

Note to Members - May 27, 2022

Dear Fellow Members,

I hope that this message finds you well. I am writing to provide an update on FIPA's recent work.

FIPA and COVID-19

The COVID-19 pandemic has required all of us to adjust to changing and uncertain circumstances. We responded to the pandemic by shifting FIPA's operations online and off-site. So far, this shift has been effective, and we have been able to continue with our core operations. We are still working on adapting our public education workshops and other events for online delivery.

Public and private sector responses to COVID-19 have also created a number of unprecedented and rapidly-evolving challenges related to transparency and privacy rights, and this has required FIPA's active engagement. We have been working closely with partner organizations across Canada and we have been in constant contact with Commissioner's offices. This will remain a priority over the months to come, and I encourage you to visit the FIPA website - fipa.bc.ca - and follow us on Twitter - @bcfipa - for updates on everything from the privacy implications of online education to transparency regarding public health information to challenges related to contact tracing.

As members of FIPA, you are well aware that the pre-pandemic status of our information and privacy rights was far from perfect. Our laws – in BC and across Canada – are fraught with flaws and loopholes and in dire need of updating. This means that FIPA must act on two fronts in the months to come.: striving to prevent temporary or emergency measures implemented in response to the exigencies of COVID-19 from becoming normalized, while also continuing to push for the modernization and extension of existing freedom of information and privacy laws and processes. We have our work cut out for us.

FIPA Staffing Update

FIPA started 2020 with energy and ambition. Our first priority was to finalize our Executive Director search process. Thanks to the outstanding support provided by Interim ED and Program Director Joyce Yan, Jason Woywada was able to effectively transition into his leadership role with FIPA. This in turn allowed us to finalize our 2020 budget and strategic outlook for the coming years, and to effectively navigate the organizational challenges posed by COVID-19. I encourage you to get in touch with Jason and introduce yourself. You can reach him at jason@fipa.bc.ca.

FIPA Programming and Projects - Selected Highlights

- **Connected Cars:** FIPA remains concerned about possible lack of compliance with the Personal Information Protection and Electronic Documents Act (PIPEDA) in the privacy policies of automobile manufacturers. We have been actively working with the Office of the Privacy Commissioner of Canada to address this issue.
- **Design Jam:** In conjunction with the Office of the Privacy Commissioner of Canada (OPC), FIPA organized a two-day event in Ottawa in early March that brought together experts from across Canada to engage in facilitated creative thinking working sessions on the issue of privacy and consent in a digital age. You can find the event report on the FIPA website.
- **Fallen Behind:** FIPA commissioned investigative journalist and FOI researcher Stanley Tromp to prepare an updated edition of his book *Fallen Behind*, and this extensively researched resource was released in May, via the FIPA website. The book provides an up-to-date assessment of how

Canadian ATI/FOI regimes compare to international standards.

- ***Privacy and Learning Management Systems in BC public schools:*** Over the last year, FIPA has been working on a major research project, supported by funding from the Law Foundation of BC, on privacy and Learning Management Systems in BC's K-12 public education system. The project is nearing fruition, and you can expect to see a detailed report released this summer. We think that our findings and our report will be particularly timely in a context of expanded online education.
- ***Personal Information Protection Act:*** A Special Legislative Committee is currently conducting a statutory review of the PIPA, and FIPA has prepared a comprehensive submission outlining gaps in the Act, emerging issues, and recommendations for reform. We will be making an oral submission before the Committee in early June and following up with a written report. Keep an eye on the FIPA website for updates on this important law reform work.

This overview covers some project and programming highlights. All of this work is undertaken alongside our everyday efforts to respond to questions and requests for assistance from members of the public, to deliver FOI 101 public education workshops, to respond to emerging information and privacy issues, and to answer calls for comment from the news media. It has been a busy year so far!

FIPA Members

I would like to conclude this update with some comments about how you, as members, can contribute to FIPA's work.

- **Renew your membership and attend our upcoming - online - Annual General Meeting.** Consider making a monthly donation via FIPA's website. One-time and recurring donations provide

FIPA with much-needed funding for timely projects, including polls, quick-turnaround studies, campaigns, and topical events.

- **Invite your colleagues, allies, and friends to become members.** The financial support of members is important, but so too is the amplification of reach and impact provided by the size of our membership. Every single person in BC – and in Canada – has a vested interest in robust information and privacy rights.
- **Volunteer with FIPA.** FIPA could not function without volunteers. We have an all-volunteer Board, and we rely on volunteers for a range of important functions. If you have time or expertise that you would like to lend to our work to advance and protect information and privacy rights, I encourage you to reach out to me, or to the FIPA Staff.
- **Contact FIPA.** You are active members of BC's information and privacy rights community, and FIPA exists to serve the interests of this community. Our Board and Staff welcome suggestions, tips, and encouragement from members, and your engagement can and does help us to determine how to dedicate our time and resources.

In closing, I encourage you to contact me if you have questions, concerns, or ideas about FIPA's work. You can reach me by email at mike@fipa.bc.ca.

I wish you health and happiness in these challenging times.

Sincerely,



Mike Larsen
President, BC FIPA