

# Investigation Report

## Privacy breaches following the Lapu Lapu Day Festival

Between April 30, 2025 and June 20, 2025 the OIPC received breach notifications from the Vancouver Coastal Health (VCH), the Fraser Health Authority (FHA), Providence Health Care (PHC), and the Provincial Health Services Authority (PHSA) for snooping incidents associated with the tragedy that occurred at the Lapu Lapu Day festival on April 26, 2025.

The Commissioner investigated and found that the breaches committed at the health authorities violated s. 25.1 of the *Freedom of Information and Protection of Privacy Act* (FIPPA). This section prohibits an employee, officer or director of a public body or an employee or associate of a service provider from collecting, using or disclosing personal information except as authorized by FIPPA.

The report includes five findings regarding FIPPA compliance and nine recommendations for strengthening safeguards to prevent snooping. The health authorities have agreed to implement each of those recommendations.

### THE OIPC

Established in 1993, the Office of the Information and Privacy Commissioner provides independent oversight of BC's access and privacy laws.

### LEGISLATION

The *Freedom of Information and Protection of Privacy Act* sets out the terms under which a public body can collect, use, and disclose the personal information of individuals.

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# FROM THE COMMISSIONER

First and foremost, I want to express my sympathy and condolences to all those who experienced the tragedy at the Lapu Lapu Day festival. They have been front of mind for myself and those within the Office of the Information and Privacy Commissioner who worked on the investigation that led to this report throughout the process.

We have taken a trauma-informed approach to this investigation, which has included consulting with a clinician as how to be transparent about what happened, while respecting those directly impacted.

This report does not go into the details of what happened on that day – rather it focuses on what happened soon after, at the health authorities that served those needing care. This report describes how 36 people that worked in health care did not respect the privacy of patients in the aftermath. They violated the privacy of those who had just been through a terrible and life-changing experience. My intention with this investigation was to better understand why and how privacy breaches occurred, and how to better protect patient information from snooping in the future.

A number of factors led to the decision to publish our findings in this report. It is important to be transparent about what happened so we can know and identify any failings in how the health care system protects our personal information – especially in times of crisis.

*(See **page 4** of the report for the full Commissioner's Message)*



# Recommendations

1 Clearly convey in privacy training that system activities are monitored and that discipline will be imposed for snooping

2 Plainly state in confidentiality agreements that system use is monitored and consequences will be imposed for breaches of privacy and confidentiality.

3 The health authorities should revisit their privacy notices. For Fraser Health this includes making greater use of Meditech privacy notices and working to implement a comprehensive confidentiality warning in its Paris system.

4 VCH and FHA update their privacy breach notifications to include information about mandatory breach notification requirements.

5 VCH develop disciplinary guidelines for privacy breaches that involve snooping.

6 VCH and PHSA must provide notification as required by s. 36(2) of FIPPA, subject to the circumstances listed under s. 36.3(3).

7 Continue existing efforts to deploy automated auditing software, with a focus on real-time alert generation and automated access prevention where possible.

8 Review role-based access controls to prevent access rights from being inherited or mistakenly applied.

9 Apply disciplinary measures for snooping that are strong enough to effectively sanction and deter snooping, including notifying regulatory colleges as required or appropriate.

# A MESSAGE FROM THE COMMISSIONER



## INVESTIGATION REPORT

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