



FOR IMMEDIATE RELEASE
August 8, 2005

**INFORMATION AND PRIVACY COMMISSIONER CALLS FOR RECORDS
CREATION LEGISLATION**

Victoria—Information and Privacy Commissioner David Loukidelis in his 2004/2005 annual report to the Legislature today called on the BC government to enact legislation legally requiring public bodies to document their actions or decisions.

“If governments are to be held accountable and the public’s right of access to government information is to be meaningful, information must be accurately and securely preserved to ensure there is a record of what has been done”, the Commissioner stated. “Without reliable recorded evidence, governments cannot demonstrate that they have used public resources responsibly and have discharged their duties and used their powers lawfully.”

In his report, the Commissioner also expressed concerns about the blurring of the longstanding boundaries between national security activities and ordinary law enforcement. “While the risks of terrorist attacks cannot be discounted...the constitutional and statutory privacy protections we enjoy should not be set adrift in the name of national security to founder on the rocks of law enforcement expedience” he cautioned. “While extraordinary powers are often necessary to protect national security, such powers must be clearly linked to the objectives they are created to achieve, must be no more extensive than absolutely necessary and must be subject to meaningful, independent oversight to ensure they are not abused.”

The Commissioner noted that his office is now experiencing the first noticeable backlog of files since its budget was cut. The backlog covers cases under the *Freedom of Information and Protection of Privacy Act* and, despite some new funding for its office’s activities under BC’s private sector privacy law, the *Personal Information Protection Act*. “An effective access and privacy law requires effective oversight of compliance, which in turn depends on adequate funding for the oversight agency”, he stated.

– 30 –

For further information contact:

Mary Carlson, Director
Telephone: 250-387-5629