA for this initiative should address the following duties and obligations under the FOIP Act, among others:

- The CPS's authority to collect personal information using this technology (see sections 33 and 34 of the FOIP Act);
- How the CPS proposes to inform individuals of the purpose for which information is collected, CPS's authority for collection, and of contact information for someone who can answer questions about the collection (section 34(2));
- The duty to use personal information only for the purpose for which the information was collected, or for a purpose consistent with the purpose of collection or as otherwise authorized by section 39(1) of the FOIP Act;
- The CPS's authority for any disclosure of personal information collected using this technology (section 40(1));
- How CPS will fulfill the requirement to limit use and disclosure of personal information as required under sections 39(4) and 40(4) of the FOIP Act; and

- The duty to make reasonable arrangements to safeguard personal information from risks such as unauthorized access, collection, use, disclosure or destruction (section 38).

I also encourage CPS to conduct an Access Impact Assessment (AIA). An AIA is similar to a PIA but with a focus on access to information as opposed to privacy. Through deploying body-worn camera technology, CPS will be collecting a significant volume of information about individuals, including information about CPS's own officers. These individuals and their representatives have a right of access under the FOIP Act for any information in the custody or under the control of the CPS, including their personal information. In the past few years, there has been an increase in the number of access requests made to public bodies. An AIA will assist the CPS in examining how the CPS intends to meet its obligations under the FOIP Act to respond to requests for access to information collected through body-worn camera technology (Part 1 of the FOIP Act). I also ask that the AIA be provided to my office for review and comment along with the PIA.

While submitting a PIA and a AIA does not result in certification that a program meets the requirements of the FOIP Act, a PIA and AIA accepted by my office can serve to alleviate public concerns and is good way to demonstrate openness by explaining how CPS is collecting, using and disclosing personal information and how the CPS will fulfill its access to information obligations, especially if the PIA and AIA (or portions of the documents) are made public.

Thank you for your attention to this matter and please feel free to contact my office at any time to discuss this matter further. In addition, please note that I will be posting a copy of this letter on my office's website.

Yours truly,



Jill Clayton
Information and Privacy Commissioner

cc: Suzanne Turenne, FOIP Coordinator, Calgary Police Service