

B.C. Liberals planned to promote HST with iPad giveaway

Appeal to Olympic nostalgia also to be part of push for unpopular tax



BY JONATHAN FOWLIE
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VICTORIA — The B.C. Liberal government planned to use Olympic nostalgia and free iPads to persuade a reluctant public to support the harmonized sales tax.

“The 2010 Olympic and Paralympic Winter Games gave British Columbia a foundation to build a stronger province and create new opportunities for workers and families,” said a 10-page pamphlet the government had planned to mail to each home in 2010, not long after the Games had finished.

Obtained by The Vancouver Sun after a 19-month battle under the Freedom of Information Act, draft copies of the pamphlet contain a large image of the Olympic flame on the cover and bear the title “Spirit of 2010: Building on B.C.’s Olympic Advantage.”

The government never sent out the pamphlet, shredding all copies not long after having spent \$780,000 to have them designed and printed.

On its second page, the pamphlet features a list of the “10 reasons why B.C. is The Best Place on Earth,” including answers like: “we give hope to the world;” “we’re cool;” and “we like big stuff.”

One part of the pamphlet contained a contest giving people a chance to win one of three Apple iPads, valued, it said, at about \$750 each.

At the end of the document, the government used three pages to push the merits of the HST, saying the then controversial tax is “good for B.C.”

“Academic research and evidence from other jurisdictions have shown that under an HST tax structure wages go up, prices go down and more jobs are created,” it said.

“You won’t pay a penny more on many of the products and services you use every day,” it added, providing a list of items such as basic groceries, books and children’s diapers.

On Thursday, Finance Minister Kevin Falcon — who was not minister responsible at the time — said the pamphlet was quashed because it would have been mailed out at the same time as a court challenge on the anti-HST petition, and government did not think the approach was going to be helpful.

“The idea was a desire to talk about the success of the Olympics and the HST and I think that, frankly, British Columbians wouldn’t have been very receptive to it,” said Falcon.

“My understanding is it was killed by the premier’s office of the day and I don’t know much more,” he continued. (Gordon Campbell was premier at the time)

New Democratic Party leader Adrian Dix called the pamphlets a laughable waste of taxpayer money.

“It’s kind of, ‘Can you believe how out of touch they are?’ kind of funny,” Dix said Friday after being briefed on the contents of the pamphlet.

“This sounds like a Liberal Party that knew they had misled people and were hoping, I guess, a spoonful of publicly-paid sugar would help the medicine go down.”

Dix added the government continues to spend money in a similar fashion, with recent documents showing that as of last month the government had spent \$866,697 on advertising for its Jobs Plan.

“They’re still doing it. The premier is doing branding ads for her jobs plan right now at \$800,000 and really, when you look at what she’s doing now, they don’t learn anything,” he said.

In 2010, then finance minister Colin Hansen said his government had wanted to send a version of the HST pamphlet that April, hoping it could land on doorsteps before the HST first took effect on July 1 of that year.

Elections BC rejected the first version of the pamphlet because an anti-HST petition was circulating at the time. It ruled at the time that distributing the pamphlet while canvassers were

collecting signatures was a violation of the province’s Recall and Initiative Act.

Hansen said government later redrafted the pamphlet into a more general mailer — the one released this week — only to shred the copies it had printed.

The Sun first requested the pamphlet under the Freedom of Information Act on June 24, 2010.

Government refused the request in August of that year, citing a section of the act that allows government to block disclosure of records that “would reveal advice or recommendations developed by or for a public body or a minister.”

The Sun referred the matter to the Office of the Information and Privacy Commissioner, which attempted unsuccessfully to resolve the dispute in mediation.

The province finally released the documents to The Sun on Monday, on the eve of an inquiry to be held by the privacy commissioner’s office.

“Although it is believed [section] 13 applies to the records at issue, the head [of Government Communications and Public Engagement] has reconsidered and is exercising her discretion to disclose them,” said a letter that accompanied the documents.

On Friday, Dix criticized the entire process, saying government has no right to block documents that were created for the sole purpose of mass public distribution.

“It shows an absolute contempt for FOI laws to make the argument they’ve been making as to why they didn’t release this,” he said.

“This was a publicly paid document, it was intended for public release and for the public to have.”

Asked about the process, Falcon said it “bothers” him that government sought to block release of the document.

He added that upon hearing the pamphlet was being blocked he recommended it be released.

“My direction to staff was really clear: just release the damn thing,” he said.

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<http://www.vancouversun.com/news/Liberals+planned+promote+with+iPad+giveaway/6070263/story.html>

Liberals like big stuff, just look at HST mess



BY VAUGHN PALMER
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For a year and a half, the BCLiberals fought all efforts to get them to release one of the few surviving copies of a \$780,000 pamphlet touting the virtues of the harmonized sales tax.

"Cabinet secrecy," they claimed, rejecting an application filed under provincial access to information legislation.

Never mind that they'd printed 1.6 million copies of the 12-page full-colour pamphlet with intentions of mailing it to every house-hold in B.C., before second thoughts relegated the lot - a half dozen truckloads worth - to the shredder.

Could material prepared at public expense for public distribution really fit the legal definition of "information that would reveal advice or recommendations developed by or for a public body or minister?"

The Liberals unabashedly said so, citing one of many escape clauses in a loophole-ridden access to information law. Fortunately, Jonathan Fowlie, The Vancouver Sun reporter who made the original application, doesn't give up easily.

He pursued the application through serial rebuffs until finally last week, on the eve of an appeal hearing with the office of the information commissioner, the Liberals handed over several draft versions of the pamphlet, reputedly all that survived the shredder.

They continued to insist that they were within their rights to withhold the material on grounds of cabinet secrecy. But a review of the contents suggests it was not so much cabinet

secrecy as its dignity that was being protected by all the stonewalling.

For as then finance minister Colin Hansen said in explaining the mid-summer 2010 decision to scrap the pamphlets: "There was a sense that sending out the mailer could in fact exacerbate some of the concerns that are out there."

I'd say so. Even by the belated, self-defeating, tin-eared standards of most Liberal outpourings in defence of the HST, the pamphlet was a standout exercise in incompetence.

- The after-the-fact rationalizations for a tax that was never explained to the public in advance of its unveiling.
- The desperate attempt to surf the good feelings arising out of the 2010 Winter Olympics. Red mittens, anyone?
- The pathetic giveaway of three \$750 Apple iPads, keyed to a know-your-BC quiz. What BC tourist attraction has an "adopt-a-rattlesnake program?" No, not the legislature, though the Liberals may need one if the polls continue their slide.

Still, sorting through the various drafts, one did glean insights into the government mindset.

An early draft included an explanation, under the heading of How the HST Lowers Prices, of the \$2 billion in savings flowing to business with the shift to value-added taxation. "That's good for business," said the exit line.

In subsequent drafts, the explanation was unchanged, but the tag line was revised to the more publicly palatable "That's good for consumers."

Another apparently late addition - absent from drafts produced in May, present in those delivered in early July - was a dodgy justification of how the tax was sprung on the electorate just weeks after a campaign in which it was barely mentioned.

Question: "Why did government bring in the HST so quickly?"

Answer: "After the 2009 election, government was informed that provincial revenues were deteriorating. Government looked for a way to meet bud-get targets without cutting core services. Through

discussions with the federal government, the province learned that \$1.6 billion in transition funding ... was available for the first time."

Q: "How could this happen so quickly if the government wasn't planning it?"

A: "Ontario had decided to move to an HST earlier in 2009 and had negotiated for months with the federal government. In June 2009, it was clear that B.C. could piggyback on that agreement and that the same agreement would be available if B.C. acted by mid-July. Otherwise we would have to wait two years."

The tale grew in the telling, and never more so than within the bounds of those two paragraphs.

As a further measure of how far the Liberals had slipped the bonds of reality, take the pamphleteers' attempt to rustle up support for the HST by riffing on the overreaching slogan that B.C. was "the best place on Earth."

The resulting top 10 list saw the government drafting team juggling both the wording and the ranking, an effort as feeble as it was bizarre.

"We're impressive" (May draft) got rewritten as "we're cool" in June. "Our kids are smart" became "Our kids excel." "We move people," a reference to transportation infrastructure, not young British Columbians looking for work in Alberta, was downgraded from the top of the pack to near the bottom.

Taking its place at the top of the top 10 was "We give hope to the world." To comedians at least. For along with the aforementioned laugh lines, there on the top 10 reasons why BC was the best place on Earth, you had No. 3: "We like big stuff."

Come again? "B.C. is home to some of the world's biggest attractions, such as the world's largest hockey stick, gold pan, cross-country skis, fly-fishing rod and the tallest totem pole."

Not to say big spending, big tax grabs, and big boondoggles, of which this ill-conceived pamphlet was only one of many on the Liberal HST road to ruin.

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<http://www.vancouversun.com/news/public-sector-salaries/Liberals+like+stuff+just+look+mess/6077041/story.html>

HST lessons, 19 months later

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Someday, probably when the wounds have started to heal, British Columbia's incompetent rollout of the harmonized sales tax will provide plenty of material for university courses dealing with business management, public policy, citizen engagement and more.

It's all been recounted many times, so we won't tell the entire story here. Besides, the list of mistakes is just too long.

Let's just say that the government of the day did nothing to set the stage for the announcement of the HST, did nothing to prepare taxpayers for the hit they were about to take - and, most disturbing of all, could not understand why individual British Columbians would have been upset.

The backlash cost a premier and a finance minister their jobs, and could yet bring down the premier's successor as well as many members of her caucus. The anger has not subsided - as the polls continue to show.

All of this because of a tax that, in theory at least, makes more sense than the old - and soon-to-return - provincial sales tax.

At this point, the key question is simple: Has the B.C. Liberal government learned from its colossal mistake? If not, it is destined to come up with more blunders that, like the HST debacle, could have been avoided.

The evidence, so far, is that the Liberals have a way to go.

The government spent 19 months fighting the release, under the Freedom of Information Act, of a 10-page pamphlet it had planned to send to all homes in British Columbia in 2010. A draft copy of the pamphlet was finally obtained last week by the Vancouver Sun, and it reveals that the proposed sales pitch for the HST was tied to Olympic nostalgia and the giveaway of three iPads.

The pamphlet was printed and prepared for distribution, but then, for whatever reason, the idea was scrapped. The pamphlets were shredded, despite the expenditure of \$780,000 in tax dollars to design and print them.

The change of heart, reported at the time it happened, was disturbing and insulting. The government had information it wanted to share with us, spent our money to prepare it and then decided not to bother. In the end, we didn't get the information, but we still got the bill.

That level of arrogance can only be attributed to a government out of touch with the people it serves. We had hoped that Premier Christy Clark would have learned not only from the HST mess as a whole, but also from the pesky little details such as the shredded pamphlet.

But the 19-month fight to keep the pamphlet confidential should give us doubt.

For one thing, it's bound to make voters think that the government just doesn't get it, and doesn't understand why people are so mad. Clark's government needs to build trust; hiding the dirty laundry from a previous premier's time will not allow them to do that.

Beyond that, the delay was politically stupid. Get all of the bad news out early? Get it over with? No, the government would rather drag out the pain as long as possible, and keep enhancing the notion that voters were misled, mishandled and mistreated when the HST was introduced, and for months after that.

What are they thinking? What kind of bizarre strategy are they following? And why do we need the New Democrats - no offence to leader Adrian Dix - when the Liberals are doing a fine job of being their own opposition?

The pamphlet itself did not contain many surprises; it told us, among other things, that we live in a great place and the HST is wonderful. All quite predictable - and, at this point, it would be quite irrelevant as well.

Irrelevant except for the way the government stalled for 19 months. The sad truth is that the lessons of the HST debacle are still not getting through.

<http://www.timescolonist.com/news/Times+Colonist+editorial+lessons+months+later/6076926/story.html>

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Association calls for penalties to improve government transparency

BY JONATHAN FOWLIE
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VICTORIA – An association that advocates for government transparency is calling for the introduction of penalties to keep the provincial government from improperly blocking the release of information.

The call comes after a Vancouver Sun story on Monday revealed how the B.C. Liberal government used provisions regarding advice to a minister to block for 19 months the release of a pro-HST brochure it once planned to mail to everyone in the province.

The government ultimately released the brochure, but did so only while facing an inquiry, and arguing it had been right to block the release.

Freedom of Information and Privacy Association executive director Vincent Gogolek said something needs to change.

“We’ve now really reached a situation where they are, and intend to, claim [advice to a minister] for literally anything,” he said in an interview Tuesday.

“It’s absurd.”

Gogolek did not specify exactly what penalties he’d like to see, but said there does need to be a greater mechanism for accountability.

“The government clearly intends to keep using this black hole to

block anything which they consider embarrassing, and this type of abuse should be subject to penalties in the Freedom of Information and Protection of Privacy Act,” Gogolek said in a press release.

“This waste of everybody’s time and resources should not be allowed to continue.”

The Sun first requested the pamphlet under the Freedom of Information Act on June 24, 2010.

Government refused the request in August of that year, citing Section 13 of the act, which allows government to block disclosure of records that “would reveal advice or recommendations developed by or for a public body or a minister.”

Gogolek noted that Premier Christy Clark ran for the Liberal leadership on a promise of open government, which he said doesn’t fit with government actions in blocking the release of a brochure produced for mass public distribution.

He noted that after Clark was sworn in, she said the government should be more proactive in releasing information, so people don’t have to resort to FOI requests as often.

“Clearly you do. Clearly you have to fight them all the way to a hearing.”

Minister of Labour, Citizens’ Services and Open Government Margaret MacDiarmid said Tuesday

the request for the brochure was handled by public servants who followed the exact protocol as set out in law.

“When the request was originally made, the documents were in draft form, they had writing on the margins and so on, and they were considered under the act to constitute advice, recommendations or draft regulation,” MacDiarmid said of The Sun’s request for the HST brochure.

“The people who looked at them who were public servants said this qualifies under Section 13 and we shouldn’t release it.”

MacDiarmid said the government is making progress in responding to requests much quicker than it has in past.

New Democratic Party leader Adrian Dix said the government does appear to be over-extending its use of the act.

“Successive premiers have viewed Section 13 ... as being the equivalent [of] something that might be harmful to the Liberal Party,” he said.

“This is not healthy.”

<http://www.vancouversun.com/news/Association+calls+penalties+improve+government+transparency/6080958/story.html>

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