

For immediate release

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Northern Health Authority fails to abide by OIPC consent order to respond to applicant
Commissioner Harvey has filed the order with the BC Supreme Court

VICTORIA – BC Information and Privacy Commissioner Michael Harvey filed an order with the BC Supreme Court today after Northern Health Authority failed to respond to an applicant, despite agreeing to a consent order to do so by April 22, 2025. The action enables the Commissioner to enforce the order with the same effect as if it had been issued by the Court.

The original consent order was issued by the Office of the Information and Privacy Commissioner under section 58 of the *Freedom of Information and Protection of Privacy Act* (FIPPA) after Northern Health Authority failed to respond to the applicant within the legislated timeline. Both Northern Health Authority and the applicant had signed the consent order, agreeing to a date the health authority would provide the overdue response to the applicant.

Sections 59 and 59.01 of FIPPA require a public body to comply with orders issued by the Commissioner or their delegate, and permits the Commissioner to file an order with the BC Supreme Court if the public body has not met their obligations by the required date. Once filed, the order is of the same force and effect as if it were a judgement of the Supreme Court and could result in a finding of contempt of court made by the Supreme Court if the public body refuses to comply.

“Transparency is the foundation of trust, and an essential element of our freedom of information system. Under FIPPA, public bodies are required to respond to access requests within legislated timelines – in most cases 30 days. This is not an aspirational timeline, it is a statutory deadline that must not be deprioritized. Public bodies need to properly resource and direct freedom of information and program staff to meet their obligations under FIPPA. If they do not there are avenues this office can take to hold them to account – such as filing an enforceable order with the BC Supreme Court, such as we have done today,” said Commissioner Harvey.

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