

NEWS RELEASE

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BC public bodies ignore duty to release info on public health and environment FIPA, ELC cite six cases, ask Commissioner to investigate

Vancouver – The public should have been informed about a number of disturbing cases involving risks to public health and the environment, according to the BC Freedom of Information and Privacy Association (FIPA) and the Environmental Law Centre Clinic (ELC) at the University of Victoria.

The ELC has filed a submission with Commissioner Elizabeth Denham on behalf of the BC FIPA, asking her to look into six different cases where the public was not told about potentially hazardous situations.

“Section 25 of BC’s freedom of information law requires public bodies to release information about risks to the environment and public health or safety even if no FOI request has been made,” said FIPA Executive Director Vincent Gogolek. “Unfortunately, the ELC study shows a disturbing pattern of public bodies failing to live up to these legal requirements.”

The ELC submission highlights several failures to warn the public, including:

- The Ministry of Environment failed to warn residents that the Oliver dam was in dangerously poor condition, despite knowing this for more than thirty years. Unfortunately, the dam collapsed before this information was made public.
- The Ministry of Agriculture failed to disclose data about sea lice concentrations at fish farms during the collapse of the pink salmon in 2002-2003. The information was only made public years later when the Commissioner’s office ordered it released after a FOI request and inquiry.
- The BC Centre for Disease Control and the Provincial Health Services Authority withheld information showing that the incidence of Lyme disease in BC was far higher than officially reported.

“This may indicate a systemic failure of public bodies to proactively disclose information about risks to public health, safety and the environment,” said ELC Legal Director Calvin Sandborn. “Whatever the cause – perhaps public bodies are unaware of their duty to disclose this type of information - we hope Commissioner Denham investigates the situation and takes steps to ensure public bodies live up to their obligation to keep citizens informed about risks to the environment and public health and safety. ”

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