

# NEWS RELEASE

For immediate release  
August 22, 2012



## **BC government keeps FOI requests under wraps Government said it would routinely post completed FOI requests, but more than two-thirds are still locked away**

Vancouver – Only a year after announcing a number of open government initiatives to much fanfare, Christy Clark’s government is failing to meet its own standards for posting completed freedom of information requests.

According to a [complaint filed](#) with the Information and Privacy Commissioner by the BC Freedom of Information and Privacy Association, 67 percent of completed general FOI requests have not been posted on the Web by the BC Government.

The government’s policy states that:

*2.1.1 Responses to General FOI Requests must be posted to the Open Information Website, unless an exemption is approved. Responses to General FOI Requests include the response letter and the responsive Records. [emphasis added]*

“They said these exemptions would only be applied in ‘limited circumstances,’” said FIPA Executive Director Vincent Gogolek. “We don’t see how 67 percent of requests fall under anybody’s definition of ‘limited circumstances.’”

FIPA has also taken issue with the criteria the government says it uses to exempt FOI responses from disclosure. The FIPA complaint points out that the criteria used to block the posting of FOI requests are already included in the *Freedom of Information and Protection of Privacy Act*.

“Obviously, any information that can’t be disclosed would have already been removed from the records by the government before being released to the requester,” Gogolek said. “The so-called criteria are really just an excuse for posting or refusing to post information as they see fit, and that is not what the Commissioner recommended just last year.”

A list of ten examples of FOI requests not posted by the government is attached (including records relating to historical designation of Emily Carr’s House of All Sorts).

## WHAT WAS MISSING?

Below are ten examples of closed general FOI responses that were *not* posted to the www.openinfo website.

(1) PSS-2011-00826

Copies of final/primary documents relating to incident reports involving threats, attempted assaults or incidents where staff were injured in responding to inmate-on-inmate violence for BC correctional institutions for 2010.

(2) FNR-2011-00248

All records concerning the Pacific Great Blue Heron colony at Wireless Road, Comox including but not limited to records of correspondence between the Ministry of the Environment and the Department of National Defence with reference to CFB Comox Project: Remove Trees from Obstacle Limitation Surfaces to Runway 30 at 19 Wing Comox; All records and data relating to the heron colony at Wireless Road, Comox; All records relating to the Coastal Douglas Fir ecosystem at Wireless Road, Comox.

(3) FNR-2011-00265

Records relating to fish kills, fish stranding and negative environmental impacts related to the Ashlu Creek Independent Power Project from June 2009 to May 18, 2011, including any material that is deemed out of scope.

(4) HTH-2011-00124

Evaluation materials for interior of BC, eight-week trial period, for dedicated helicopter air ambulance service. Document types: Final reports, Executive and interim project reports, information and decision briefing notes. Time frame is after the trial period ended September 17, 2010 to August 30, 2011.

(5) AGT-2011-00219

Any and all correspondence and documents (including emails) sent or received from the Office of the Attorney General from July 1, 2011 to August 26, 2011 regarding the Stanley Cup Riots and subsequent investigation/prosecutions; Any and all correspondence and documents (including emails) sent or received from the Office of the Deputy Attorney General July 1, 2011 to August 26, 2011 regarding the Stanley Cup Riots and subsequent investigation/prosecutions.

(6) GCP-2012-00033

All records including emails, policy documents, briefing notes, memos, binders and other correspondence relating to same-sex marriage and/or divorce for foreign gay couples wed in Canada; Records related to the validity of these same sex marriages. Time frame is 2004 until [February 14, 2012].

(7) TRA-2011-00050

All records from the Southcoast region bridge program area pertaining to suicide prevention initiatives and measures for bridges in the Lower Mainland. More specifically, all records specific, but not limited to, prevention methods on Lions Gate Bridge, including any review of the suicide prevention emergency phones and any records pertaining to plans to expand the program to other bridges or install additional or alternative methods on bridges in the Lower Mainland. The timeframe for these records is from 1998 through 2011.

(8) HTH-2011-00144

All emails and letters received from the public, and government officers, and responded to, within the Ministry, pertaining to second hand smoke in multi-unit dwellings; Including smoke from marijuana and illegal drug; Also including any reports and plans addressing legislation prohibiting second hand smoke in multi-unit dwellings, and how it specifically relates to seniors housing, subsidized housing, and children; And as well any communication, recommendations, plans, reports, between BC Region, Tobacco Control Program of Health Canada. Timeframe January 2011 to [October 6, 2011].

(9) FML-2010-00034

Copies of all files (communications, memos, reports, etc.) concerning the McAbee fossil site near Cache Creek, BC, including (but not be restricted to) the report commissioned by the Ministry of Agriculture and Lands by Peter Read and Richard Hebda; including files from other ministries that previously existed but no longer do, for example, the Ministry of Sustainable Resource Management, which had communications and possibly internal discussions of this issue under then Minister Stan Hagen in 2002 and under then Minister Abbott in 2003; also any files with comments, information, or direction to ministries concerning this issue by anyone within the Premier's Office.

(10) FNR-2011-00090

Entire file, email, reports, notes about the historic site of Emily Carr's House of All Sorts located at 646 Simcoe Street, Victoria, BC and its provincial designation.

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