



OFFICE OF THE INFORMATION
AND PRIVACY COMMISSIONER
NEWFOUNDLAND AND LABRADOR



Privacy Commissioner, Child and Youth Advocate Launch “Yes, You Can”

The Office of the Information and Privacy Commissioner and the Office of the Child and Youth Advocate have released a guide for professionals working with children who may be at risk, titled “Yes, You Can: Dispelling the Myths about Sharing Information Relating to Children and Youth Who Receive Government Services.”

The guide, which consists of a background document and a desktop reference, has been developed by the two statutory bodies as our Offices regularly hear tales of a lack of information sharing between agencies and professionals, blamed on “privacy”. In many of these instances, these privacy concerns are not actually founded in statute but are based on misconceptions and risk averse behaviour.

The guide explains the legislative authority for these professionals to collect, use, and disclose information when needed – **Yes, You Can** share information in order to protect a child who may be at risk of harm.

Consultations with several public bodies, regional health authorities, and law enforcement indicated that there was often confusion and misunderstandings regarding the sharing of children’s personal information, due to concern for children’s privacy. These concerns sometimes resulted in a lack of information sharing between professionals working with children at risk, such as healthcare professionals, teachers, police, social workers, and others.

Applicable legislation, including the **Children, Youth and Families Act**, the **Child and Youth Advocate Act**, **Access to Information and Protection of Privacy Act, 2015**, and **Personal Health Information Act**, permits the sharing of information to protect children who may be in situations requiring intervention.

“Privacy is a fundamental human right in a free and democratic society, and while that right must be protected, it must also be weighed against other fundamental considerations, such as the obligation on society to care for vulnerable children,” said Information and Privacy Commissioner Michael Harvey. “Our laws already provide the authority for our social workers, doctors, nurses, lawyers, teachers and others to share information and work together in the best interests of children. This guide attempts to dispel some of the privacy myths which can interfere with that important work.”

“Hesitancy in sharing information is a frequent theme that child serving organizations encounter,” said Child and Youth Advocate, Jackie Lake-Kavanagh. “It creates a barrier to meaningful collaboration and hinders the best response to children. When we remove these kinds of obstacles, children are better served. They deserve this.”

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