



**BC Election 2017: Where the Parties Stand on Freedom of Information and Privacy Issues**

Click on the parties' logos to see their full responses.

			
<p>Do you accept April 2017 report of Ombudsperson into the <b>firings at the Ministry of Health</b>?</p> <p>Will you bring in <b>whistleblower protection legislation</b> as recommended?</p>	<p>While these events were deeply unfortunate and clearly not acceptable, the Ombudsperson report is very clear that there was no political involvement or interference in the firings.</p> <p>The Ombudsperson made recommendations to help public service move forward, and the head of the public service has accepted those recommendations.</p>	<p>Yes, we accept the report.</p> <p>We have introduced whistleblower legislation in the Legislature 4 times. We support the Ombudsperson's recommendation for whistleblower legislation.</p>	<p>Yes, we accept the report.</p> <p>We will introduce whistleblower protection legislation as recommended by the Ombudsperson.</p>
<p>Will your government implement a <b>"duty to document"</b> under <i>FIPPA</i>?</p> <p>Will your government support the <b>creation of penalties</b> against those who interfere with information rights?</p>	<p>We became the first Canadian province to legislate a duty to document under Bill 6.</p> <p>If re-elected, we will continue to review the recommendations made by both the Special Legislative Committee Reviewing <i>FIPPA</i>, and the Privacy Commissioner.</p>	<p>Yes, we have introduced legislation multiple times.</p> <p>Our proposed legislation creates the duty to investigate instances of unauthorized destruction of government information, and removes legal immunity from officials who fail to disclose documents, making contravention of the <i>Act</i> an offence subject to fines of up to \$50,000.</p>	<p>Yes, we would incorporate clear language that outlines the responsibility that government officials have to document the appropriate steps of decision-making process.</p> <p>We will consult with the Commissioner to determine the appropriate penalties for interference with information rights.</p>
<p>What changes would you make to the sections of <i>FIPPA</i> that <b>exempt records from release</b> (esp. cabinet records and policy advice)?</p>	<p>If re-elected, we will consult with the Cabinet Secretary on how best to implement the recommendation made by Special Legislative Committee Reviewing <i>FIPPA</i>.</p>	<p>We support the Commissioner's advice "that the meaning of section 13 be restored to its original, pre-BC Liberal intent."</p>	<p>We would consult the Commissioner and determine what, if any, additional guidelines need to be added to legislation or policy to ensure an appropriate use of these sections.</p>



# BC FREEDOM OF INFORMATION AND PRIVACY ASSOCIATION

		We support the Commissioner regarding section 12 in that it should not be applied as a blanket mandatory exemption.	
Will your government bring <b>subsidiaries created by educational public bodies</b> under <i>FIPPA</i> ?	Yes, we will make this change after appropriate consultations are concluded.	We support the <i>Act</i> being expanded to capture subsidiaries created by public bodies and will consult with affected organizations.	Yes, we would extend the <i>Act</i> to cover education public bodies in a manner advised by the Commissioner.
Do you support bringing in ‘ <b>proactive disclosure</b> ’ to <i>FIPPA</i> ?  What steps would you take to bring public bodies in line with their duty to proactively disclose information?	<p>We started proactively releasing information on the following:</p> <ul style="list-style-type: none"> <li>• Directly awarded contracts</li> <li>• Ministers’, deputy ministers’ and associate deputy ministers’ calendars</li> <li>• Regular summaries of gaming grants</li> <li>• Status of all active FOI requests after April 1, 2016</li> <li>• Receipts for ministers’ travel expenses</li> </ul> <p>We launched an updated Open Information website.</p> <p>See <a href="#">full text</a> for existing routinely released documents.</p>	The public interest override section is a key provision. We believe the spirit of the public interest override should be reflected in the <i>Act</i> and the response from public bodies, and we will act to ensure this.	Yes, we would clarify the legislation concerning section 25 to ensure that disclosures in public interest were made, even in absence of a formal request.
Will your government bring in <b>mandatory data breach notification</b> for the public and private sectors?	We will bring in mandatory data breach notification for the public sector, and will consult the private sector stakeholders.	We agree that mandatory breach notification would benefit the public, and we will consider best practices in both the public and private sectors.	<p>Yes, mandatory data breach notification would be introduced for the public sector.</p> <p>We will consult with the Commissioner and relevant stakeholders to explore expanding this requirement to private sector organizations.</p>



# BC FREEDOM OF INFORMATION AND PRIVACY ASSOCIATION

<p>Will your government implement a minimum spending amount of \$500 for <b>third party election advertising</b>?</p>	<p>We believe that it is not government's role to become involved in a dispute between FIPA and Elections BC.</p>	<p>This is an issue we would want to consider, and is a measure we could undertake as part of our commitment to democratic reform.</p>	<p>Yes, a lower limit would be introduced.</p>
<p>What will your government do to avoid being without a full time <b>Information and Privacy Commissioner</b> for an extended period of time?</p>	<p>That the all-party committee has not yet selected a candidate to fill the position does not indicate a problem with the appointment process.</p> <p>The Acting Commissioner is fulfilling the statutory duties of the Office.</p>	<p>We agree that the failure of the legislative committee to reach a unanimous recommendation is regrettable.</p>	<p>We agree that the current situation cannot be allowed to continue, or to happen again. Changes to the process should be introduced.</p> <p>We would consult with the Commissioner and other parties to determine best method.</p>
<p>Will your government end <b>posting texts of FOI requests</b> it receives before releasing any information to the requester?</p>	<p>This is intended to balance the interest of individual applicants with government's desire to increase transparency about the processing and timelines of FOI requests.</p>	<p>No, do not agree with government posting requests.</p> <p>Yes, will end this practice.</p> <p>See <a href="#">full text</a> for context.</p>	<p>We would consult with the Commissioner before determining a course of action on this.</p> <p>Priority is to ensure requestors are not put in a position of intimidation.</p>
<p>What will your government do to ensure our <b>privacy law</b> is protected under any renegotiation of <b>NAFTA</b>?</p>	<p>We have no plans to change <i>FIPPA</i> and will ensure that the federal government fights to protect the personal information of British Columbians as they negotiate relevant international trade agreements.</p>	<p>We will defend the privacy of British Columbians against any move by the US to undermine these rights.</p> <p>We will maintain BC's requirement that government and other public sector data be stored in Canada.</p>	<p>BC must re-examine the legislation that governs the data storage requirements. Beyond international trade, BC needs to update its policies and practices to catch up to an increasingly digitized world.</p>