



June 8, 2016

Statement from B.C. Privacy Commissioner regarding proactive disclosure of current access requests

VICTORIA—Information and Privacy Commissioner Elizabeth Denham issued the following statement in response to the announcement that government will be proactively disclosing lists of current access requests under the *Freedom of Information and Protection of Privacy Act* (FIPPA):

“Throughout my term, I have encouraged public bodies to proactively disclose records in which the public are interested and for which public bodies receive access requests. As part of an expansion of proactive disclosure practices announced last month, government has proposed routinely posting summaries of active freedom of information requests on the Open Information website. I understand that details of these requests will include the same information that is disclosed in response to formal access requests received by government.

“I had expressed concerns to government about the disclosure of the subject description of each request prior to an applicant receiving the requested records. My concern was that this premature disclosure of the subject could frustrate the purpose of FIPPA by discouraging some applicants from requesting records. There are instances, such as when a request is made by the media, when there is a legitimate need for exclusive knowledge of the subject of the request prior to the applicant receiving the requested information.

“Also of concern was whether there would be any disclosure of information that could potentially identify an applicant via the category or subject field. I have been assured that published information will not include any personal or identifying information, such as the personal name of an applicant, any corporate affiliation or any information that is subject to an exception to disclosure under FIPPA.

“The current proposal involves taking a weekly snapshot of requests and disclosing them 30 days later. These changes largely address my concern about premature disclosure of the subject of requests frustrating the spirit of FIPPA and preserves the anonymity of the requesters, as no personally identifiable information will be disclosed. I accept that this proposal is consistent with s. 71.1 of FIPPA given the existing demand for this information demonstrated in formal access requests.”

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