



BC FREEDOM OF INFORMATION
AND PRIVACY ASSOCIATION

NEWS RELEASE
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FIPA finally gets Ministry of Health records after two year battle

VANCOUVER, December 15, 2014—The records requested by the BC Freedom of Information and Privacy Association in 2012 regarding contracts and other records related to the mysterious Ministry of Health data breach case have finally been released. They are now available on the BC FIPA website.

<https://fipa.bc.ca/foi-release-ministry-of-health-data-breach-final-release/>

FIPA had requested:

- Data sharing and other agreements involving the Ministry and four named individuals;
- Correspondence between the Ministry and the four named individuals relating to the agreements, particularly correspondence about delays or impediments to accessing data for research purposes;
- E-mails, memos or other notices to staff from the Ministry's Assistant Deputy Minister of Information Management/Information Technology Division regarding delays or impediments to the release of data to researchers; and
- Any policy changes relating to release of data to researchers.

"It's hard to see why the government fought so hard to prevent the release of these records," said FIPA Executive Director Vincent Gogolek. "It looks like the government was attempting to prevent embarrassment more than anything else."

The records show there was a great deal of concern about getting documents to UBC for signed before the beginning of Question Period to allow the minister to provide a positive answer to questions (p. 265-68). A lot of the emails seem to relate to technical difficulties with the wording of the contracts, and also difficulties in gaining access to medical records, usually for technical reasons. There is also mention of the "swamp of data access" (p. 288) and concerns about conflicts of interest being used by "our detractors". (p. 300)

The government initially refused to release any of these records, and their main claim was that releasing these records would damage ongoing investigations into the situation. The Information Commissioner's Adjudicator was not convinced, stating:

"In my view, the Ministry's submissions are based on speculation, and there is no objective evidentiary basis for concluding that the harms the Ministry fears will result from disclosure to the applicant."

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