



BC FREEDOM OF INFORMATION  
AND PRIVACY ASSOCIATION

February 22, 2018

The Honourable John Horgan  
Premier of British Columbia  
Victoria, BC

BY Email: [premier@gov.bc.ca](mailto:premier@gov.bc.ca)

Dear Premier Horgan:

**Re: Reform of Freedom of Information and Privacy Legislation**

We are writing you regarding the need for immediate action in bringing about long-delayed reform of the *Freedom of Information and Protection of Privacy Act (FIPPA)*.

Doubtless you appreciate that although that law was groundbreaking for the early 1990s, (when it was brought in by the NDP government of Mike Harcourt), it has become outdated and is in need of serious reform, as last year's Special Legislative Committee outlined in its report. Some of the reforms called for include:

- Implementing a legislative duty to document in *FIPPA* itself,
- Bringing in legislative solutions to end the over-application of certain exceptions to disclosure, particularly sections 12 (cabinet records) and 13 (policy advice) of the *Freedom of Information and Protection of Privacy Act*,
- Bringing the subsidiaries of educational and other public bodies within the scope of the *FIPPA*, and
- Implementing mandatory breach notification.

It is our view that work must begin immediately on updating the *Act*.

In the meantime, we would like to remind you of an action your government can take immediately to demonstrate a concrete commitment to improving the system.

During the last election, [your party](#) was asked by the BC Freedom of Information and Privacy Association about a policy brought in by the previous government to post "the texts of Freedom of Information requests it receives even before releasing any information [to] the requester." BC FIPA asked two questions, which are set out below along with your party's responses:



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Q. Do you agree with this policy, and if so, why?

A. No.

Q. If not, will your government end this practice?

A. Yes.

This practice continues to this day, despite your party's very clear statement that it does not agree with it and will end it.

This does not require legislation or Chamber time, so we are puzzled as to why your government has yet to carry out your party's quite categorical commitment to end it.

Finally, we would like to mention the result of a [poll](#) conducted last month by Ipsos Canada for BC FIPA. When asked how important they thought it was that your government bring in reforms to the information and privacy law before the next BC election, *47 percent said it was very important, and 38 percent said it was somewhat important.*

We are available to work with your government to help bring about positive changes to protect the information rights of all British Columbians and build a stronger democracy.

Please let British Columbians know when we can expect this work to begin.

Yours Truly,

A handwritten signature in black ink, appearing to read 'Vincent Gogolek', written in a cursive style.

Vincent Gogolek  
Executive Director

Micheal Vonn, Policy Director, ***BC Civil Liberties Association***

Glen Hansman, President, ***BC Teachers Federation***

Nick Taylor-Vaisey, President / National director, ***Canadian Association of Journalists***

Darrell Evans, President, ***Canadian Institute for Information and Privacy Studies Society***

Tamir Israel, Staff Lawyer, ***Canadian Internet Policy and Public Interest Clinic***

Randy Christensen, Staff Lawyer, ***Ecojustice***

Jennifer Whiteside, Secretary Business Manager, ***Health Employees Union***

Dermod Travis, Executive Director, ***Integrity BC***

John Hinds, President and Chief Executive Officer, ***News Media Canada***

Neil Self, Chairperson, ***Positive Living Society of British Columbia***

Sharon Polsky, President, ***Privacy and Access Council of Canada***

Beth Clarke, Development and Program Director, ***Wilderness Committee***

Shannon Daub, Associate Director, ***Canadian Centre for Policy Alternatives - BC Office***

Stanley Tromp, Journalist

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