

MEDIA STORIES UTILIZING RECORDS OBTAINED UNDER BRITISH COLUMBIA’S FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT (FOIPP), January 1 to June 1, 2009

Here are summaries of B.C. news stories on issues as diverse as health, safety, government financial waste, public security, and environmental risks. They all share two common features: all reveal issues vital to the public interest (*i.e.*, not merely topics the public “might find interesting”), and all were made possible through FOI requests.

These articles merit a second look, for when they appear in a daily newspaper they might be forgotten within days, but many should not be, because we could be living continuously with the unresolved problems that they have raised. As well, some such articles have prompted regulatory improvements. Not every FOI story necessarily reveals a scandal, but can still be valuable in educating the public on the scope of a little-known issue, and on how government operates.

The stories could suggest topics to journalism students for their own FOI requests to make. As well, for FOI applicants who are appealing against refusals of disclosures, some stories could serve as precedents by showing the types of records that government has released before.

The examples noted here can serve as an antidote against despondency or cynicism regarding the flawed BC FOI system, for they show how journalists can sometimes overcome the barriers of bureaucratic and political resistance to produce valuable results. While these are often impressive enough, imagine how much more could yet be achieved with an improved BC FOI law, and the potential loss of such stories if the FOI system erodes still further. If the question is posed, “Why should we care if we have better FOI laws and practices?” - the answer is suggested in the texts below.

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Most of these stories are based on FOI requests made by journalists, although some may be reporting on FOI requests made by other requestors. The summaries reflect the language and perspective of the original articles, not the editor’s views. (Such stories from 1993 to 1998 can be read at <http://www.direct.ca/bcjc/archives.htm>)

<p>A briefing note prepared for the B.C. Housing and Social Development Minister advised there would be “significant” fire safety concerns with five and six wood-frame buildings. But despite that note, obtained by Public Eye via FOI, the government moved ahead with its plan to permit the construction of those controversial buildings. Premier Gordon Campbell first mentioned the possibility of taller wood-frames at the Council of Forest Industries annual convention on April 16, 2008, telling attendees, “Wood can be used up to four storeys. Let’s push that ceiling.” But the note warned “combustible buildings higher than three or four storeys are considered to present a significant fire load,” and that increasing their height “will likely meet firm resistance from building and fire officials.”</p>	<p>Apr. 1/09</p>	<p><i>Briefing note: taller wood-frames have "significant" fire safety concerns</i></p> <p>By Sean Holman</p> <p>Public Eye Online</p>	<p>Housing and Social Development Ministry</p>	<p>Health and Safety</p>
<p>Four months after the lights went out for more than 200,000 people on Vancouver Island, CFX learned what led to the massive Thanksgiving weekend blackout. Documents point to a combination of both preventable and unknown problems within the system. The BC Transmission Corporation reviewed an incorrect protection setting that went unnoticed for several years that helped trigger the outage.</p>	<p>Feb 12/09</p>	<p><i>Special Report into Thanksgiving Blackout</i></p> <p>By Adam Stirling</p> <p>CFX 1070 Radio, Victoria</p>	<p>BC Transmission Corporation</p>	<p>Health and Safety</p>

<p>The eyes of the world turned to the Whistler ski resort when a gondola tower collapsed, leaving dozens of skiers and snowboarders stranded or injured and raising the spectre of a similar disaster during the 2010 Olympics. However, FOI documents show that scores of accidents at B.C. ski resorts go unpublicized and that visitors are far more likely to be injured while loading, unloading, or just falling off a lift. The B.C. Safety Authority recorded 106 "reportable incidents" at ski hills in 2008, including an unlucky 13 persons who plunged as far as nine to 12 metres from lifts, some suffering serious injuries in the process. Grouse Mountain recorded the most falls from lifts at three, followed by two each at Mount Seymour, Blackcomb, Whistler, and Kimberly Mountain.</p>	<p>Feb. 21/09</p>	<p><i>106 chairlift 'incidents' in 2008</i></p> <p>By Larry Pynn</p> <p>Vancouver Sun</p>	<p>B.C. Safety Authority</p>	<p>Health and Safety</p>
<p>Many of the trucks used to make B.C.'s highways safe are themselves unsafe. The violations committed by the heavy commercial vehicles are the type of infractions targeted under a new safety program announced by the provincial government. An FOI inquiry by the B.C. Government and Service Employees Union revealed that some private highway maintenance contractors have been dinged for operating dangerous trucks. The records show that between April 1, 2007, and Nov. 30, 2008, there were 535 violations in 147 inspections of the contractors' vehicles.</p>	<p>Apr. 9/09</p>	<p><i>Many maintenance trucks unsafe, FOI inquiry shows</i></p> <p>Nanaimo Daily News</p>	<p>Transportation Ministry</p>	<p>Health and Safety</p>

<p>B.C.'s Agriculture Ministry warned the poultry industry two years ago that if farmers didn't take biosecurity measures more seriously, B.C. could face a bird-flu outbreak within months of the 2010 Olympics. This would be a "political disaster," said a January 2007 e-mail from Stewart Paulson, a government poultry specialist, to Calvin Breukelman, then chair of the BC Poultry Association's biosecurity committee. Paulson expressed frustration that some Fraser Valley poultry farmers still weren't keeping the gates on their farms closed at all times - a measure intended to reduce foot and vehicle traffic, which can spread infection from one farm to another.</p>	<p>Jan. 24/09</p>	<p><i>Expert warned 2 years ago of bird flu danger near time of 2010 Olympics</i></p> <p>By Chad Skelton</p> <p>Vancouver Sun</p>	<p>Agriculture Ministry</p>	<p>Health and Safety</p>
<p>A B.C. Aboriginal community campaigning to ban the trophy hunting of bears came under fire from provincial conservation officers for keeping an open-pit garbage dump that attracts grizzlies, two of which became a threat and had to be shot last year. Records reveal officers' frustration with residents of Wuikinuxv village at Rivers Inlet, near the unfenced dump, close to the salmon-bearing Wannock River. "The band is well-aware of the cause of the problem but nothing gets done," a conservation officer wrote in an e-mail to a Ministry of Environment biologist.</p>	<p>Mar. 20/09</p>	<p><i>Village criticized for failure to respond to grizzly problem</i></p> <p>Nanaimo Daily News</p>	<p>Environment Ministry</p>	<p>Environment</p>

<p>Outrage was expressed after July 2006, when Barry Penner, Minister of the Environment, announced he was launching the "Park Lodge Strategy," which allowed resort owners to build private facilities in approximately 12 parks including Golden Ears, Fintry, Mount Assiniboine and Wells Grey. FOI records obtained by the Wilderness Committee, showed the Park Lodge Strategy included provisions for "major resorts" within park boundaries, and resorts of this scale typically "include pools, tennis courts, ski hills and golf courses." The strategy allowed private-for-profit development within park boundaries, and was enacted without public consultation.</p>	<p>Apr. 25/09</p>	<p><i>British Columbians deserve access to parks</i> Nanaimo Daily News</p>	<p>Environment Ministry</p>	<p>Environment</p>
<p>According to a document obtained by two environmental groups, Environment Minister Barry Penner exaggerated the number of B.C. park ranger positions. The paper said there were just 63.8 full-time equivalent ranger positions in B.C. Parks in 2006/07 even before the latest round of cuts - just a fraction of the 225 full-time equivalent ranger positions Penner erroneously said existed. It also showed B.C. has just 10 regular full-time equivalent park ranger positions year-round - a 60 percent decline from 2001. Cuts will leave less than 50 full-time equivalent rangers positions to patrol 13.5 million hectares of protected areas.</p>	<p>May 4/09</p>	<p><i>Park rangers could see cuts</i> The Clearwater Times</p>	<p>Environment Ministry</p>	<p>Environment</p>

<p>Some 40 complainants contacted the BCLC between June 2005 and June 2007, said a report that showed most complaints were about a lack of validation slips being given to customers, or ticket buyers being concerned they won and the retailers either shortchanged them or somehow switched tickets on them. The names of retailers were blanked out, and none of the complaints generated penalties against them. The BCLC did not meet the 30-day limit for such requests - the response came in one year and eight months.</p>	<p>Feb. 28/09</p>	<p><i>Getting lucky; The B.C. Lottery Corp. has beefed up security since an ombudsman's report in 2007 found problems in the system.</i></p> <p>By Michele Young</p> <p>Kamloops Daily News</p>	<p>B.C. Lottery Corporation</p>	<p>Crime and Policing</p>
<p>B.C.'s lottery corporation has caught at least eight lottery retailers ripping off their customers over the past two years, including one employee from a Maple Ridge outlet who pre-scratched more than 100 scratch-and-win tickets before putting them up for sale.</p> <p>Concerns over lottery fraud in 2006 led BCLC to bring in new measures, including having its security staff review every retailer win over \$1,000. However, the records show that all eight confirmed fraud cases since 2007 involved prizes much lower than \$1,000, suggesting dishonest retailers may be stealing smaller prizes because they know they aren't as closely scrutinized. In all eight cases, BCLC only learned of the fraud after receiving a complaint from the public.</p>	<p>Mar. 13/09</p>	<p><i>Lottery employee caught scratching and selling</i></p> <p>By Chad Skelton</p> <p>Vancouver Sun</p>	<p>B.C. Lottery Corporation</p>	<p>Crime and Policing</p>

<p>A report obtained from the B.C. Corrections branch found evidence that the riot in February 2008 at Fraser Regional Correctional Centre that destroyed a cell block was planned. The report said there were threats made 24 hours before the event happened and an inmate helped another breach his cell during the riot, as well. The report recommended management at the provincial prison undertake additional "contraband control measures." Although B.C. Corrections has previously denied the riot was fueled by drugs. An inmate in the cell block adjacent to the riot previously said the riot started over "dope."</p>	<p>Mar.31/09</p>	<p><i>First plea in Maple Ridge prison riot</i></p> <p>By Monisha Martins</p> <p>Maple Ridge News</p>	<p>B.C. Corrections branch</p>	<p>Crime and Policing</p>
<p>Nanaimo NDP MLA Leonard Krog had 8,000 pages of documents released from the ongoing trial of three former government aides. In 2003, the public was shocked to see uniformed police officers conducting a raid on the Victoria legislature; they were looking for information regarding corruption in the sale of B.C. Rail. Krog brought the application for the NDP in the B.C. Supreme Court trial of David Basi, Aneal Basi and Bobby Virk. So far, said Krog, there has been no adequate explanation for how the B.C. Rail deal led to criminal charges. He said the contents of the 15 binders have remained a mystery, even after being released to defence lawyers under the FOIPP Act. The NDP posted the documents online at: http://www.bcndpcaucus.ca/en/bcrailcorruption</p>	<p>Feb. 27/09</p>	<p><i>MLA has report released</i></p> <p>Harbour City Star, Nanaimo</p>	<p>B.C. courts</p>	<p>Crime and Policing</p>

<p>Documents obtained by the BC Health Coalition reveal tensions between the Fraser Health Authority and the BC Liberals over whether the new Surrey Ambulatory Care Facility should be built as a public-private-partnership (P3). In June 2006, a working committee of top FHA officials concluded that "P3s are not first choice of the committee." The committee overseeing the project also noted that with P3s "there is a lesser ability to control design, longer lead times and additional risk," and that "a P3 strategy tends to be slower." A few months later, Premier Gordon Campbell surprised delegates at the Union of BC Municipalities convention by announcing that all provincially funded capital projects over \$20 million must be considered as P3 projects.</p>	<p>Feb. 3/07</p>	<p><i>New Surrey Ambulatory Care Facility Controversy</i></p> <p>Focus Immigration, VoiceOnline.com</p>	<p>Fraser Health Authority</p>	<p>Government Spending and Accountability</p>
<p>Its own auditors warned the B.C. government last year to step up oversight of Olympic Games preparations to guard against cost overruns and public embarrassment. "To help protect the province against potential reputation risk or financial exposure ... we believe that the province needs to increase its monitoring of Vanoc's operations," the auditors said in an April 2008 letter to the Olympic Secretariat. The province's role on Vanoc's board and finance committee provided insufficient protection, the auditors said. Finance Minister Colin Hansen said that the government ramped up oversight in the wake of the report.</p>	<p>Apr.4/09</p>	<p><i>Auditors warned province about 2010 cost overruns</i></p> <p>By Lindsay Kines</p> <p>Vancouver Sun</p>	<p>Finance Ministry</p>	<p>Government Spending and Accountability</p>

<p>A study released by the Canadian Centre for Policy Alternatives shows the B.C. government has fallen short of a 2001 promise to build 5,000 new residential care beds for seniors. It also says the bed numbers reported by the Ministry of Health Services varied significantly from those provided by the health authorities through FOI, and that there was a discrepancy of 1,753 beds, resulting from "over-counting and inaccurate reporting" by the ministry. Health Minister George Abbott replied his government has exceeded its target of 5,000 beds, but the CCPA shows different numbers because it is "entirely dismissive of assisted living as part of the continuum of seniors' care."</p>	<p>Apr.16/09</p>	<p><i>Residential care beds for seniors fall short of targets, study finds</i></p> <p>By Amy O'Brien</p> <p>Vancouver Sun</p>	<p>Ministry of Health Services</p>	<p>Government Spending and Accountability</p>
<p>Vancouver's new council agreed to pay the city manager it abruptly replaced in December 2008 a severance of about \$572,000. That represents about 19 months worth of Judy Rogers's \$300,000-a-year salary. The city's FOI office released the amount of the severance but not non-monetary terms and conditions. It is a fairly standard payout for a senior executive who is being terminated without cause, a human-resources consultant said.</p>	<p>Mar.20/09</p>	<p><i>City paid \$572,000 to let manager go</i></p> <p>By Frances Bula</p> <p>The Globe and Mail (B.C. edition)</p>	<p>Vancouver city hall</p>	<p>Government Spending and Accountability</p>

<p>B.C. Liberal government ministerial aides are under strict orders when the B.C. Legislature is in session. "It's Question Period, not Answer Period," reads an internal government document titled House Review: A Day In The Life, dated January 2007. "Answer the best you can each time, every time. But if you can't, ATTACK!! NDP record, evidence of internal conflict, etc" it instructs them. House Review also details how government staffers are expected to influence reporters to keep them from writing about controversial issues raised in Question Period by the NDP.</p>	<p>Mar. 2/09</p>	<p><i>Document urges BC Liberal aides to avoid answers, spin the media</i></p> <p>By Bill Tieleman</p> <p>The Tyee (Online)</p>	<p>B.C. courts</p>	<p>Government Spending and Accountability</p>
<p>Auditors figured the B.C. government overpaid private contractors by at least \$1 million and as much as \$6.5 million during the second phase of the Job Placement Program. Most of the overpayment - at least \$627,000 - went to the JobWave program, whose former lobbyist was a B.C. Liberal Party candidate in the May 2009 election. Contractors were only supposed to be paid when they helped a welfare recipient find a job, said the report by Finance Ministry auditors written in 2006, but the government and contractors had no process in place to ensure people got jobs before the contractors were paid. Ministry staff raised concerns about contractors billing the government for services it never provided, charging more than once when it did provide services, and adding an administration fee of as much as \$18 to distribute a \$6.40 bus ticket.</p>	<p>Apr. 22/09</p>	<p><i>Candidate Fronted a Jobs Program Slammed by Auditors</i></p> <p>By Andrew MacLeod</p> <p>The Tyee (Online)</p>	<p>B.C. Finance Ministry</p>	<p>Government Spending and Accountability</p>

<p>Vancouver's chief financial officer Estelle Lo sent an email to city manager Judy Rogers asking if the Millennium developer had the money to repay the debt when the Olympic Village project is finished if the units don't sell and she also asked what is the city's potential exposure and where all the money will come from. Lo also wondered if it's worthwhile getting someone who specializes in this sort of project as a second pair of eyes. Taxpayers would eventually end up on the hook for the 875 million dollar project.</p>	<p>Apr. 22/09</p>	<p><i>Emails detail concern over 2010 project</i></p> <p>By Janet Brown</p> <p>CKNW Radio, Vancouver</p>	<p>Vancouver city hall</p>	<p>Government Spending and Accountability</p>
<p>Vancouver's then-chief financial officer wrote only one memo to express her concerns about the financing of the Olympic village before leaving her post, but it was a telling one. The memo apparently written in October 2008 after <i>The Globe and Mail</i> had revealed the project's shaky finances, raised a raft of questions about what would happen if real-estate prices fell at the luxury Millennium development and where the city would find the money to back up its loan guarantee if needed.</p>	<p>Apr. 26/09</p>	<p><i>Concerns around project's financing raised last October</i></p> <p>By Frances Bula</p> <p>The Globe and Mail (BC edition)</p>	<p>Vancouver city hall</p>	<p>Government Spending and Accountability</p>

<p>Two of VANOC's taxpayer-owned sponsors ordered thousands of tickets to dozens of 2010 Winter Olympics events, including the opening ceremony and men's hockey final. FOI records show ICBC ordered 2,264 tickets to 56 events. BC Hydro ordered 1,520 tickets to 43 events - but tickets allocated and costs were censored. "(VANOC) asked us to redact some information they thought would be commercially sensitive," said a BC Hydro spokeswoman.</p>	<p>Feb. 27/09</p>	<p><i>ICBC, BC Hydro order thousands of tickets for 2010</i></p> <p>By Bob Mackin</p> <p>24 Hours</p>	<p>B.C. crown corporations</p>	<p>Government Spending and Accountability</p>
<p>The company The Cash Store Financial Inc. wrote a letter to Ontario payday lenders in 2007 boasting that the British Columbia Payday Loan Association had been successful in "blocking" a legislative effort to regulate them. In response, the B.C. solicitor general's ministerial assistant wrote an email to the company's investor relations vice president: "This statement is unequivocally false. As he stated to you in our meeting earlier this year, the Minister intends to proceed with our legislation - as drafted and without amendments - at the first available opportunity. The Minister asks that you retract the letter which has been sent to Ontario lenders." The government since introduced regulations capping the annual interest rate for payday loans at 600 percent.</p>	<p>Mar. 18/09</p>	<p><i>Bragging rights?</i></p> <p>By Sean Holman</p> <p>Public Eye Online</p>	<p>B.C. Solicitor General</p>	<p>Consumer Rights</p>