

NEWS RELEASE
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Commissioner finds B.C. government in breach of duty to release information in public interest

Many public bodies not even aware they have obligations, Denham says

VANCOUVER, B.C.—Responding to a [complaint](#) submitted by the B.C. Freedom of Information and Privacy Association (FIPA) and the UVic Environmental Law Clinic (ELC), Information and Privacy Commissioner Elizabeth Denham [released a report today](#) that finds the B.C. Ministry of Forests was in breach of its duty to release information about the now collapsed Testalinden dam in Oliver.

Section 25 of the *Freedom of Information and Protection of Privacy Act* requires public bodies to release information about risks to the environment and public health or safety, even if no Freedom of Information request has been made.

Denham also called for the government to amend the *Freedom of Information and Privacy Act* “at the earliest opportunity” to require public bodies to release information in the public interest even if it is not urgent, and for public bodies to put in place policies “that provide guidance to employees and officers about the public body’s obligations under s. 25 of FIPPA.”

“The government needs to deal with this situation immediately both in terms of policy and legislation,” said FIPA’s Executive Director Vincent Gogolek. “Hopefully the government won’t delay this urgently needed change the way they’ve done with past recommendations from the Commissioner.”

“The most shocking thing is the Commissioner’s finding that most Ministries don’t even understand that they are legally required to warn the public about risks to health and safety and to the environment. This critical law must no longer be ignored. We’re pleased that the Commissioner pointed this out - and recommended strengthening the Act as well,” said Calvin Sandborn, Legal Director of the UVic Environmental Law Clinic.

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