

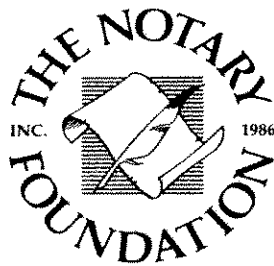
IFIPA

BC FREEDOM OF
INFORMATION
AND PRIVACY
ASSOCIATION

**Annual Report for
2008**

September 7, 2009

The BC Freedom of Information and Privacy Association
wishes to thank the Law Foundation of BC
and all our other donors and funders
for their support of our information and privacy programs.



**The Province of
British Columbia**



AN OVERVIEW OF FIPA

Even in the most egalitarian of democracies, human affairs and public decision-making tend to be dominated by those who have superior access to information and greater control over the flow of information.

As a consequence, the need and the demand for what we call “**information rights**” — specifically freedom of information and privacy rights — become more pressing every day.¹

The increasing push for information rights is driven by three powerful trends. First, by the radical transformation the world is undergoing due to information technology. Second, by the need to constantly adjust the balance of power between governments and the public in modern democracies; and third, by increasing public expectations of participation and fairness in public decision-making.

The BC Freedom of Information and Privacy Association (FIPA) was incorporated as a non-profit society in January 1991 in order to advance the principles of freedom of information and privacy protection in B.C.

18 years later, FIPA is widely known for its successful campaign to get BC’s *Freedom of Information and Protection of Privacy Act* (“FOIPP ACT”) passed in 1992, followed by Alberta’s FOIPP Act in 1993, and for keeping FOI and privacy issues high on the political agenda ever since. FIPA is highly respected for its ceaseless promotion of FOI and privacy rights in BC and across Canada.

FIPA Activities

Assisting the Public

FIPA has provided thousands of individuals and organizations with information and advice about access to information and privacy

issues. In particular, we offer citizens advice on how to exercise their information rights.

Public Education

FIPA provides public information and education on FOI and privacy issues and legislation through personal contact with the public, publications, public events, media articles and public appearances.

Over the last 18 years, we have:

- issued 40 studies, reports and other publications on information rights issues, including two soft cover books, and
- produced 155 workshops, seminars and other events, including 13 major conferences.

Legal and Policy Research

FIPA is a centre for legal and policy research into freedom of information and privacy issues. In addition to conducting our own studies, we provide research assistance to academics, lawyers, journalists, students and the general public. Our library of books, articles, research papers and subject-indexed files is open to serious researchers.

Public Interest Advocacy and Law Reform

FIPA is Canada’s major public interest advocacy and “watchdog” group for FOI and privacy issues. We promote continuing law reform in these areas where our members and supporters feel it is needed.

We constantly monitor the performance of government bodies and Canada’s Information and Privacy Commissioners, and are consulted frequently on policy issues by politicians and government officials.

Legal Advocacy and Litigation

FIPA participates in reviews conducted by BC’s Information and Privacy Commissioner, judicial reviews, and operates a modest legal assistance program for people with serious privacy and FOI problems.

¹ **Freedom of information, privacy protection** and **information rights** are defined on the last page of this report.

HIGHLIGHTS – 2008 IN REVIEW

FIPA's mission is to protect and further promote the freedom of information and privacy rights of people in BC and throughout Canada, through our programs of legal aid, public legal education, legal research and law reform.

In 2008, our main objectives were:

- To increase the quantity and quality of our public information and advisory services.
- To promote freedom of information in BC by continuing our "Campaign for Open Government".
- To submit recommendations for improvements to BC's *Personal*

Information Protection Act (PIPA), which was under review by a committee of the Legislature.

- To create public awareness and dialogue on the privacy issues raised by the BC government's plan to create an electronic health record for each person receiving health care services in BC.
- To push for reform of the federal *Access to Information Act* – as promised but not delivered by the federal Conservative party.

This annual report documents our progress on these objectives.

PEOPLE SERVED, 2008

Helpline / casework	438
Legal Assistance	13
Visitors to website "Help topics"	11,390
Conferences and workshops	168
Speaking engagements	653
Media interviews	88
National Privacy Coalition Listserv	142
FIPA member & information services	304
Website visits other than 'Help' (incl. publications downloaded)	89,488
Total people served	102,684

PUBLIC ASSISTANCE

Public assistance/ legal aid

Helplines: During 2008, FIPA provided personal assistance to approximately 438 people through our telephone and Internet help lines. This was a 21% increase over 2007.

Website: People seek guidance on FOI and privacy rights and how to exercise them by visiting the "Help Topics" on FIPA's web site (<http://fipa.bc.ca/home/>). During 2008, a total of 11,390 people visited these topics. This was a 26% increase over the same period of 2007.

Visitors to 'Help' Topics FIPA website	Jan – Apr 2008	May – Aug 2008	Sept – Dec 2008	Totals 2008
"How to Request Gov't Records"	1,006	969	846	2,821
"Your FOI and privacy rights"	714	701	648	2,063
"How to request your personal info"	571	549	594	1,714
"How to make a privacy complaint"	418	402	390	1,210
"Privacy laws for the private sector"	392	434	370	1,196
Total people served	3,291	4,296	3,803	11,390

Legal Aid Program

FIPA secured legal information or assistance for 13 people during 2008.

Through our Legal Assistance Project in 2008, we increased our capacity to offer legal information, advice and services to people with access-to-information and privacy problems.

FIPA's new Director of Policy and Communications, Vincent Gogolek, developed this program, which consists of:

- Offering a higher quality of legal information from FIPA's web-based and telephone Help Lines,

- Developing relationships with individual lawyers and legal organizations who have agreed to offer pro bono legal advice, and
- Constantly improving our contacts in the legal community in order to increase our ability to find legal aid for individuals in need of representation.

We now have working agreements with four outside legal clinics: Access Justice, the Community Legal Assistance Society, Pro Bono Law BC, and the Public Interest Advocacy Centre. In addition, several individual lawyers offer occasional help to clients.

PUBLIC EDUCATION

The Privacy and Identity Theft Conference 2008: Creating a trusted environment for commerce and communication

Nov. 24-25, 2008, Hotel Vancouver

This conference drew about 100 attendees. Speakers included:

- Jennifer Stoddart, Privacy Commissioner of Canada
- David Loukidelis, Information & Privacy Commissioner for BC

- Brendon Lynch, Senior Privacy Strategist, Microsoft
- Harold Munro, Deputy Managing Editor, Vancouver Sun
- Anna Paten, Director of Privacy Compliance, Telus
- John Russo, Canadian Lead Counsel, Equifax
- Mike Gurski, Director, Bell Security Solutions
- Mary Carlson, Executive Director, Office of the Information & Privacy Commissioner for BC

- Ben Shotton, Privacy Director – Insurance Corporation of BC
- Pippa Lawson, Director, Canadian Internet Policy & Public Interest Clinic
- Jeff Burton, President, BC Crime Prevention Association

Financial supporters of the conference were the Law Foundation of BC, the Privacy Commissioner of Canada, the Information and Privacy Commissioner of BC, and the Insurance Corporation of BC.

Conference details may still be found at <http://www.idconference2008.com>.

Government Secrecy in BC and Canada: Are we winning the struggle?

This free public seminar was held at Simon Fraser University Harbour Centre on October 1st. It featured two speakers:

- Prof. Alasdair Roberts, the world's premier researcher/writer on freedom of information issues. He is the author of *Blacked Out: Government Secrecy in the Information Age* and many other books and articles.
- Prof. Terry Eastwood, Professor Emeritus of the School of Library, Archival and Information Studies at the University of British Columbia.

The event was FIPA's contribution to "Right to Know Week" in Canada – a week focusing on freedom of information issues.

New Pathways to Government and Legal Information

FIPA organized two sessions for the BC Library Association's annual symposium on access to information on May 21:

- ***The Public Legal Education and Information Portal project***

Drew Jackson and Janet Freeman of the British Columbia Courthouse Library

Society briefed librarians on the PLEI project.

- ***What's Up with Access to Government Information in BC? A Report Card***

Chair: Darrell Evans

Panelists:

Terry Eastwood, Professor Emeritus, School of Library, Archival and Information Studies, UBC

Mary Carlson, Executive Director, Office of the Information and Privacy Commissioner of BC

Sara Levine, Barrister & Solicitor

The BCLA symposium was held at SFU Harbour Centre and drew about 80 attendees.

Containing Democracy: Secrecy, Spin and Controlling the Publics' Right to Know

Ann Rees gave this speech immediately after the FIPA AGM, which was held on October 15 at the People's Law School.

Ann is a journalism educator and a former award-winning former investigative reporter. She teaches journalism at Kwantlen Polytechnic University and is a PhD candidate at Simon Fraser School of Communication. Her PhD topic is the role of government transparency through access to information in a democracy.

FIPA Website

FIPA's website traffic continues to rise in 2008. We logged a total of 100,878 visitors and 590,283 hits – an increase of about 16% over 2007.

News releases, media interviews and articles

During 2008, FIPA participated in one news conference and issued 8 news releases. Our representatives gave 88 interviews to media outlets.

Speeches and presentations

FIPA representatives gave 11 speeches during this period to a total of 653 people.

The National Privacy Coalition listserv

FIPA continues to co-host this listserv with Prof. Valerie Steeves of the University of Ottawa. This is Canada's major national

electronic network of privacy advocates and professionals in the public and private sectors, with about 142 members.

FIPA e-bulletin and electronic news services

In 2008, we sent out one bulletin for members and 17 updates from our email news service (available by subscription through our website).

LEGAL AND POLICY RESEARCH

Comments on the review of the Personal Information Protection and Electronic Documents Act

Richard Rosenberg wrote this submission to the Government of Canada on behalf of FIPA and BC Civil Liberties Association. It recommends a strong set of improvements be made to the federal PIPED Act.²

Submission to the Special Committee to Review the Personal Information Protection Act

The subject of this submission is reform of BC's landmark *Personal Information Protection Act*. Darrell Evans wrote the submission for both FIPA and BC Civil Liberties Association and presented it to a hearing of a Special Committee of the Legislature on Feb. 29, 2008.³

Briefing paper for the BC Minister of Health on flaws in the proposed e-Health Act

Together with our partners in the Health Privacy Coalition (see below under "Electronic Health Records campaign"), we prepared an 18-page briefing for the BC

Minister of Health describing major flaws in the province's e-Health Act and the master plan for the sharing of personal health information in the health care sector. The coalition presented it to the minister and his staff in a subsequent meeting in Victoria.

The Canadian FOI Resource Website

FIPA was the major sponsor for a new research resource on freedom of information laws around the world that was launched in October 2008. The Canadian FOI resource Website was created by FIPA researcher Stanley Tromp and consists of:

- ***Fallen Behind: Canada's Access to Information Act in the World Context***, a comparative study of almost 400 pages which details how Canadian access-to-information legislation and practice fail to conform to international standards and the practice of other democratic States. It makes a powerful case for reform.
- ***The World FOI Chart***, a table that cross-references by topic key primary documents on freedom of information law, including 73 national FOI laws, 29 draft FOI bills, 12 Canadian provincial and territorial FOI laws, and the legal commentaries of 31 non-governmental organizations.

The website is <http://www3.telus.net/index100/foi>

² Available in FIPA's online library at http://fipa.bc.ca/library/Reports_and_Submissions/PIPEDA_Rvw_submissionJan_2008.doc

³ Available at http://fipa.bc.ca/library/Reports_and_Submissions/PIPA_Rvw_Submission-Feb_29_2008.pdf

Other Research and Casework

Here are some of the issues FIPA researched in 2008, stemming from complaints we received or our own inquiries:

Complaint or issue	Action taken / result
<p>Sharing of personal health information: Access to personal information collected by the Ministry of Health by other, unrelated provincial government programs.</p>	<p>We continue to investigate this issue as part of our joint advocacy project on electronic health records</p>
<p>The Election Act: The definition of “election advertising” in BC’s revised Election Act and the act’s restrictions on free speech</p>	<p>Research, consultation with legal experts and planning a public forum on the subject for 2009.</p>
<p>Enhanced Driver Licences and Enhanced Identification Cards: ICBC is working on travel documents designed to comply with the <i>United States Western Hemisphere Travel Initiative</i>. These documents and the databases involved are serious privacy threats.</p>	<p>We are working with academics and groups across Canada and have made FOI requests for documents that may illuminate policy discussions between Canadian federal and provincial governments and U.S. federal and state governments.</p>
<p>FOI staffing: We contend that some of the current dysfunction in BC government compliance with the FOI act is due to successive staff cuts and administrative changes made to the information and privacy offices of ministries since 1998, and that the under-funding is deliberate.</p>	<p>We have made FOI requests for critical information, received an unsatisfactory response, and have appealed for review to the Information and Privacy Commissioner.</p>
<p>“Out of scope”: Widespread use by provincial FOI shops of the arbitrary designation “out of scope” to withhold information in documents (Meaning the information omitted is out of the scope of your request – i.e., not what you asked for). There is no such exception under the FOIPP Act.</p>	<p>We have made this the subject of an official complaint to the Commissioner</p>
<p>Improper fees: The City of Vancouver charges fees for time spent “severing” information from documents that are requested under the FOI act. This is a violation of the Act.</p>	<p>We have asked the Commissioner to review this practice.</p>
<p>Olympic Surveillance legacy: Vancouver and other municipalities will receive an extensive legacy of video surveillance equipment after the Olympics. We are using FOI requests and other inquiries to ascertain what is in the works.</p>	<p>FOI requests have been made to the Cities of Vancouver, Whistler and Richmond, the Vancouver Police Department and the RCMP</p>
<p>Video Surveillance on Skytrain: This research is complete; we know precisely what future plans are for expansion of video surveillance on Skytrain.</p>	<p>We are discussing possible co-operative action with BCCLA.</p>
<p>Fingerprint ID: The use of biometric ID (fingerprint scans) for routine admission to a new recreational facility at the University of Northern BC. We deplore the growth of this kind of routine surveillance in public facilities and think it should be challenged.</p>	<p>We investigated these plans and filed a joint FIPA-BCCLA complaint with the Commissioner.</p>

Olympic secrecy: Increasing secrecy on the part of the 2010 Olympic Games Secretariat and VANOC. The first has stopped keeping minutes of its official meetings; the second no longer makes its minutes accessible.	Research ongoing
Election donation disclosure: The lack of effective disclosure laws regarding political fundraising in BC municipalities, particularly Vancouver.	Research ongoing
Cabinet secrecy: The interpretation in BC and other Canadian jurisdictions of “the substance of deliberations” in Cabinet meetings.	Research ongoing
Policy advice exception: The use of the FOIPP Act’s s. 12 (Public body confidences) and s. 13 (Policy advice) to withhold background studies and reports from public disclosure.	Research ongoing

LAW REFORM

The Campaign for Open Government

This campaign for reform of BC’s Freedom of Information Act continued during 2008, but at a lower level of activity. The plan was to gear it up in 2009 as we approached the BC election period.

The campaign won a significant victory in one major ‘open government’ battle. Early in April, the BC government introduced two bills concerning the regulation of greenhouse gas emissions. Both bills featured extreme ‘confidentiality’ clauses that would have trumped BC’s FOI act, allowing the withholding of vital information.

FIPA and its allies raised a general alarm, worked with government MLAs and the Opposition, wrote letters to government and created lots of media attention. On April 17, the government climbed down and deleted the confidentiality clauses in the two bills.

The Electronic Health Records privacy campaign

FIPA shifted from “consultation mode” to “campaign mode” during 2008 in our mission to ensure privacy rights for patients

in BC’s health care system as the province moves to introduce electronic health records for all participants.

We formed a Health Privacy Coalition with BC Civil Liberties Association, BC Persons with Aids Society and BC Coalition of People with Disabilities, to promote policy debate, strategic planning and the creation of a public education campaign on this issue.

Consultations:

The Consultations called the “Provincial e-Health Privacy and Security Initiative” which started in 2006, ended in mid-2008. FIPA’s president and executive director invested at least 100 hours participating in this process, which ended with the passage of BC’s new *Health Information Access and Protection of Privacy Act* (“e-Health Act”) in May.

Advocacy and Lobbying:

The e-Health Act fell far short of what our Health Privacy Coalition expected from the lengthy consultation with Health Ministry officials. As a result, we took the following steps:

- We prepared a detailed analysis and critique of the bill;

- We issued news releases, held a joint news conference and gained significant news coverage, in which we aired our criticisms of the e-Health Act and our demand for improvements in its privacy protections;
- We held three meetings with Health Ministry officials in June and July to discuss the bill and negotiate amendments;
- We prepared an extensive briefing kit for the Minister of Health describing the shortcomings and pitfalls of the bill;
- Five representatives of the alliance traveled to Victoria to meet with Minister of Health George Abbott on May 20 to lobby for amendments; and
- Representatives Met with the Opposition Health Critic and held discussions with

Opposition policy makers in an effort to get them onside.

The result: As a result of our research and lobbying efforts, the government introduced a set of amendments to the E-Health Act. These were definite improvements, but still far less than we feel is necessary to achieve real privacy rights and protections for the public.

Next steps: Our focus will now be on the government's gradual roll-out of a system of data-sharing within the health care sector that we consider to be very inadequate in terms of citizens' legal and traditional right to determine who has access to their medical records. At year end, the coalition was developing basic materials and a website, and mapping out the campaign. Planned launch date, spring 2009.

LEGAL ADVOCACY/ LITIGATION

Reviews and Inquiries before BC's Information and Privacy Commissioner

FIPA had 11 proceedings (complaints and requests for review of government decisions) before the Information and Privacy Commissioner in 2008. In addition, we were engaged in three court proceedings. This increase in our legal activities largely stemmed from the reluctance of public bodies to release information as required by the FOIPP Act.

FIPA is one of the very few organizations that are willing and able to push through the multiple barriers that some ministries and public bodies create to dissuade parties who make FOI requests for "sensitive" information. It is therefore vital that we continue to insist on the proper application of the FOI law. By doing so, we break down improper barriers to transparency that have arisen due to improper application of the law, and win valuable precedents that increase public access to information.

Our success before the Commissioner has led the government and other public bodies

to challenge in the courts decisions that went in our favour, and this has required us to increase the staff time devoted to legal proceedings. We were fortunate to secure experienced pro bono counsel to represent us in two cases, but we continue to look for representation in other judicial reviews initiated by the government.

Special thanks go to Dan Burnett of Owen, Bird, Brent Olthuis of Hunter Litigation Chambers, and sole practitioner Garth Barriere for their outstanding efforts on our behalf.

We are also grateful to the Law Foundation for the funding increase in 2008 that enabled us to hire additional staff and thus cope with the increasing demand for legal work.

Access to Government Contracts

Since December 2004, FIPA has pressed for the fulfillment of FOI requests for copies of three major contracts the BC government signed with outside service providers for the

administration of BC government programs. It is a sad commentary on the province's FOI process that the mediation and review processes are not yet complete.

The contracts are with MAXIMUS BC, EDS, and IBM. Our request for the contracts and the government's response to our requests are all being reviewed by the Information and Privacy Commissioner, except for the IBM contract (see below).

IBM contract (Workplace Services)

On July 24, 2008, FIPA received a favourable decision from the Information and Privacy Commissioner on this file (OIPC Decision F08-07). The decision ordered the Ministry of Labour and Citizens' Services to release the contract to FIPA, with the exception of the parts IBM is claiming should be withheld under s. 21 of the FOIPPA ("Disclosure harmful to business interests of a third party"). Release of these parts was appealed by IBM.

The Ministry and IBM also argued that that FIPA is not an "appropriate person" to participate in the inquiry regarding the s. 21 issue. The Commissioner decided that FIPA is an appropriate person and can participate in the inquiry into the Ministry's s. 21 decision.

The Ministry of Attorney General appealed the Order to the BC Supreme Court. FIPA has retained pro bono counsel Brent Olthuis to represent us in the judicial review.

Other matters before the Commissioner

- In April, FIPA filed an FOI request for records that indicate the changes in staffing levels in the information and privacy offices of BC government ministries since 1998. The response was woefully inadequate and this matter is now before the Commissioner.
- In November 2007, FIPA filed a complaint with the Commissioner regarding what we see as the misuse of Crown Copyright to inhibit

distribution of records obtained through FOI requests. The Commissioner's investigation of this complaint was still underway at the end of 2008.

- In January 2007, FIPA decided to test the government's use of the "Cabinet Confidences" and "Policy Advice" exceptions under the FOIPPA Act. We made an FOI request for "[A]ll the background papers and analysis that led to and underlay the 2003 Cabinet decision to reorganize BC Ferries into a private company through the passing of the Coastal Ferry Act." The FOI Act directs that such background papers must be made available after a Cabinet decision has been taken.

As we expected, the government is attempting to withhold most of the documents in contradiction to the Act. This afforded us the opportunity to challenge their interpretation. We have requested a review of their response and this request is before the Commissioner.

- In 2006, FIPA filed an FOI request for all submissions made to the Ministry of Labour and Citizens' Services during a corporate review of the FOIPPA Act. The response was unsatisfactory and we requested a review by the Commissioner. We were still awaiting the Commissioner's decision at the end of 2008.

Other matters before the courts

Applicant vs. Simon Fraser University and its corporate subsidiaries

In November 2005, FIPA intervened in this inquiry along with the Canadian Association of University teachers (CAUT). Opposing us were SFU, its corporate subsidiaries, UBC and the University of Victoria.

The main issue of importance to FIPA was whether records held by the corporate subsidiaries of universities are considered

to be in the “custody or control” of the universities under the FOIPP Act. We argued that they are. The issue was finally decided in favour of the applicant, FIPA and CAUT on January 4, 2008.

The Commissioner’s order means that public bodies will not be permitted to avoid transparency and accountability by setting up corporate structures so as to avoid requests under the FOIPPA.

SFU appealed for judicial review of this order and FIPA was granted intervenor status. Lawyer Dan Burnett is representing FIPA.

Attorney General v. Harrison

In a case widely reported in the media, Mr. Robert Harrison lost his job as a child care worker as a result of the release of inaccurate information by an employee of the Ministry of Children and Family Development (MCFD).

Attorney General v. Harrison is an appeal to the BC Court of Appeal by both the Attorney General and the Information and Privacy commissioner, of a judicial review won by Mr. Harrison.

Mr. Harrison lodged a complaint to the Information and Privacy Commissioner. After receiving an unfavourable decision from the Commissioner, he applied for a judicial review of the Commissioner’s ruling, representing himself, and this time received a favourable ruling.

The judge found that Mr. Harrison’s privacy rights had been violated by the MCFD and made a number of orders – one requiring the Commissioner to review Mr. Harrison’s case and one ordering the Ministry to “expunge” damaging information in his personal file with the Ministry.

The Commissioner is in the unusual position of being an active party opposed to the requester, and therefore unable to fulfill his normal role in such proceedings.

FIPA is intervening in the Court of Appeal to ensure availability of redress at the level of the Commissioner for citizens whose privacy has been violated, and to protect citizens, not only from being at the mercy of inaccurate information, but also from the improper use of information by public bodies.

Garth Barriere, an experienced appellate counsel, is representing FIPA.

THE ORGANIZATION

Hiring an Assistant Executive Director

FIPA completed the process of hiring an assistant to the Executive Director at the end of 2008. After considering 32 candidates and interviewing a shortlist of three, the hiring committee and the board of directors agreed unanimously to hire Vincent Gogolek, who had worked for FIPA on a temporary work arrangement since January 2008.

Mr. Gogolek was elected as a FIPA Director in 2007 but resigned from the board when the directors asked him to take on the temporary role in 2008.

Mr. Gogolek is a senior lawyer with experience in administrative, constitutional

and aboriginal Law. He also has a degree in journalism, experience in policy development in federal, provincial and public sector organizations and an extensive background in communications, including issues management, communications planning and writing.

Mr. Gogolek holds the title of Director of Policy and Communications. He has been developing our new Legal Assistance Program, putting order into our casework, writing legal and policy submissions, and directing communications.

We wish to thank the Law Foundation of British Columbia for making this hire possible and thank the Foundation’s governors and staff for their patience when

the hiring process took longer than planned. We are extremely happy with the final outcome.

Financial report

FIPA ended 2008 with a surplus of \$6,889 in spite of the loss of over \$50,000 from our Privacy and Identity Theft Conference. We would have been in deep deficit at year end were it not for an extraordinary grant from

the Law Foundation of BC. FIPA's financial health and quite likely, our continued existence are due entirely to the Foundation's generosity.

The directors and staff of FIPA wish to express our profound thanks to the Governors, executive and staff of the Law Foundation, for this extraordinary support in a dire situation. Thanks to the Law Foundation, FIPA can carry on.




**B.C. FREEDOM OF INFORMATION AND PRIVACY ASSOCIATION
STATEMENT OF FINANCIAL POSITION**

AS AT DECEMBER 31, 2008

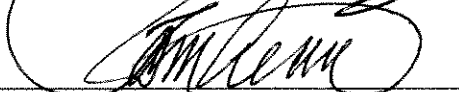
(Unaudited)

<u>ASSETS</u>	<u>2008</u>	<u>2007</u>
CURRENT ASSETS		
Cash	\$ 32,795	\$ 45,648
Accounts receivable	37,500	-
Goods and services tax recoverable	3,407	1,070
Prepaid expenses	<u>500</u>	<u>-</u>
	74,202	46,718
CAPITAL ASSETS	<u>8,278</u>	<u>8,928</u>
TOTAL ASSETS	<u>\$ 82,480</u>	<u>\$ 55,646</u>

APPROVED BY THE TRUSTEE



Director



Director

The accompanying notes are an integral part of these financial statements.

**B.C. FREEDOM OF INFORMATION AND PRIVACY ASSOCIATION
STATEMENT OF FINANCIAL POSITION**

AS AT DECEMBER 31, 2008

(Unaudited)

	<u>2008</u>	<u>2007</u>
<u>LIABILITIES</u>		
CURRENT LIABILITIES		
Accounts payable and accrued liabilities	\$ 43,737	\$ 200
Withholding taxes payable	1,073	1,365
Unearned income	<u>-</u>	<u>23,300</u>
TOTAL LIABILITIES	<u>44,810</u>	<u>24,865</u>
<u>FUND BALANCES</u>		
NET ASSETS		
Invested in capital assets	8,278	8,928
Externally restricted	(5,201)	(4,147)
Internally restricted	<u>34,593</u>	<u>26,000</u>
TOTAL NET ASSETS	<u>37,670</u>	<u>30,781</u>
TOTAL LIABILITIES AND NET ASSETS	<u>\$ 82,480</u>	<u>\$ 55,646</u>

The accompanying notes are an integral part of these financial statements.

B.C. FREEDOM OF INFORMATION AND PRIVACY ASSOCIATION
STATEMENT OF OPERATIONS
FOR THE YEAR ENDED DECEMBER 31, 2008
(Unaudited)

	<u>2008</u>	<u>2007</u>
REVENUES		
Law Foundation	\$ 187,350	\$ 24,708
British Columbia Gaming Foundation	40,000	40,000
Conference fees	46,550	5,838
Donations	23,100	29,740
Other income	<u>6,654</u>	<u>5,899</u>
	<u>303,654</u>	<u>106,185</u>
EXPENSES		
Accounting and legal	4,109	-
Advertising and promotion	635	144
Amortization	2,211	1,398
Auto	11	1,086
Bank charges and interest	2,658	-
Campaign expenses	2,145	22,686
Conference	109,450	10,196
Consulting fees	97,776	880
Office and general	2,722	2,913
Rent	8,701	8,694
Research	7,400	7,035
Telephone	5,902	8,802
Wages	<u>53,045</u>	<u>51,223</u>
	<u>296,765</u>	<u>115,057</u>
EXCESS OF REVENUES OVER EXPENSES	<u>\$ 6,889</u>	<u>\$ (8,872)</u>

The accompanying notes are an integral part of these financial statements.

DIRECTORS, ADVISORS, VOLUNTEERS AND STAFF

FIPA's work would not be possible without the support of a large number of volunteers. We would like to thank the following key people in this support team, as well as the many others who contributed during 2008.

BOARD OF DIRECTORS 2008-2009

President:	Richard Rosenberg, Professor Emeritus, Dept. of Computer Science, University of British Columbia
Vice President:	Paul Holden, Software Engineer, Fortinet Technologies
Treasurer:	Tom Crean, Owner/Manager, Kearney Funeral Home
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Terry Eastwood	Professor Emeritus, Dept. of Library, Archival & Information Studies, UBC
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Philippa Lawson	Executive Director, Canadian Internet Policy and Public Interest Clinic
Murray Rankin	Barrister & Solicitor, Heenan Blaikie LLP
Tom Riley	President, Riley information Services, Inc.
Valerie Steeves	Adjunct Professor, Faculty of Law, University of Ottawa
Mark Wexler	Professor, Faculty of Business Administration, Simon Fraser University

OTHER VOLUNTEERS

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DEFINITIONS AND PRINCIPLES

Freedom of Information ("FOI")

In the broadest sense, freedom of information is the public's right to a free flow of information in society. This includes our rights to freedom of expression and access to information without undue restrictions imposed by government, corporations or other entities.

In the narrower sense in which we use it here, FOI is another term for the right of access to government information. We use these terms interchangeably.

Privacy and Privacy Protection

Privacy, as we define it, is the ability or right to have a "private life" - to be left alone, free from illegal or unwanted scrutiny and intrusions.

Privacy rights include informational privacy - the right to control or limit the collection, use and disclosure of one's own personal information by other agencies, whether they are part of government or the private sector.

Since knowledge brings power to those who possess it, knowledge of our private lives tends to increase the power and influence that governments and corporations have over us. Some limits must be imposed in order to maintain the delicate balance of power that sustains our democracy.

"Privacy protection" means defense of the privacy of individuals by legislation or other means.

Information Rights

People often ask why FIPA seeks to advance two human rights that may seem to be contradictory. The answer is, because FIPA's main goal is to empower individuals by helping to increase both their access to and their control of information. Both FOI and privacy rights increase the power of the individual in society, which is why we refer to both of them as "information rights".

Information rights provide individuals with a much-needed counterbalance to the far greater access to and control of information enjoyed by governments and other powerful organizations. Information rights improve our democracy by reducing this imbalance of power in a society that is increasingly dominated by the uses and abuses of information.

Further, our right as individuals to know what is going on in society must exist in balance with the right to individual privacy.

Together, information rights help to create:

- an informed electorate,
- open, honest and accountable government,
- greater citizen participation in the democratic process, and
- greater protection of individual human rights.