



Privacy Protection for Transition House Locations

For transition houses which house survivors of domestic violence, maintaining location confidentiality is critical to the safety of residents and staff. It is important to understand how location information can be inadvertently leaked, how to mitigate potential privacy concerns, and how to get sensitive location information removed from the public domain when it has been disseminated.

Legal Remedies

In British Columbia, the Office of the Information & Privacy Commissioner (OIPC) provides oversight and enforcement of information access and privacy laws, including the Freedom of Information and Protection of Privacy Act (FIPPA) and the Personal Information Protection Act (PIPA). PIPA governs the collection, use and disclosure of personal information by organizations, and defines personal information as information about an identifiable individual, excluding contact information.

It is unclear that PIPA can be relied on to support requests for removal of confidential addresses, given that personal information pertains to individuals, rather than organizations, and contact information is excluded from the definition of personal information under PIPA. However, section 4 of PIPA also states that in meeting its responsibility under this Act, an organization must consider what a reasonable person would consider appropriate in the circumstances. Section 23(4) provides that an organization must not disclose personal information **and other information** if the disclosure could reasonably be expected to threaten the safety or physical or mental health of an individual other than the individual who made the request. It can be argued that disclosing the name or location of a transition house online could reasonably be expected to threaten the safety and health of an individual seeking refuge from violence at the transition house.

The OIPC recommends attempting to resolve complaints regarding problematic information usage directly between parties, by sending a detailed request in writing to the relevant private sector organization. In the context of protecting location privacy for transition houses, this would entail sending an email to the webpage administrator or support team with a request for the address to be taken down. An example of a request is provided below:



Sample Request Letter:

To Whom it May Concern:

It has come to our attention that [name of website] has made the address/location of [name of transition house] publicly accessible at [URL]. [name of transition house] is a facility for women who need safe housing while they are escaping from domestic violence. Location information of transition houses is inherently confidential, and the disclosure of the locations of these houses on the internet puts the safety and security of the women relying on its services at risk.

Section 23 of the Personal Information Protection Act (PIPA) requires that organizations not disclose information that could be reasonably expected to threaten the safety of any individual. Kindly remove the location information for [name of transition house], and any other similar facilities which may have been disclosed on your website in accordance with the obligations set out in PIPA by [date]. Please be advised that if we do not receive a response from you by then, we will escalate our complaint to the Office of the Information & Privacy Commissioner.

Thank you,

[name of program and responsible staff member]

Programs that are unable to resolve the request directly with the webpage administrators may seek support from the OIPC through a privacy complaint.

Guidance is available here: <https://www.oipc.bc.ca/for-the-public/how-do-i-make-a-complaint/>

Programs may also use the online privacy breach reporting form here: <https://www.oipc.bc.ca/forms/public-bodies/online-privacy-breach-report-form/>

How does transition house location information end up online?

Transition house locations can be shared with various third parties, including police, maintenance contractors, ride sharing companies and cab drivers. Companies such as the post office, delivery companies or utility companies may share or sell address information with advertisers. Information brokers also collect data from various sources. It is important for program staff to familiarize themselves with the privacy policies of companies which their transition houses deal with, and to determine with whom they may safely share their location. Private Canadian businesses are federally required to have privacy policies on their website. The footer is the most popular place for websites to put their privacy policy and is sometimes included under the heading of "Legal."



How can staff lessen the risk of transition house information disclosure?

To protect the confidentiality of transition house locations, first and foremost, program staff should share the address with as few people as possible. Where disclosure is required, the following points can help minimize the chance that the location will be broadly distributed.

- Use an administrative office address or P.O. Box to receive mail and deliveries for residents.
- Implement clear policies and procedures for staff, volunteers, board members and residents on when and how shelter location may be shared and provide training on this topic.
- Avoid including confidential location information in email correspondence, as emails may be forwarded, hacked into, or accidentally shared with unintended recipients.

How to request removal of transition house information from the internet?

Each search engine and database has its own process for requesting a deletion.

For example, in Google Maps, step by step instructions for users with registered business accounts can be found here: <https://gadgetstouse.com/blog/2022/04/25/remove-edit-place-on-google-maps/>

To make a request to change location information without a registered business account on Google, a Google user can open Google Maps, click Menu in the top left and then Send Feedback. There are instructions for sending feedback.

For other search engines and databases, please see their website for more information on how to make requests.

Resources:

<https://bccla.org/privacy-handbook/main-menu/privacy2contents/privacy2-4.html>

<https://www.oipc.bc.ca/resources/guidance-documents/>

<https://www.oipc.bc.ca/guidance-documents/1428>

<https://www.oipc.bc.ca/about/oipc-privacy-management-program/>

<https://www.oipc.bc.ca/media/17149/office-of-the-information-and-privacy-commissioner-privacy-breach-protocol.pdf>

<https://www.techsafety.org/shelter-location>



<https://www.techsafety.org/data-brokers>

<https://gadgetstouse.com/blog/2022/04/25/remove-edit-place-on-google-maps/>

https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/03063_01

https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/96165_02#section19

<https://www.dataguidance.com/notes/british-columbia-data-protection-overview>

<https://www.priv.gc.ca/en/privacy-topics/privacy-laws-in-canada/the-personal-information-protection-and-electronic-documents-act-pipeda/>