



VIA EMAIL TO:

Special Committee to Review the *Freedom of Information and Protection of Privacy Act*
Room 224, Parliament Buildings
Victoria, BC V8V 1X4

foiccommittee@leg.bc.ca

January 29, 2016

Re: Supplementary submissions by BC Freedom of Information and Privacy Association

Dear Chair McRae,

As we promised in our submission on October 16, 2015, please find attached supplementary written submissions from BC FIPA. We would appreciate it if these two items could be added as appendices to our current written submission.

The first appendix is a very extensive review of release in the public interest under section 25 of the *Act*. It was prepared by law student Rebecca Kantwerg of the Environmental Law Centre at the University of Victoria, supervised by ELC Legal Director Calvin Sandborn. It also provides a comprehensive set of recommendations regarding how to effectively put into effect the interpretation of s.25 put forward by Commissioner Denham in her [report](#) on public interest disclosure in the Mount Polley tailings pond failure.

This will be an important part of reform of the *Act*, and we hope you will find it of assistance in putting together your own recommendations in the coming months.

The second appendix includes tables from a poll conducted earlier this month for BC FIPA by Ipsos Canada. Ipsos asked 802 British Columbians four questions related to important FOI issues that have come up repeatedly before this committee, and which were addressed in BC FIPA's submissions. These include a legislated duty to document, the need to implement penalties for interfering with information rights, the temporal aspect of release under s.25, and whether legislative reform should come before the next provincial election.

As you can see, British Columbians surveyed by Ipsos expressed strong support for the relevant legal reforms that FIPA and many others have recommended, and want to see action sooner rather than later. Please feel free to incorporate this public opinion research in your report if you find it helpful.

We look forward to your report. If you have any questions or concerns, please feel free to contact us.

Yours truly,

A handwritten signature in black ink, appearing to read "Vincent Gogolek". The signature is fluid and cursive, with the first name "Vincent" being more prominent than the last name "Gogolek".

Vincent Gogolek
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