



Nova Scotia Freedom of Information and Protection of Privacy Review Office

For immediate release

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Proactive protection of personal information and disclosure of government data highlight FOIPOP Review Officer's annual report

Halifax – Privacy breaches were front and centre across the country in 2013. In Nova Scotia, at least two of those breaches sparked class-action lawsuits against health care organizations. Today Catherine Tully, Nova Scotia's Freedom of Information and Protection of Privacy Review Officer, released her office's annual report for 2013. In the report, Tully highlighted the need for government departments and health care organizations to have strong privacy management frameworks in place to help mitigate the risks from privacy breaches.

"In determining whether or not damages will be awarded the court will no doubt look to the adequacy of the security arrangements and the steps the health authorities took to both prevent and detect the unauthorized viewing of medical records," said Tully. "Equally important are the steps public bodies take to manage a breach once it occurs."

The Review Officer said that assisting public bodies and health care custodians to develop privacy management frameworks would be a focus of her office going forward.

Tully also highlighted the importance of government finding ways to be transparent through proactive disclosures of information. Two examples that helped citizens understand how their tax dollars were spent were Halifax's open data pilot project and the Department of Health and Wellness' reporting on patient safety indicators.

2013 also saw calls for modernization of access and privacy legislation across the country, including in Nova Scotia. Going forward Tully plans to continue meeting with stakeholders to assess the need for modernization of Nova Scotia's set of access and privacy laws.

"Transparency and accountability are at the heart of access and privacy legislation. A key element of such legislation is independent oversight that both public bodies and citizens can have confidence in," said Tully. "Over the course of the coming months I will meet with stakeholders, and review complaints to develop an informed opinion about how well our legislation is working for Nova Scotians."

The annual report noted the backlog of case files that has built up at the Review Office. Tully committed that the backlog will be a priority for her office in the immediate future.

Tully also noted that 2013 saw the *Personal Health Information Act (PHIA)* come into force, though the Review Office received less contact from the public and custodians under that Act than expected. Tully plans to increase public education efforts around *PHIA* in the near future.

For further information, contact:

Catherine Tully
Freedom of Information and Protection of Privacy Review Officer
902-424-4684