

Biggs, Jackie CITZ:EX

From: Jason Woywada <jason@fipa.bc.ca>
Sent: October 26, 2021 3:20 PM
To: OfficeofthePremier, Office PREM:EX; Minister, CITZ CITZ:EX
Cc: Mike Larsen; BCLiberalCaucus@leg.bc.ca; greencaucus@leg.bc.ca
Subject: 116075 - Bill 22 amendments to the Freedom of Information and Protection of Privacy Act (FIPPA).
Attachments: 20211026 Bill 22 Coalition Letter to Premier and Minister.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Minister Response

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Please find the following correspondence attached and below.

We, the undersigned, believe **transparency matters** and, because of this, we write to you to express our grave concerns about the Bill 22 amendments to the *Freedom of Information and Protection of Privacy Act* (FIPPA).

Bill 22 would see substantive changes made to FIPPA for the first time in over a decade. Unfortunately, if passed, this Bill will undermine access to information and make public bodies less transparent. It is a step backwards for openness and accountability, and a missed opportunity to protect the privacy and improve the information rights of British Columbians.

This legislation would extend the ability of current and future governments to keep people in the dark about vital matters of public interest. Its introduction at this time short-circuits the work of the special legislative committee responsible for reviewing FIPPA, preventing meaningful public consultation. If passed, it would immediately put up more barriers for people seeking access to information.

You have made prior commitments regarding the value you place on transparency and about the need to improve government accountability, but this legislation would make it harder for everyone - concerned citizens, experienced researchers, and you - to get facts rather than spin.

We recognize this majority government can readily pass this regressive Bill quickly. If that happens, it will impact the citizens of British Columbia now, haunt us into the future, and set a dangerous precedent across Canada.

Our message is simple: **Transparency matters to all of us. Stop Bill 22.**

We call on the government to:

- Withdraw this Bill
- Recognize the role of the all-party special committee and allow it to complete its work, including an open consultation process
- Commit, on record, to introduce comprehensive amendments to FIPPA that reflect the recommendations of past and current special committees

As interested individuals and members of organizations, we call on you to demonstrate your commitment to democratic values by taking action to im-prove—not reduce—the transparency of public bodies.

Signed by:

BC Freedom of Information and Privacy Association

With support from our partners as attached.

Cheers

Jason Woywada (he/him/his)

Executive Director, BC Freedom of Information and Privacy Association



PO Box 8308 Victoria Main, Victoria BC V8W 3R9

Phone: 604-739-9788

Website: <https://fipa.bc.ca>

Twitter: [@bcfipa](https://twitter.com/bcfipa)

I respect and acknowledge I am working and residing in the unceded Coast Salish Territory of the Lekwungen amongst the Songhees, Esquimalt and WSÁNEĆ peoples whose historic relationships with the land continue to this day.



Your Data
Your Rights



By email: Premier@gov.bc.ca, CITZ.Minister@gov.bc.ca

October 26, 2021

The Honourable John Horgan M.L.A.
Premier of British Columbia
PO Box 9041 Stn Prov Govt
PROV GOVT VICTORIA, BC V8W 9E1

The Honourable Lisa Beare M.L.A.
Minister of Citizens' Services
PO Box 9068 Stn Prov Govt
Victoria BC V8W 9E2

Dear Premier and Minister,

Subject: Bill 22 amendments to the *Freedom of Information and Protection of Privacy Act* (FIPPA).

We, the undersigned, believe **transparency matters** and, because of this, we write to you to express our grave concerns about the Bill 22 amendments to the *Freedom of Information and Protection of Privacy Act* (FIPPA).

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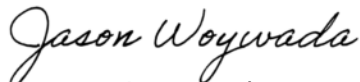
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Signed by:



Mike Larsen
President



Jason Woywada
Executive Director

BC Freedom of Information and Privacy Association
With support from our partners as attached.

CC:

BCLiberalCaucus@leg.bc.ca
greencaucus@leg.bc.ca

An online version of this letter is [here](#) and is continuing to gain support.

This call to action is supported by the following organizations:

- [The British Columbia Civil Liberties Association \(BCCLA\)](#)
- [The British Columbia General Employees' Union \(BCGEU\)](#)
- [The Canadian Association of Journalists](#)
- [Canadian Centre for Policy Alternatives BC Office \(CCPA-BC\)](#)
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- [Fairley Strategies](#)
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- [Lawyers Rights Watch Canada](#)
- [Open Media](#)
- [Privacy & Access Council of Canada \(PACC - CCAP\)](#)
- [Public Interest Advocacy Centre \(PIAC\)](#)
- [Student Press Freedom Act Campaign \(SPFA Campaign\)](#)
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- [The Wilderness Committee](#)

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- Jason Austin
- John Brady
- Lynn Copeland
- Carla Graebner, Librarian for Research Data Services and Government Information, W.A.C. Bennett Library, Simon Fraser University
- Sean Holman, Wayne Crookes Professor in Environmental and Climate Journalism, University of Victoria
- Patrick Jardine
- Victoria Lemieux, Associate Professor, Archival Science, School of Information, Co-Lead, Blockchain@UBC research cluster, Distinguished Scholar, Sauder School of Business, Faculty Associate, Institute for Computing, Information and Cognitive Systems, The University of British Columbia
- Lisa P. Nathan, Associate Professor, School of Information, University of British Columbia
- Marcus Ooms
- Dawe Pope
- Ken Rubin, Investigative researcher and transparency advocate
- Dan Schubart
- Chad Skelton, Chair, Department of Journalism and Communication Studies, Kwantlen Polytechnic University
- Stanley Tromp, FOI journalist, researcher
- Maureen Webb, FOI Author

Biggs, Jackie CITZ:EX

From: Stromp <stromp@telus.net>
Sent: October 30, 2021 12:55 PM
To: Minister, CITZ CITZ:EX
Cc: GCIO Chief Information Officer CITZ:EX; Thomas, Krista CITZ:EX; Reed, Matt CITZ:EX; Pridmore, Kerry CITZ:EX; Brouwer, Shauna CITZ:EX; stromp
Subject: Coalition news, Globe and Mail, etc
Attachments: Morocco - No more pacifiers.mp4; Scottish FOI, 2004 Launch.mp4

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Dear Minister Beare,

One can see the growing FIPA-led Coalition against Bill 22 at - <https://fipa.bc.ca/transparency-matters/our-bill-22-coalition/>

FYI, I attached two inspiring FOI promotion videos, from the Morocco and Scotland Information Commissioners. - Stanley Tromp. <https://canadafoi.ca/british-columbia-foi/>

<https://www.theglobeandmail.com/canada/british-columbia/article-the-bc-governments-proposed-freedom-of-information-changes-are-cynical/>

Government's proposed FOI-law change is cynical and self-serving

30 Oct 2021: A8. By Gary Mason. Globe and Mail

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Biggs, Jackie CITZ:EX

From: Shaylene McEwen <shaylene.mcewen@gov.bc.ca>
Sent: October 28, 2021 11:33 AM
To: CITZ Deputy Minister, CITZ:EX
Cc: Cook, Jeannette CITZ:EX; Molyneux, Jennifer CITZ:EX; Jarmson, Lindsay CITZ:EX
Subject: Draft-Minister's Sig CLIFF ID 116075
Attachments: 116075 - bill 22 amendments to the freedom of information and protection of privacy act (fippa).msg

MO-Minister's Office **Referral Slip for ID:116075**

2021/10/28

CONFIDENTIAL

Log Type: **Email** *Action:* **Draft-Minister's Sig** *Final Due:* **2021/11/16**
Batch: *Sig level:*

Jason Woywada, Executive Director
FIPA
Email: jason@fipa.bc.ca

Written: 2021/10/26 *Resp Type:*
Received: 2021/10/26 *File No.:*
Final Due: 2021/11/16 *Entered By:* s.15
Approved: *Approved By:*
Signed: *Sign By:*
Closed:

Address To: Minister *Copy To:*
Branch Rsp: *Issue:* FOIPPA
Drafter:
MLA: *Electoral Dist:*

Subject

Email received from Jason who is the Executive Director with BC FIPA.

"Our message is simple: Transparency matters to all of us. Stop Bill 22.

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- Withdraw this Bill
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Log Notes

2021/10/28 MA/EA Reviewed and advised to action as a Minister Response (separate from batch response)

Referral MO-Minister's Office -> DMO-Deputy Minister

<i>From:</i>	MO-Minister's Office	<i>Sent:</i>	2021/10/28	<i>Status:</i>	Pending	<i>Ref Action:</i>	Draft-Minister's Sig
<i>To:</i>	DMO-Deputy Minister	<i>Received:</i>		<i>Reason:</i>		<i>Subaction:</i>	

<i>Assign To:</i>	<i>Completed:</i>	<i>Due:</i>	2021/11/16 (Active (12))	<i>File No.:</i>
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Biggs, Jackie CITZ:EX

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BC Freedom of Information and Privacy Association

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Cheers

Jason Woywada (he/him/his)

Executive Director, BC Freedom of Information and Privacy Association



PO Box 8308 Victoria Main, Victoria BC V8W 3R9

Phone: 604-739-9788

Website: <https://fipa.bc.ca>

Twitter: [@bcfipa](https://twitter.com/bcfipa)

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By email: Premier@gov.bc.ca, CITZ.Minister@gov.bc.ca

October 26, 2021

The Honourable John Horgan M.L.A.
Premier of British Columbia
PO Box 9041 Stn Prov Govt
PROV GOVT VICTORIA, BC V8W 9E1

The Honourable Lisa Beare M.L.A.
Minister of Citizens' Services
PO Box 9068 Stn Prov Govt
Victoria BC V8W 9E2

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Subject: Bill 22 amendments to the *Freedom of Information and Protection of Privacy Act* (FIPPA).

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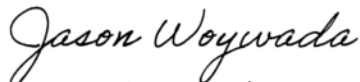
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Mike Larsen
President



Jason Woywada
Executive Director

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- Patrick Jardine
- Victoria Lemieux, Associate Professor, Archival Science, School of Information, Co-Lead, Blockchain@UBC research cluster, Distinguished Scholar, Sauder School of Business, Faculty Associate, Institute for Computing, Information and Cognitive Systems, The University of British Columbia
- Lisa P. Nathan, Associate Professor, School of Information, University of British Columbia
- Marcus Ooms
- Dawe Pope
- Ken Rubin, Investigative researcher and transparency advocate
- Dan Schubart
- Chad Skelton, Chair, Department of Journalism and Communication Studies, Kwantlen Polytechnic University
- Stanley Tromp, FOI journalist, researcher
- Maureen Webb, FOI Author

Biggs, Jackie CITZ:EX

From: Stromp <stromp@telus.net>
Sent: October 28, 2021 10:57 AM
To: stromp
Cc: Brouwer, Shauna CITZ:EX; Pridmore, Kerry CITZ:EX; Reed, Matt CITZ:EX
Subject: Key background to Bill 22

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Citizens' fine usages of the B.C. FOIPP Act

Notes in response to Bill 22, Oct. 2021

<https://canadafoi.ca/wp-content/uploads/2021/10/bccitizenfoi.pdf>

Beyond the FOI usage by opposition parties or the news media – who serve the public interest in their own way - we need to focus now on the average B.C. citizens, who can least afford request application fees permitted in Bill 22, and would be most harmed - the innocent parties caught in the political crossfire.

British Columbia: Proposed Amendments Significantly Weaken Access to Information Legislation

An assessment by the Centre for Law and Democracy (CLD) using its internationally renowned [RTI Rating](#) has found that the amendments currently being considered by the Canadian province of British Columbia, in the form of [Bill 22](#), would significantly undermine the right of individuals to access information held by public authorities. - <https://www.law-democracy.org/live/british-columbia-proposed-amendments-significantly-weaken-access-to-information-legislation/>

Coalition against Bill 22 - <https://fipa.bc.ca/transparency-matters/our-bill-22-coalition/>

Canadian Association of Journalists - CAJ

<https://www.newswire.ca/news-releases/-a-thumb-in-the-eye-of-transparency-caj-denounces-b-c-s-proposed-foi-amendments-869827283.html>

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<https://thebreaker.news/news/gabelmann-on-foi-bill/>

Father of B.C.'s freedom of information law says NDP can't be proud of Bill 22

Biggs, Jackie CITZ:EX

From: Beare, Lisa CITZ:EX
Sent: October 27, 2021 1:55 PM
To: Lawal, Cassandra CITZ:EX
Subject: Re: FOR APPROVAL -- Media Request: Lawyers's Daily - Bill 22 - FOIPPA amendments: DL Oct. 27 4 pm

Approved

Get [Outlook for iOS](#)

From: Lawal, Cassandra CITZ:EX <Cassandra.Lawal@gov.bc.ca>
Sent: Wednesday, October 27, 2021 1:53:41 PM
To: Beare, Lisa CITZ:EX <Lisa.Beare@gov.bc.ca>
Subject: FOR APPROVAL -- Media Request: Lawyers's Daily - Bill 22 - FOIPPA amendments: DL Oct. 27 4 pm

Hi Minister

Media response below for your approval.

Cheers

Kass

Kassandra Lawal

Office 778-974-6009 | Cell 778-678-3776

kassandra.lawal@gov.bc.ca

Reporter

Ian Burns, Reporter

The Lawyer's Daily

Ian.Burns@lexisnexis.ca

905-415-5906 c: 647-456-6915

Deadline Wednesday, October 27, 2021 4:00 PM

Request

My name is Ian Burns and I am a reporter with the Lawyer's Daily at LexisNexis.

The reason I am getting in touch today is that I am writing an article on Bill 22, the update B.C.'s Freedom of Information and Protection of Privacy Act (FOIPPA).

I just wanted to ask if a) the ministry was aware of the concerns which have been raised by the office of the Information and Privacy Commissioner (<https://www.oipc.bc.ca/public-comments/3592>) and other groups like the BCCLA and FIPA (<https://fipa.bc.ca/transparency-matters/our-bill-22-coalition/>), and b) whether it was considering amending the bill to address these concerns.

If you could help me that would be great. If it would be possible to have a response by end of day tomorrow that would be appreciated.

Recommendation: attributable to ministry

- We value the meaningful consultation that has occurred with the Commissioner in our 20 meetings with him and his office.

- We have included many items in this package and revised others that respond directly to the Commissioner's recommendations and feedback.
- The bill is now before members of the legislature and we will await the outcome of their debate and vote.

Biggs, Jackie CITZ:EX

From: Beare, Lisa CITZ:EX
Sent: October 31, 2021 1:19 PM
To: Lawal, Cassandra CITZ:EX
Subject: Re: UPDATED -- FOR APPROVAL -- FW: Media request: Glacier media – FOIPPA amendments: DL Oct. 29 3:30 (Glacier)

Approved

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From: Lawal, Cassandra CITZ:EX <Cassandra.Lawal@gov.bc.ca>
Sent: Sunday, October 31, 2021 11:56:54 AM
To: Beare, Lisa CITZ:EX <Lisa.Beare@gov.bc.ca>
Subject: UPDATED -- FOR APPROVAL -- FW: Media request: Glacier media – FOIPPA amendments: DL Oct. 29 3:30 (Glacier)

Hi Minister

Below is an updated media response, s.13

– for review and approval.

Recommendation: statement attributable to the ministry -- UPDATED

- During consultation we heard from thousands of people, Indigenous communities, businesses, organizations, subject-matter experts across government, the privacy commissioner and past Special Committees of the Legislative Assembly through extensive consultation over several years.
- The last two Special Committees made several recommendations that were not enacted by the previous government, in fact, the Act has not been substantially updated since 2011.
- The tabled legislation includes many of the recommendations of the past two Special Committees, such as:
 - Making the destruction of documents to evade access an offense; and
 - Making it mandatory to notify individuals and the commissioner of privacy breaches.
 - We've also already acted on other key recommendations to create a duty to document and expand proactive disclosures.
- The mandated role of the Special Committee is to review existing legislation.
- We anticipate that the new Special Committee would, if we waited to amend the Act, repeat many of these previous recommendations.
- The bill is before members of the legislature and we will await the outcome of their debate and vote.

Kassandra Lawal

Office 778-974-6009 | Cell 778-678-3776
kassandra.lawal@gov.bc.ca

From: Lawal, Cassandra CITZ:EX
Sent: October 30, 2021 12:45 PM
To: Beare, Lisa CITZ:EX <Lisa.Beare@gov.bc.ca>
Subject: FOR APPROVAL -- FW: Media request: Glacier media – FOIPPA amendments: DL Oct. 29 3:30 (Glacier)

Hi Minister

Media response with my edits below for your approval. Comms spoke to the reporter yesterday and they are happy to receive a response today.

Recommendation: statement attributable to the ministry

- During consultation we have heard from thousands of people, Indigenous communities, businesses, organizations, subject-matter experts across government, the privacy commissioner and past Special Committees of the Legislative Assembly.
- The proposed amendments reflect what we've heard through these many engagements and consultations, including meaningful consultation that has occurred with the Commissioner in our 20 meetings with him and his office and some of the recommendations from past Special Committees.
- We have included many items in this package and revised others that respond directly to the Commissioner's recommendations and feedback.
- The last two Special Committees made several recommendations that were not enacted by the previous government, in fact, the Act has not been substantially updated since 2011.
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Kassandra Lawal

Office 778-974-6009 | Cell 778-678-3776

kassandra.lawal@gov.bc.ca

Reporter

Jeremy Hainsworth, Reporter

Glacier Media Digital

jhainsworth@glaciermedia.ca

604-608-5189 c: 778-835-4303

Deadline Friday, October 29, 2021 3:30 PM

Request

I'm doing an article about opposition voiced this week to Bill 22 from the Canadian Association of Journalists and the Freedom of Information and Privacy Association.

Links are here

<https://fipa.bc.ca/transparency-matters/our-bill-22-coalition/>

https://caj.ca/blog/A_thumb_in_the_eye_of_transparency_CAJ_denounces_B.C._s_proposed_FOI_amendments

How does the government/ministry respond to the chorus of voices opposing this legislation?

Is the government going to withdraw the bill and return with something else?

Or, will the bill proceed to committee for work?

Or, will it go to the special committee as the Liberals have called for?

Doing story for Friday.

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