



OFFICE OF THE
INFORMATION & PRIVACY
COMMISSIONER
for British Columbia

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INVESTIGATION REPORT F13-04

SHARING OF PERSONAL INFORMATION AS PART OF THE DRAFT MULTICULTURAL STRATEGIC OUTREACH PLAN: GOVERNMENT OF BRITISH COLUMBIA AND THE BC LIBERAL PARTY

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TABLE OF CONTENTS

	<u>PAGE</u>
COMMISSIONER’S MESSAGE	3
EXECUTIVE SUMMARY	4
1.0 PURPOSE AND SCOPE OF REPORT	5
1.1 Introduction	5
1.2 Investigative Process	6
1.3 Application of FIPPA	7
1.4 Application of PIPA	7
1.5 The Multicultural Strategic Outreach Plan	8
2.0 ISSUES IDENTIFIED	9
3.0 OIPC DOCUMENT REVIEW AND INTERVIEWS	9
4.0 ANALYSIS	14
4.1 Personal Information	14
4.2 Government Disclosure of Personal Information	16
4.3 BC Liberal Party Collection of Personal Information	17
4.4 BC Liberal Party Disclosure of Personal Information	18
4.5 Privacy and Access Implications	18
5.0 NEED FOR A CULTURE CHANGE	22
6.0 SUMMARY OF RECOMMENDATIONS	25
7.0 CONCLUSION	26
8.0 ACKNOWLEDGEMENTS	27
APPENDIX A – Copy of the Multicultural Strategic Outreach Plan	28

Commissioner's Message

In our Parliamentary system, it is an established practice for members of a political party to also be employed by government, whether at the local, provincial or federal level.

It is also established practice that those individuals separate their government duties and responsibilities from their duties and responsibilities to the political party.

When citizens entrust government with their personal information, it is with the expectation that it will be used only for government purposes as permitted by provincial legislation. When citizens provide their personal information to a political party, it is also done within a specific legislative framework.

Following the leak of the Multicultural Strategic Outreach Plan in February 2013, my office initiated an investigation in order to determine whether personal information was shared between the BC Government and the BC Liberal Party, as described in that document.

Our investigation did not find evidence that information was shared between government and the BC Liberal Party. However, this investigation also revealed the apparent common exchange of government information between an employee's work email and their personal email accounts, which I find to be a worrying trend from both an access to information and privacy protection point of view. I have provided detailed guidance on this issue, which I encourage all public bodies to read and adopt.

In closing, I consider one of the most important issues raised in this report to be the need for formal training of persons with roles closely tied to a political party who are also government employees regarding their responsibilities under provincial privacy legislation.

Elizabeth Denham
Information and Privacy Commissioner
for British Columbia

Executive Summary

In December 2011, the former Deputy Chief of Staff to the Premier called a meeting with representatives of the Government of British Columbia, the BC Liberal Party and the provincial Government Caucus to discuss ways to bring about better coordination of multicultural activities among the three groups.

The resulting draft Multicultural Strategic Outreach Plan, which was leaked in February 2013, outlined the need for increased sharing of British Columbians' information between the Government of British Columbia and the BC Liberal Party.

Following the leak of the Outreach Plan, the Premier initiated an investigation headed by John Dyble, Deputy Minister to the Premier. On March 14, 2013, his report was released.

This office initiated an investigation to determine whether there was sharing of personal information between the government and the BC Liberal Party, and if there was, whether this sharing was authorized under provincial privacy law.

Given the seriousness of the allegations, this office conducted interviews of four individuals under oath.

This report makes several findings. While the information collected by government is personal information as defined by provincial privacy legislation, the investigation did not find evidence that government improperly disclosed that information as part of the Outreach Plan. Further, the investigation did not find evidence that the BC Liberal Party either improperly collected or disclosed personal information as part of the Outreach Plan initiative.

This report makes five recommendations to government and the BC Liberal Party. If implemented, these recommendations will help ensure that employees understand the need to secure and protect personal information, as well as the need to keep personal information obtained in their duties as government employees separate from the personal information obtained in their duties as members of a political party.

1.0 PURPOSE AND SCOPE OF REPORT

1.1 Introduction

It is an accepted practice in Canada for public servants to have affiliations with political parties. However, it is critical to the operation of government that these individuals draw a clear distinction between their partisan role and their government duties. Privacy legislation in our province requires that this distinction also apply to the personal information obtained in each role.

On December 1, 2011, the former Deputy Chief of Staff to the Premier called a meeting with various individuals from the Government of British Columbia, the BC Liberal Party and Government Caucus, in an effort to bring about better coordination of activities relating to multiculturalism among the three groups. After the meeting, members of government and caucus drafted a Multicultural Strategic Outreach Plan (“Outreach Plan”) that was intended to knit together specific elements of the work plan discussed at the December 1 meeting.¹ The Outreach Plan describes, among other things, the need for increased sharing of personal information between the Government of British Columbia and the BC Liberal Party. It was leaked to the public in February 2013.

Following the leak of the Outreach Plan, the Premier initiated an investigation headed by Deputy Minister to the Premier, Cabinet Secretary and Head of the BC Public Service, John Dyble. On March 14, 2013, Mr. Dyble produced a public report titled “Review of the Draft Multicultural Strategic Outreach Plan”; it examined whether government was inappropriately using resources or if violations of the *Public Service Act* were committed in relation to the Outreach Plan (“Dyble Report”).

My office reviewed the Outreach Plan and the Dyble Report. Both documents point towards the potential sharing of personal information between the Government of British Columbia and the BC Liberal Party. Of particular concern to me were the references in the Outreach Plan of the need for government to share information with the BC Liberal Party as well as the finding in the Dyble Report that two government employees who also had roles with the BC Liberal Party were sending emails with lists of personal information from their government email accounts to their personal email accounts.

I initiated this investigation to determine whether there was sharing of personal information between the Government of British Columbia and the BC Liberal Party as part of the Outreach Plan and, if there was, whether this sharing was

¹ A copy of the Outreach Plan is attached as Appendix A.

authorized under the *Freedom of Information and Protection of Privacy Act* (“FIPPA”) and the *Personal Information Protection Act* (“PIPA”).

While conducting this investigation, I became aware of an issue regarding employee use of personal email accounts for government business. In this report I make recommendations to address this issue, and also recommendations to assist both government and the BC Liberal Party in respecting their FIPPA and PIPA responsibilities, and integrating these responsibilities into their everyday culture.

1.2 Investigative Process

As the Information and Privacy Commissioner for British Columbia (“Commissioner”), I have a statutory mandate to monitor the compliance of public bodies with FIPPA and the compliance of organizations with PIPA to ensure the purposes of these statutes are achieved.

The purposes of FIPPA, as stated in s. 2(1), are to make public bodies more accountable to the public and to protect personal privacy. The measures to protect personal privacy include preventing the unauthorized collection, use or disclosure of personal information by public bodies.

Under s. 42(1)(a) of FIPPA, I have the authority to conduct an investigation to ensure compliance with FIPPA.

The purpose of PIPA, as stated in s. 2, “is to govern the collection, use and disclosure of personal information by organizations in a manner that recognizes both the right of individuals to protect their personal information and the need of organizations to collect, use or disclose personal information for purposes that a reasonable person would consider appropriate in the circumstances.”

Under s. 36(1)(a) of PIPA, I have the authority to initiate an investigation to ensure compliance with PIPA, provided I have reasonable grounds to believe that an organization is not in compliance.

On March 19, 2013, I advised the Deputy Minister of the then Ministry of Citizens’ Services and Open Government and the Campaign Director of the BC Liberal Party that my office was investigating the potential sharing of personal information between the Government of British Columbia and the BC Liberal Party.

As part of our investigation, my office met with the Deputy Minister and other government officials who were involved in government’s investigation of the Outreach Plan and the writing of the Dyble Report. Government also provided

my office with access to the records it compiled in conducting its investigation as well as email logs for selected individuals. My investigators reviewed these records to evaluate whether they contained evidence of the sharing of personal information between government and the BC Liberal Party.

My office thoroughly reviewed the Dyble Report, with a focus on the potential sharing of personal information between government and the BC Liberal Party.

My office also requested, and received, a copy of the Government Caucus review of the multicultural outreach strategy. After reviewing this report, I compelled production of the witness statements and emails that Government Caucus had collected as part of its review.

My investigators conducted four interviews of individuals who I compelled to answer questions under oath pursuant to my authority under s. 44(1)(a) of FIPPA and s. 38(1)(a) of PIPA. My investigators interviewed Brian Bonney and Fiera Lo, who both worked for government and had roles with the BC Liberal Party. Mr. Bonney and Ms. Lo were prominent figures in the Dyble Report. My investigators also interviewed Michele Cadario, who, at that time was the Deputy Campaign Director of the BC Liberal Party. Lastly, my investigators interviewed Sepideh Sarrafpour as we believed she might have knowledge of information relevant to our investigation.

1.3 Application of FIPPA

As is stated in s. 3(1), FIPPA “applies to all records in the custody or under the control of a public body”. This investigation specifically deals with the potential sharing of government ministry records. The definition of “public body” in Schedule 1 of FIPPA includes a “ministry of the Government of British Columbia.” As such, the ministries of the Government of British Columbia are subject to FIPPA.

1.4 Application of PIPA

As is stated in s. 3(1), PIPA “applies to every organization” other than in instances specifically excluded by other parts of s. 3. “Organization” is defined in PIPA to include “a person, an unincorporated association, a trade union, a trust or a not for profit organization”.² Case law has found political parties to be

² See definitions in s. 1 of PIPA.

unincorporated associations.³ As such, the BC Liberal Party is an organization and is subject to PIPA.

1.5 The Multicultural Strategic Outreach Plan

It is important to set out a summary of the circumstances surrounding the Outreach Plan, as this is the basis of my investigation. I have based my summary on information in the Dyble Report and from the interviews my investigators conducted as part of this investigation. My focus in this investigation is on what, if any, sharing of personal information took place between government and the BC Liberal Party as part of the Outreach Plan.

On December 1, 2011, 11 individuals representing the Government of British Columbia, the BC Liberal Party and Government Caucus met with the goal of bringing better coordination of activities relating to multiculturalism among those three entities. The former Deputy Chief of Staff to the Premier called this meeting. The Dyble Report references the impetus behind the meeting as complaints from community stakeholders that government and caucus were duplicating efforts and the need for better coordination in the scheduling of community events.

After the December 1 meeting and into early 2012, members of government and caucus drafted the Outreach Plan, which contemplates, among other things, an increased sharing of personal information between government and the BC Liberal Party.

The Outreach Plan states in its synopsis that “Anecdotal reports suggest that some ethnic communities ... feel that they are ignored by government between elections. This plan outlines steps that will be taken to re-engage with ethnic voters and media, and includes accountability structures to ensure that the plan is sustained.”⁴

The Outreach Plan includes references to the need to “break down government silos” and share information with the BC Liberal Party.⁵ The Outreach Plan also includes such statements as “Coordination and information sharing needs to improve”.⁶

Through the interviews conducted by my investigators, I confirmed the statement in the Dyble Report that some attendees of the December 1 meeting had

³ See *Longley v. Canada (Attorney General)*, 2007 ONCA 852 at paras. 116 – 121 as well as *Guergis v. Novak et al*, 2012 ONSC 4579 at paras. 42 – 44.

⁴ *Supra*, note 1 at p. 2.

⁵ *Supra*, note 1 at pp. 3, 7 and 13.

⁶ *Supra*, note 1 at p. 7.

concerns regarding the proposed information sharing between government, party and caucus.

The Outreach Plan makes reference to the plan to organize multicultural roundtables. Ultimately, government-hosted roundtables took place around the province, mostly between June and September 2012. In some instances, the Member of the Legislative Assembly (“MLA”) from the local constituency attended the roundtable. The purpose of the roundtables was to connect with multicultural groups in the province and understand the issues these groups faced. The roundtables also provided government with the opportunity to speak to these groups about relevant government initiatives.

Government recorded a list of attendees for each roundtable, with each attendee signing in and providing such information as their name, address, email address and telephone number. A government representative attending the meeting was responsible for the lists at the completion of each roundtable.

The Outreach Plan also makes reference to the creation of a “contact database”. As part of my investigation, I looked for evidence that government created such a database so that we could determine whether it was disclosed to either the BC Liberal Party or to caucus.

2.0 ISSUES IDENTIFIED

The issues in this investigation are:

1. Is the information contained in the lists of multicultural roundtable attendees’ personal information? [Schedule 1 of FIPPA and s. 1 of PIPA]
2. Did the Government of British Columbia improperly disclose personal information as part of the Outreach Plan? [s. 33 of FIPPA]
3. Did the BC Liberal Party improperly collect personal information as part of the Outreach Plan? [s. 11 of PIPA]
4. Did the BC Liberal Party improperly disclose personal information as part of the Outreach Plan? [s. 17 of PIPA]

3.0 OIPC DOCUMENT REVIEW AND INTERVIEWS

My investigators had access to the documents previously collected and compiled by government in its investigation of the Outreach Plan. My investigators also

conducted four interviews under oath of individuals who were likely to have knowledge of the circumstances surrounding the Outreach Plan. A summary of the evidence my investigators collected as it relates to each interview and as it relates to the issues set out above is as follows:

Brian Bonney

At the time of the creation of the Outreach Plan, Brian Bonney was the Government Communications and Public Engagement (“GCPE”) Communications Director. Staff working at GCPE report to a Deputy Minister and also to the Deputy Minister to the Premier and are considered to be part of the non-partisan public service. At the same time, Mr. Bonney was also a Director on the Board of the BC Liberal Party.

Our interview confirmed that, as stated in the Dyle Report, Mr. Bonney worked in his role with the BC Liberal Party during the hours he was working for government.

Mr. Bonney stated he did not receive training from either government or the BC Liberal Party about the need to keep personal information collected in each role separate. Nonetheless, Mr. Bonney stated that he was well aware of the need to keep personal information of British Columbians he obtained in his role with government separate from personal information he obtained in his role with the BC Liberal Party.

Mr. Bonney informed my investigators that although he did work for each of his government and BC Liberal Party roles on the same day, he took steps to ensure separation of the information relating to each role. These steps included carrying a separate Blackberry for government and for non-government purposes, and working on his personal computer, rather than his government-supplied computer, where appropriate.

Mr. Bonney stated, and government’s electronic records confirm, that he commonly sent emails between his government email account and his personal email accounts. These emails included speaking notes, a large number of press releases, GCPE staff directories, lists of media contacts and a guest list of attendees from an event.

Mr. Bonney stated that he sent emails between his government and personal email accounts so that he could easily access this information regardless of his location. He did not send these emails between his accounts as a means of sharing information between his government role and his BC Liberal Party role. My investigators did not find evidence contradicting Mr. Bonney on this point and therefore did not have evidence to justify a court-ordered search of Mr. Bonney’s personal email accounts.

Mr. Bonney acknowledged that government hosted many multicultural roundtables, but stated that he did not attend any. He was involved in the vetting of requests from groups who wished to be involved in their own multicultural roundtable. Mr. Bonney stated that he did not have any other role in the organization of the roundtables and that he never saw a list of attendees from any of the roundtables after they took place. My investigators did not find evidence contradicting Mr. Bonney on these points.

Mr. Bonney stated that he was not aware of the creation of a database containing personal information which was shared between government and either caucus or the BC Liberal Party.

Fiera Lo

At the time of the December 1, 2011 meeting that resulted in the creation of the Outreach Plan, Fiera Lo was the Director of Stakeholder Relations for the BC Liberal Party. In May 2012, Ms. Lo left her employment with the BC Liberal Party and became an Executive Assistant for Minister of State John Yap. From September 2012 to the time of our interview, Ms. Lo was an Executive Assistant at the Ministry of Advanced Education, Innovation and Technology and Ministry Responsible for Multiculturalism.

Ms. Lo stated that when she was hired by government she did not recall being told about the need to keep information obtained in her role with government separate from information obtained in her role with the BC Liberal Party.

Ms. Lo stated, and government's electronic records confirm, that she frequently sent emails between her government email account and her personal email account. The emails included event information related to her duties as an Executive Assistant and contact information for other people she needed for that work.

Ms. Lo stated that she sent emails between her government and personal email accounts because she needed to ensure she would have access to them while traveling with the Minister or when otherwise working away from the office. Ms. Lo stated that she used her government smartphone to check her government email, but it was common for her smartphone battery to run out when she was away from the office. When this happened, she needed to ensure she still had access to certain email and other information, so Ms. Lo would send information to her personal email address, which she could access without a government smartphone.

Ms. Lo stated she would send emails and other government documents to her personal email account so that she could print them as needed while out of the

office but doing government work. Ms. Lo said it was common for her government email account's inbox to be full, so she would send some items to her personal account to keep space available in her government account, and would instruct others to contact her on her personal email account when her inbox was full.

Ms. Lo was clear that she sent emails between her government and personal email accounts for the above reasons and not as a means of sharing information between government and the BC Liberal Party. My investigators did not find evidence contradicting Ms. Lo on this point and therefore did not have evidence to justify a court-ordered search of Ms. Lo's personal email account.

Ms. Lo played a role in the organization of the multicultural roundtables. She helped organize and attended most of the roundtables. Ms. Lo stated that she also received the list of attendees that government created at the roundtables. When an MLA also attended, he or she also received a copy of the list of attendees. Ms. Lo stated that she did not provide the lists to any other individuals within government or the BC Liberal Party. My investigators did not find evidence contradicting Ms. Lo on this point.

The Dyble Report stated⁷ that on March 4, 2013, Ms. Lo sent three separate email messages, with roundtable attendance lists attached, from her government email account to her personal email account. Given Ms. Lo's roles with government and with the BC Liberal Party, this statement was of considerable concern to me and was significant in my decision to initiate this investigation into the possible sharing of personal information between government and the BC Liberal Party. My concern was that Ms. Lo was taking the multicultural roundtable attendance lists, which she acquired in her role with government, and was sending them to her personal email account for subsequent use by the BC Liberal Party.

My investigators examined the emails cited in the Dyble Report and determined that they were not sent from Ms. Lo's government account to her personal account. Rather, the address fields on the emails show that Ms. Lo sent them from her government account to her government account. My investigators determined that Ms. Lo scanned the roundtable attendance lists on a government scanner, and the scanner emailed the documents to her government account. This is a common scanner function that allows a person to scan documents and send them directly to an email account. There is no evidence that Ms. Lo sent the scanned roundtable attendance lists to her personal email account. Ms. Lo's sworn evidence confirms my investigators' findings.

⁷ See page 24 of the Dyble Report.

Ms. Lo states, and documentary evidence confirms, that she scanned the roundtable lists to create a digital copy for transmission to the Deputy Minister's office. Ms. Lo states that she did this at the instruction of a supervisor.

My investigators asked government representatives if they had any other evidence to substantiate the claim that Ms. Lo had sent the roundtable attendance lists from her government email account to her personal email account. Government responded that it did not have additional physical evidence.

Ms. Lo stated that she was not aware of the creation of a database containing personal information which was shared between government and either caucus or the BC Liberal Party.

BC Liberal Party Representative

My investigators interviewed Michele Cadario, who, at that time was the Deputy Campaign Director of the BC Liberal Party. The BC Liberal Party named Ms. Cadario as its representative in response to our request to interview an individual who had knowledge of the collection of the personal information of British Columbians by the BC Liberal Party and the recording of that information in party databases.

Ms. Cadario stated that individuals who work or volunteer with the BC Liberal Party receive training about the importance of protecting the confidentiality of the personal information they obtain in their roles with the party. However, I note that this training is not specifically about individuals with roles both in government and in the BC Liberal Party and the need to keep personal information obtained in each role separate.

Ms. Cadario stated that the BC Liberal Party has created its own database that contains the personal information of many British Columbians. The BC Liberal Party collects the information in the database from the provincial voters list that it receives from Elections BC and updates the database based on other BC Liberal Party activities.

Ms. Cadario stated that prior to a review of the Dyble Report, the BC Liberal Party was not aware of government's hosting of multicultural roundtables between June and September 2012. Ms. Cadario stated that no BC Liberal Party representatives attended any of the roundtables and the BC Liberal Party did not receive lists of roundtable attendees from government or from any other source.

Ms. Cadario stated that the BC Liberal Party has measures in place so that people within the party have varying levels of access to personal information contained in its database, depending on the level of access an individual needs.

Ms. Cadario also stated that the BC Liberal Party does not disclose the personal information in its database to any other public bodies or organizations.

The Dyble Report described three anonymous phone calls to government in which the callers complained about the collection and use of the personal information related to the roundtables. One of the callers complained that he or she was contacted by the BC Liberal Party after having attended one of the roundtables. Ms. Cadario stated that the BC Liberal Party did not receive any personal information about roundtable attendees and therefore did not contact any attendees. My investigators did not find any evidence contradicting Ms. Cadario on this point.

Sepideh Sarrafpour

After our review of the documents provided to my office by government, my investigators interviewed Sepideh Sarrafpour as we believed she might have knowledge of information regarding the potential sharing of personal information between government and the BC Liberal Party. However, our interview of Ms. Sarrafpour did not result in any additional information relevant to our investigation.

4.0 ANALYSIS

4.1 Personal Information

Issue 1: *Is the information contained in the lists of multicultural roundtable attendees' personal information? [Schedule 1 of FIPPA and s. 1 of PIPA]*

The information that is the subject of this investigation is information about individuals who attended the multicultural roundtables, or are otherwise recorded in government or BC Liberal Party databases. In order for FIPPA or PIPA to apply to the collection, use, or disclosure of this information it must meet the definition of personal information in those Acts.

It is important to note that for the purposes of this investigation, it is not necessary to establish that all information contained in the multicultural roundtable lists is personal information. It is only necessary to establish that at least some of the information in the lists is personal information.

Personal information is defined similarly in both FIPPA and PIPA, as “recorded information about an identifiable individual”. Both Acts exempt contact information from the definition, and PIPA includes a further exemption for work product information.⁸

Contact information is defined in both FIPPA and PIPA as information to enable an individual at a place of business to be contacted.⁹ This is a relevant consideration with respect to the list of multicultural roundtable attendees.

The list of attendees is a record containing the name, telephone number, email address, and organization or affiliation of individuals who attended the multicultural roundtables. Government has also named the group it meets with at a specific roundtable on each list (*i.e.*, Chinese Community Meeting, Eurofest Society).

In many instances the individuals were attending on behalf of an organization, and the information provided in the list is their business contact information. However, there are also many instances where attendees list themselves as “individual” or “visitor”, or do not indicate an organization or business with which they are associated. In these instances, the information recorded in the list is not business contact information. Instead, the attendee is supplying information about themselves that government is recording on its list of attendees. This information is clearly personal information under FIPPA.

In order to establish this information as personal information as defined in PIPA, we also need to establish that this information is not work product information. Under PIPA, work product information is information that is prepared or collected by an individual in the course of their employment duties, but does not include personal information about an individual who did not prepare or collect the personal information. The attendees at roundtables did not prepare or collect the information on the roundtable lists; these were government-hosted events and a government representative prepared and collected the information on the lists. Therefore, the information recorded in the list of roundtable attendees is not work product information and is personal information under PIPA.

⁸ See Schedule 1 of FIPPA and s. 1 of PIPA.

⁹ FIPPA and PIPA both provide the following examples of contact information: name, position name or title, business telephone number, business address, business email or business fax number.

4.2 Government Disclosure of Personal Information

Issue 2: *Did the Government of British Columbia improperly disclose personal information as part of the Outreach Plan? [s. 33 of FIPPA]*

Section 33 of FIPPA states that:

A public body may disclose personal information in its custody or under its control only as permitted – under section 33.1, 33.2 or 33.3.

Sections 33.1, 33.2 and 33.3 of FIPPA set out numerous circumstances under which a public body is authorized to disclose personal information, including such instances as s. 33.2(a) which authorizes disclosure “for the purpose for which it was obtained or compiled or for a use consistent with that purpose”.

I was concerned about possible inappropriate disclosure of personal information by government after reviewing the Outreach Plan and the Dyble Report. The Outreach Plan speaks to the need to “break-down government silos” and “share info with [the BC Liberal Party]”. The Dyble Report describes Fiera Lo, a government employee who also has a role with the BC Liberal Party, sending email lists of attendees of government-hosted multicultural roundtables from her government account to her personal email account. The Dyble Report also speaks of Brian Bonney emailing similar lists to his personal email account.

While these statements in the Outreach Plan raised concerns for me, my investigators did not find any evidence to substantiate my concern that government had carried out activities that resulted in the unauthorized disclosure of personal information.

Further, my investigators did not find evidence of the creation of a database containing personal information which was shared between government and either caucus or the BC Liberal Party.

With respect to my initial concerns regarding Fiera Lo’s March 4, 2013 emails with attached lists of attendees of the multicultural roundtables, as discussed earlier in the report, there is no evidence that Ms. Lo sent these emails to her personal email account. The evidence shows that on March 4, 2013, she scanned the multicultural roundtable lists in order to send a digital copy of the lists to the Deputy Minister’s office.

Documentary evidence does reveal Brian Bonney and Fiera Lo regularly sent emails between their government account and their personal accounts. However, my investigators did not find evidence suggesting that Mr. Bonney or Ms. Lo sent emails containing personal information which was disclosed to the BC Liberal Party.

I find no evidence that the Government of British Columbia improperly disclosed personal information as part of the Outreach Plan in contravention of s. 33 of FIPPA.

4.3 BC Liberal Party Collection of Personal Information

Issue 3: *Did the BC Liberal Party improperly collect personal information as part of the Outreach Plan? [s. 11 of PIPA]*

Section 11 of PIPA states:

Subject to this Act, an organization may collect personal information only for the purposes that a reasonable person would consider appropriate in the circumstances and that

- (a) fulfill the purposes that the organization discloses under section 10(1), or
- (b) are otherwise permitted under this Act.

The BC Liberal Party's evidence is that it has created its own database that contains the personal information of British Columbians. The BC Liberal Party creates the database from the provincial voters list it receives from Elections BC and updates the database based on other BC Liberal Party activities.

The BC Liberal Party's evidence is that it was not aware of government's hosting of multicultural roundtables around the province between June and September 2012 and the BC Liberal Party did not receive lists of attendees from government or from any other source.

My investigators did not find evidence contradicting the sworn testimony of the BC Liberal Party's representative.

I find no evidence that the BC Liberal Party improperly collected personal information as part of the Outreach Plan in contravention of s. 11 of PIPA.

4.4 BC Liberal Party Disclosure of Personal Information

Issue 3: *Did the BC Liberal Party improperly disclose personal information as part of the Outreach Plan? [s. 17 of PIPA]*

Section 17 of PIPA states:

Subject to this Act, an organization may disclose personal information only for purposes that a reasonable person would consider are appropriate in the circumstances and that

- (a) fulfill the purposes that the organization discloses under section 10(1),
- (b) for information collected before this Act comes into force, fulfill the purposes for which it was collected, or
- (c) are otherwise permitted under this Act.

After reviewing the Outreach Plan and the Dyble Report, I also thought it appropriate to look at whether the BC Liberal Party improperly disclosed information as part of that plan. As discussed above, my office read in the Outreach Plan of the desire to increase the sharing of information between government and the BC Liberal Party.

However, as explained earlier in this report, my investigation did not reveal evidence of the sharing of information between government and the BC Liberal Party. Further, the representative for the BC Liberal Party's evidence was that the BC Liberal Party does not disclose the personal information in its database to any other public bodies or organizations. My investigators did not find any evidence contradicting the sworn testimony of the BC Liberal Party's representative.

I find no evidence that the BC Liberal Party improperly disclosed personal information as part of the Outreach Plan in contravention of s. 17 of PIPA.

4.5 Privacy and Access Implications

As discussed above, the scope of this investigation was to examine the possible sharing of personal information between government and the BC Liberal Party. In the course of this work, my investigators discovered that the use of personal email accounts by some government employees was commonplace. As this

matter raises privacy issues related to the access to information and protection of personal information that is in the control of government I will address it in this report.

Our interviews with government employees and review of government email logs revealed that personal email accounts are used by employees in order to ensure access to documents while travelling, and to provide a backup source for the information in the event that the employee's smartphone battery runs out. My investigators were also told that because it was sometimes difficult to access and print government documents while away from the office, employees would email documents to their personal email account so that they could be easily printed at a hotel, conference centre, or at home. It was also suggested in the Dyble Report that personal email accounts were used as a back-channel with the intention of avoiding access to information requests under FIPPA

Information Security

When government employees email government records to their personal email account, those records may be stored on email servers that are outside of Canada. In instances where the employee is using webmail services, such as Gmail or Yahoo mail, which scan and read email content in order to provide targeted advertising, the personal information contained in those records is not only stored outside of Canada, but is also disclosed to the webmail provider.

FIPPA addresses these information security issues in several ways. Section 30 of FIPPA requires that public bodies take reasonable security measures to protect personal information that is in their custody or control from such risks as unauthorised access, collection, use, or disclosure. Section 30.1 prohibits the storage of personal information outside of Canada, subject to limited exceptions.¹⁰ Section 33.1 prohibits disclosure of personal information outside of Canada unless the disclosure is authorized by that section.

I will provide further information on each of these information security issues below. Additional detail regarding these issues can be found in my office's guidance document titled Use of Personal Email Accounts for Public Business.¹¹

¹⁰ A public body may store personal information outside of Canada if the individual the information is about has consented to the storage, or if it is stored in another jurisdiction for the purpose of disclosure allowed under FIPPA, or if it was disclosed for the purpose of making a payment to or by government.

¹¹ This document can be found on the OIPC website at www.oipc.bc.ca/guidance-documents/1515.

Reasonable security measures

Government has information security policies and controls in place to comply with the requirement to take reasonable security measures to protect personal information. However, personal email providers, who are not subject to FIPPA, might not provide adequate protection of personal information. As a result, when government employees send records to personal email addresses, government may not be adequately protecting the personal information in those records as is required by s. 30 of FIPPA.

Storage and access inside of Canada

The requirement in s. 30.1 of FIPPA, that personal information must be stored inside of Canada was enacted to protect personal information by ensuring that it is stored in a jurisdiction that has adequate privacy protective legislation. For example, information that is stored in the United States is subject to that country's *Patriot Act*, which requires organizations to provide the United States government with access to any personal information in their custody, without notifying the individual the information is about. When government records are stored in a personal email account with data servers located outside of Canada, government no longer has control of how that information will be protected, disclosed, or accessed.

Disclosure outside of Canada

The disclosure of personal information outside of Canada by a public body may only be authorized by s. 33.1 of FIPPA. When government employees send records containing personal information to webmail service providers located outside of Canada, such as Yahoo or Gmail, the personal information is disclosed to those service providers. This disclosure is unlikely to be authorized by s. 33.1, and is therefore likely to violate FIPPA.

In summary, the use of personal email accounts by government employees for government business removes that email from the security measures in place within the government network. Contrary to s. 30 of FIPPA, government will be unable to ensure that the personal information in the email is protected by reasonable security measures. Further, if the personal email account is a webmail service, email is likely being stored and disclosed outside of Canada,

contrary to ss. 30.1 and 33.1 of FIPPA. Government should take the following measures to ensure that its employees protect personal information in its custody or under its control.

RECOMMENDATION 1:

Government should provide training for its employees regarding the use of personal email accounts for government business in order to ensure that reasonable security measures are in place to protect personal information, and that personal information is not stored or disclosed outside of Canada.

Access to information

FIPPA requires that a public body make every reasonable effort to assist individuals who request access to information that is in its custody or under its control. It must respond accurately, completely, and without delay. The use of personal email accounts by government employees makes this duty difficult to comply with because government may not be aware of the existence of email that is responsive to an access request.

Our guidelines on the Use of Personal Email Accounts for Public Business address this issue, and make it clear that the use of personal email accounts does not relieve public bodies of their duty to comprehensively search for requested records and to produce them. FIPPA applies to work-related email sent to or received from the personal email accounts of public body employees, and public bodies must provide copies of that email when it is responsive to an access request. However, the use of personal email accounts makes this practically very difficult, and any public body that allows use of personal email accounts to send or receive information is therefore risking non-compliance with FIPPA.

RECOMMENDATION 2:

Government should ensure that copies of all records created by its employees that relate to government business are located in government controlled information management systems.

RECOMMENDATION 3:

Government should provide its employees with sufficient technological resources to ensure that they do not have a reason to use personal email accounts in the performance of their government duties.

5.0 NEED FOR A CULTURE CHANGE

This investigation has revealed a combination of issues that demonstrate that government has not sufficiently integrated its responsibilities regarding privacy and access into the workplace culture in minister's offices and other government departments that have roles that are closely tied to the governing party.

As a starting point, we can look to the circumstances surrounding the creation and distribution of the Outreach Plan. When the Outreach Plan was leaked to the public in February 2013, it showed the former Deputy Chief of Staff to the Premier was emailing the Outreach Plan from her personal email account to the personal email accounts of various individuals within government, the BC Liberal Party and Government Caucus.

While there was some confusion among those involved in the creation of the Outreach Plan, ultimately it was a government record. As such, government should have been taking steps to ensure that it was preserving correspondence relating to the Outreach Plan on its own servers both in the name of good governance as well as for the responsible preservation of documents that could be the subject of future access to information requests.

In addition, the Outreach Plan describes the need to “break-down government silos” as well as the need to “share info with [the BC Liberal Party]”. As is confirmed by the Dyble Report, several attendees of the December 1st meeting discussing the Outreach Plan had expressed concern regarding the sharing of information between government, party and caucus. These attendees recognized a need to be clear as to the boundaries for the disclosure and use of information collected by government, but those boundaries are not reflected in the language of the Outreach Plan. I am concerned that this demonstrates either a lack of understanding of the restrictions on the sharing of personal information allowed by FIPPA and PIPA, or a disregard for those restrictions.

My investigation revealed that Brian Bonney and Fiera Lo were regularly sending emails regarding government business between their government email account and their personal email account. This was occurring despite the likely contraventions of FIPPA that resulted. Mr. Bonney and Ms. Lo's actions were not those of employees behaving in a manner that their supervisors had clearly forbidden. Rather, they believed these actions were necessary in order to effectively perform their duties as government employees.

As discussed earlier in this report, given the potential violations under FIPPA, government must develop technical, policy and educational solutions to ensure similar violations do not continue to occur.

I am particularly troubled by a comment from Minister John Yap in the Dyle Report regarding the use of personal email. In response to a question from government investigators as to why Mr. Bonney, his former Communications Director, was routinely using personal email for his correspondence, Minister Yap responded that it was to avoid freedom of information legislation. I am concerned that this demonstrates an acceptance and familiarity within government of the practice of evading freedom of information requests.

From my investigation, I believe that government employees who work in minister's offices, or otherwise have roles that are closely tied to the governing party, are not receiving sufficient training regarding the need to keep personal information obtained in each role separate. Similarly, I believe BC Liberal Party employees and volunteers are not receiving sufficient training. Given the obvious potential for overlap of individuals who have, or had, government and party roles, I believe this to be a fundamental problem that government and the BC Liberal Party need to address. The lack of training increases the risk of employee misuse of the personal information of British Columbians and is a reflection of a culture that is not placing enough importance on duties related to protection of privacy and access to information.

In order to change this culture, government needs to put in place appropriate measures to demonstrate its acceptance of the responsibilities required by FIPPA. In my recently released guidance "Accountable Privacy Management in BC's Public Sector",¹² I have provided a way forward for public bodies to demonstrate their acceptance of these responsibilities. In 2012, I issued similar guidance for private sector organizations such as the BC Liberal Party.¹³

¹² This document can be found on the OIPC website at <http://www.oipc.bc.ca/guidance-documents/1545>

¹³ See <http://www.oipc.bc.ca/guidance-documents/1435>.

I encourage government and the BC Liberal Party to take a leadership role in our province by ensuring they make the adoption of those accountability principles a priority.

I wish to highlight specific areas from my accountability guidance that I believe government needs to urgently address. First, as discussed above, there is a clear need for better training within government for individuals who also have, or formerly had, a role with the BC Liberal Party or with other organizations or public bodies. Similarly, there is a need for better training for BC Liberal Party employees and volunteers. In order to ensure the effectiveness of such training, government and the BC Liberal Party should make this mandatory before these individuals have access to personal information. Government should also periodically update and refresh this training and document employee participation.

RECOMMENDATION 4:

Government should ensure that employees with roles that are closely tied to the governing party participate in mandatory privacy training sessions regarding the need to keep personal information obtained in their government role separate from personal information obtained in any role they might have with the political party.

RECOMMENDATION 5:

The BC Liberal Party should ensure that employees and volunteers who also have roles within government participate in mandatory privacy training sessions regarding the need to keep personal information obtained in their BC Liberal Party role separate from personal information obtained in their government role.

6.0 SUMMARY OF RECOMMENDATIONS

RECOMMENDATION 1

Government should provide training for its employees regarding the use of personal email accounts for government business in order to ensure that reasonable security measures are in place to protect personal information, and that personal information is not stored or disclosed outside of Canada.

RECOMMENDATION 2

Government should ensure that copies of all records created by its employees that relate to government business are located in government controlled information management systems.

RECOMMENDATION 3

Government should provide its employees with sufficient technological resources to ensure that they do not have a reason to use personal email accounts in the performance of their government duties.

RECOMMENDATION 4

Government should ensure that employees with roles that are closely tied to the governing party participate in mandatory privacy training sessions regarding the need to keep personal information obtained in their government role separate from personal information obtained in any role they might have with the political party.

RECOMMENDATION 5

The BC Liberal Party should ensure that employees and volunteers who also have roles within government participate in mandatory privacy training sessions regarding the need to keep personal information obtained in their BC Liberal Party role separate from personal information obtained in their government role.

7.0 CONCLUSION

Citizens of British Columbia expect government and the BC Liberal Party to not only comply with privacy and access obligations under provincial legislation, but to demonstrate leadership when it comes to the protection of their privacy and access rights.

While I have not found evidence of improper sharing of personal information in this investigation between government and the BC Liberal Party as part of the Outreach Plan, I have found significant issues with the handling of personal information that need to be addressed. The use of personal email by high-ranking government officials in distributing the Outreach Plan and the stated goal of sharing information between government and party, without explicit acknowledgement of the limitations imposed by provincial privacy legislation, is evidence of foundational privacy and access problems that government needs to address.

There is an inherent potential for overlap of duties between certain government jobs, such as those individuals that work in minister's offices and within the Office of the Premier, and with the governing party. This overlap makes it imperative that government and the BC Liberal Party provide training on, and ensure sufficient employee awareness of the privacy and access issues that can arise in such positions. My investigation indicates that government and the BC Liberal Party are not providing sufficient training to individuals within these roles and are therefore creating a substantial risk of misuse of personal information.

I also believe that government is not effectively communicating to its employees the potential contraventions under FIPPA that occur when an individual sends information regarding government business to a personal email account. Further, the use of personal email accounts for government business can create the impression that government employees are attempting to evade access to information obligations and can create practical problems for government's ability to retrieve emails from personal email accounts.

The adoption of my recommendations by the Government of British Columbia and the BC Liberal Party would be a significant step towards accepting their responsibilities regarding privacy and access to information, and integrating those responsibilities into their everyday culture.

My office will follow-up with government and the BC Liberal Party in three months to ensure they are taking the appropriate steps to effectively implement my recommendations.

8.0 ACKNOWLEDGEMENTS

The Government of British Columbia and the BC Liberal Party have cooperated fully with my office's investigation as have the four individuals that my investigators interviewed under oath.

I would like to thank Troy Taillefer, Senior Policy Analyst, and Bradley Weldon, Policy Analyst who conducted this investigation and were major contributors to this report.

August 1, 2013

ORIGINAL SIGNED BY

Elizabeth Denham
Information and Privacy Commissioner
for British Columbia

OIPC File No.: F13-52576

APPENDIX A

Copy of the Multicultural Strategic Outreach Plan

MULTICULTURAL STRATEGIC OUTREACH PLAN

<u>Section 1:</u> Overview and Executive Summary	page 2
<u>Section 2:</u> Multicultural Strategic Outreach Plan	page 4
<u>Section 3:</u> Lead and Support Responsibilities	page 12

SECTION 1:

OVERVIEW: Multicultural outreach strategic plan.

SYNOPSIS: Anecdotal reports suggest that some ethnic communities, particularly Chinese, feel that they are ignored by government between elections.

This plan outlines steps that will be taken to re-engage with ethnic voters and media, and includes accountability structures to ensure that the plan is sustained.

EXECUTIVE SUMMARY:

The plan includes eight components. Accountability for each component is noted, and overall responsibility will reside with the Minister of State for Multiculturalism. Each identified Leader may choose to 'subcontract' parts of their section to other people, but overall responsibility remains with the identified Leader.

Each component is distinct, yet intrinsically connected with all of the other components. They can't be parceled-out in isolation; each component Leader needs to ensure his sections are dovetailing with the other sections.

COMPONENTS: TABLE OF CONTENTS

1. COORDINATED MEDIA STRATEGY: (LEADERS: BONNEY AND MELLAND)

- a. Redefine our approach to ethnic media from being an "add-on" to being viewed as part of the mainstream media. This ensures that opportunities and requests are promptly acted upon, and not ignored.
- b. Government and Caucus news will be tailored for the ethnic media outlets.
 - i. Tailoring news requires effective translation services. Online and *overseas*-outsourced translators are seen as ineffective for political messaging. Cultivating our own translators will be required.
- c. Ethnic spokespersons are also required. Ideally, MLAs are the primary spokespeople, but developing our own network of native-language speakers, who are already known and respected in the community, is required.

2. COMMUNITY ENGAGEMENT: (LEADER: MAYENCOURT FOR CAUCUS / RITCHIE AND LEE FOR MINISTERS / MARTIN FOR P.O.)

- a. Build a calendar of multicultural events, holidays, etc.
 - i. Identify the desired attendees for each event (PCC, Minister, MLAs).
 - ii. MLAs to have name tags, incl. translated versions for main ethnic languages.
 - iii. Catalogue invites and build contact database.
- b. Identify and target faith-based groups.
 - i. Prioritize multi-faith holidays.
 - ii. Identify people to reach-out to faith-based groups.
- c. Research and identify social networks which target and reach ethnic populations.
- d. Research and define how we should talk about specific issues in specific ethnic communities.
- e. Coordinate MLA / Minister tours to include key communities.
- f. Develop a multicultural advisory committee, determine whether they fall under Party, Government, or Caucus.

3. QUICK WINS: (LEADERS: BHULLAR, LO AND LEE)

- a. Identify and advance government initiatives and projects that would be resonant in ethnic communities.
- b. Identify and correct "historical wrongs", i.e., Komagata Maru apology in the House.
- c. Build process s letters of congratulations, video greetings, volunteer recognition certificates, etc., are regularly generated for individuals, groups, and events.

4. GOVERNMENT / CAUCUS / PARTY COORDINATION (LEADERS: BHULLAR, BONNEY, CARSON AND LO)

- a. Schedule a monthly meeting between the Leads on this plan.
- b. Explain and break-down government silos, and share info with Party.
- c. Ensure coordination on translation of government materials and Party materials (particularly websites).
- d. Translation of government collateral- health guides, etc.
- e. Caucus needs to be briefed and their 'buy-in' sought.
- f. Identify internal (MLA and staff; Riding Executive) connections to ethnic communities.

5. DISTRIBUTION AND CONTACT LISTS: (LEADER: BONNEY)

- a. Identify people from within the target communities to help build the lists. b. Determine format/technology: email list; home address; both.

6. OPPOSITION RESEARCH: (LEADERS: PHELPS FOR CAUCUS / LOON GROUND)

- a. Analyze NDP/BCC readiness and weaknesses in ethnic communities.
- b. Continue practice of building a running dossier on every nominated candidate.
- c. Identify internal divisions or weaknesses with opposition caucuses on multicultural issues.
- d. Continue to keep a running inventory of policy promises/comments relating to ethnic communities.
 - a. Highlight policies that may be unpopular in ethnic communities (i.e eliminating the FSA, raising taxes).
- e. Identify historical failures of the NDP government on multicultural issues.
- f. Develop a comprehensive document that outlines our successes and record in multicultural issues / programs / projects.
 - a. Identify examples of the NDP/BCC opposing those successes.
- g. Identify our historical failures on multicultural issues / programs / projects.

7. SWOT ANALYSIS OF GOVERNMENT / CAUCUS (LEADER: HARRIS, PHELPS AND MELLAND)

- a. Identify Strengths, Weaknesses, Opportunities and Threats of current and proposed multicultural outreach programs.

8. Election READINESS: (LEADERS: BHULLAR, LO, AND MAYENCOURT)

- a. Identify Chairperson, ethnic Election Readiness. b. Build teams for ethnic target groups.
 - i. Put an 'ethnic lens' into swing riding teams.
- c. Train riding exec, provide tools and support.
- d. Provide WIN 2013 software to create ethnic lists.

SECTION 2:

COMPONENT 1: Coordinated Media Strategy (LEADERS: BONNEY AND MELLAND)

Strategic Objective

Match and then exceed the BC NDP's ethnic media efforts by placing ethnic media in a place of importance equal to that of so-called mainstream media. We need to redefine our approach to ethnic media from being an "add-on" to being viewed as part of the mainstream media.

Needs and required actions:

- **Translation** greatly increases the chances of pick-up. Larger outlets can do their own but smaller outlets lack resources to do translation.
 - **Action required:** Quality translators need to be identified for all relevant languages. (It should be noted, however, that online and overseas-sourced translators are seen as ineffective for political messaging. Cultivating our own translators will be required.)
- **Party spokespersons** who speak target languages are urgently needed. Using the Chinese-Canadian community as an example, we suffer from the lack of a Gabriel Yiu-type figure, who can be deployed rapidly and speak knowledgeably on the issues of the day.
 - **Action required:** We need to train and use third-party spokespersons from each target community. They need to have political sense, be aware of the issues, have a key staff contact in government to assist and have a mandate to be proactive.
- **Validators** are needed to help in our efforts.
 - **Action required:** Develop a stable of supporters willing to write letters to the editor or call in to open-line shows to aid in both supporting our proactive efforts in non-English media and responding to attacks.
 - In an HST-type campaign, use validators from target communities. (We had a lot of white small business people telling Chinese-Canadians the HST was good.)
- **Responsiveness to needs** of non-English media outlets requires continued improvement. Ministries have become better at getting relevant material to media outlets but continue to have suboptimal performance when responding to media requests.
 - **Action required:** All entities within government need to regard and respond to requests from non-English media outlets with the same thoughtfulness with which they treat English-language equivalents.
- **Information sharing and coordination** between Ministries and Caucus Communications is lacking.
 - **Action required:** Ministries need to recognize that MLAs (especially those from the same ethnic background as the target community or one with a very large target population in the riding) are sometimes the ideal messenger.
- **Tailored advertising** to better get our message out. Chinese media outlets were dismissive of our advertising during HST campaign.
 - **Actions required:**
 - Advertising specifically designed to be effective with target communities.
 - People match the language (eg. Chinese text= Chinese people in the photos).

COMPONENT 2: Community Engagement (LEADERS: MAYENCOURT FOR CAUCUS / RITCHIE & LEE FOR MINISTERS / MARTIN FOR P.O.)**Strategic Objective**

Demonstrate how much we value targeted ethnic communities through meaningful engagement. The BC NDP excel at this, and we need to catch up.

Needs and required actions:

- **A calendar of multicultural events, holidays, etc. is something we lack and need to develop.**
 - **Actions required:**
 - Cataloguing invites to build a contact database. Coordination between constituency assistants, the Party and Ministry of State for Multiculturalism / IGR / GCPE.
 - Populate the calendar to ensure we are active in the community and seen at the important festivals/events.
 - Identify who goes to which event- Premier, Ministers, MLAs.
 - Ensure government attendees have name tags which include their name translated in the appropriate language (ie: Traditional Chinese for Chinese New Year).
- **Identify and target faith-based groups**
 - **Actions required:**
 - Prioritize multi-faith holidays using IGR.
 - Identify people to reach out to faith-based groups.
 - Identify our supporters in key faith groups.
 - Build on this list of supporters using AMSSA- this will require research and contact with people experienced in this area.
- **Research and identify social networks which reach target communities**
 - **Actions required:**
 - Determine whether members of target communities use such tools as Facebook and Twitter.
 - Determine other social networks which may be unique to target communities.
 - Once the above two actions are complete, devise a plan to engage with target communities through appropriate and effective social media platforms.
- **Tailor communications on specific issues**
 - **Actions required:**
 - Research and define how best to address specific issues within certain communities.
 - Move away from a one-size-fits-all approach. For example, during the HST referendum we simply translated English-language advertising and left photos of white people in the ads. A Chinese-language ad should in most cases have pictures of Chinese-Canadians. Materials on something like HST should have Chinese-speaking validators.
- **Give greater attention to target communities**
 - **Actions required:**
 - Coordinate Minister/MLA tours to include key communities.
 - Develop a multicultural advisory committee under Party, Government or Caucus.

COMPONENT 3: QUICK WINS:(LEADERS: BHULLAR, LO AND LEE)

Strategic Objective

Build goodwill and political capital with target communities through simple and thoughtful actions to show ongoing care and

concern. **Needs and required**

actions:

- **Better connecting with target communities**
 - **Actions required:**
 - Identify and advance government initiatives and projects that would resonate with ethnic communities.
 - Identify and correct "historical wrongs" through actions such as the Komagata Maru apology in the House.
 - Send letters and certificates for events, organizers and volunteers.
 - Video greetings (Pamela with assistance from Tracy Pellizzari).
 - Greater utilization of video greetings in language of target communities.
 - Provide name tags for Ministers/MLAs at multicultural events.

COMPONENT 4: GOVERNMENT / CAUCUS / PARTY COORDINATION (LEADERS: BHULLAR, BONNEY, CARSON, AND LO)

Strategic Objective

Make sure Government, Caucus, and the Party are all working toward the same goal and in a coordinated and effective manner.

Needs and required actions:

- **Coordination and information sharing needs to improve**
 - **Actions required:**
 - Identify liaison leads for Government, Caucus, and the Party.
 - Schedule monthly meetings between leads on this plan.
 - Explain and break down government silos, and share info with party.
 - Get core information on party website in target languages.
 - Ensure coordination on translation of government materials and party materials, especially when it comes to websites.
 - Build on our successes in terms of translation of government collateral. Health guides are a great example of past success. The Chinese version is incredibly popular.
 - Brief caucus and get their buy-in.
 - Identify internal connections to ethnic communities amongst MLAs, staff, riding executive members, etc.

COMPONENT 5: DISTRIBUTION AND CONTACT LISTS: (LEADER: BONNEY)

Strategic Objective

Develop the most comprehensive and complete lists possible so that we can bypass media to get our message out and be very well prepared when the writ is dropped.

Needs and required actions:

- **Improve the quality of our lists for target communities**
 - **Actions required:**
 - Determine which sorts of lists we need and how we will use them.
 - Identify people from within target communities to help build these lists.
 - Determine formats and technologies for lists (ie: email list, home address list, both?)
 - Identify and address technological challenges.

COMPONENT 6: OPPOSITION RESEARCH:(LEADER: Phelps FOR CAUCUS/ LO ON GROUND)**Strategic Objective**

Ensure all of our candidates and party operatives are fully informed of the policies, positions, and histories of our opponents, as well as our own.

Needs and required actions:

- o Analyze NDP/BCC readiness and weaknesses in ethnic communities.
- o Continue practice of building a running dossier on every nominated candidate.
- o Identify internal divisions or weaknesses within opposition caucuses on multicultural issues.
- o Continue to keep a running inventory of policy promises/comments relating to ethnic communities.
 - o Highlight policies that may be unpopular in ethnic communities (i.e eliminating the FSA, raising taxes).
- o Identify historical failures of the NDP government on multicultural issues.
- o Develop a comprehensive document that outlines our successes and record in multicultural issues /programs / projects.
 - o Identify examples of the NDP/BCC opposing those successes.
- o Identify our historical failures on multicultural issues /programs / projects.

COMPONENT 7: SWOT ANALYSIS OF GOVERNMENT/ CAUCUS (LEADERS: HARRIS, PHELPS AND MELLAND)**Strategic Objective**

Analyze and understand government's strengths and weaknesses on the multicultural file to ensure that past mistakes aren't repeated, and that future opportunities aren't missed.

Strengths:

- Political centre-right is a natural fit for many immigrant / ethnic communities.
 - Education, economy, public safety, emphasis on self-reliance are government values that are shared by many ethnic voters.
- Demonstrated record of achievement.
- Asia-Pacific focus.

Weaknesses:

- Caucus has only a few ethnic MLAs, and only one (Richard Lee) who is fluent in a target language other than English. Dave Hayer apparently speaks some Punjabi.
- Historically, government has treated ethnic and multicultural media as lower-priority than traditional media. This has left many outlets with a poor impression of government.
- The NDP have had a dedicated Caucus staff member for years (Gabriel Yiu) available to media to speak on behalf of the NDP, and it's rare that government was able to provide someone to counter the claims.
- In cases where a validator/supporter has been willing to speak to media on our behalf, ministry support for messaging has often been poor.

Opportunities

- Re-engaging with a block of hundreds of thousands of voters.
- Bringing voters who should be in our tent, back to our tent.

Threats

- Failing to ensure a sustainable outreach effort could be seen as time-limited pandering.
- Not fully funding and fully executing strategies might leave an impression that government is still viewing ethnic communities as a lower priority.
- If not done correctly, we will appear opportunist.

COMPONENT 8: ELECTION READINESS: (LEADERS: BHULLAR, LO AND MAYENCOURT)**Strategic Objective**

Improve our chances of winning swing ridings by better engaging supporters from ethnic communities and getting them involved at the riding level.

Needs and required actions:

- **Ethnic outreach** is not as strong in many ridings as it needs to be.
 - o **Actions required:**
 - o Identify supporters from target communities who can serve as ethnic chairs on relevant riding executives and bring an ethnic lens to issues of importance in these ridings and improve outreach.
 - o Train ridings and give consistent support to allow them to improve outreach.
 - o Enhance Win 2013 software so it can support a highly-effective ethnic database with the ability to create useful ethnic lists.
 - o Organize round tables, forums, and other events with Minister of State for Multiculturalism, with local MLAs involved.
 - o Hire three ethnic organizers on a six-month trial basis to contact targeted ethnic groups around the swings to build robust contact lists with email, names, phone, cell and addresses- as well as notes about likely support to be updated regularly.

SECTION 3:**Multicultural Outreach – Coordinated Effort Meeting****Lead & Support Responsibilities****Barinder Bhullar****Lead:**

- o Calendar of all ethnic events
 - Categorize events as PCC priorities
- o Quick Wins
 - Process for letters and certificates (esp. Greeting letters and who should sign)
 - Research community focused wins eg. Historical wrongs
- o Coordination between Party, Gov't and Caucus
 - Ask MO and MLAs to flag any multi opportunities for support
- o Engage & Consult with communities
 - Politic;:! asks (as election nears)
 - Focus on 'blockbuster' events and meetings
 - Ethnic social media: facebook, twitter, alternatives?
- o Multicultural Advisory Committees
 - Who/what/How?
- o ER in swing ridings
 - Identify ethnic chair
 - Teams for ethnic target groups
 - Set up member, etc.

Support:

- o Coordination media strategy
 - Outside spokesperson, third-party validator
- o Coordination between Party, Caucus and Gov't
 - o Break down government silos
 - o Translating government collateral-health guides, school info

Brian Bonney**Lead:**

- o Ethnic media to be part of media outreach every NR and MA
 - Research/ update media distribution lists in Caucus Comms and GCPE
- o Outside spokesperson, third-party validator
- o Translation-find out the process on usage of Gov't translation resources
- o Calendar-structure the communications products according to priority of event.

- o Coordination between Party, Gov't & Caucus-Break down government silos-share information re: multicultural opportunities
- o Translating government collateral: health guides, school info, health...
- o Build Lists
 - Draft plan & Job responsibilities re: necessity of partisan outreach staff
- o Typing faith into plan -Build list (AMSSA): do research & contact people with experience
- o Engage & Consult w/ Communities – find out how we should talk about specific issues
- o Ethnic Social Media – facebook, twitter, alternatives? Language?

Support:

- o Outside spokesperson, third-party validator
- o Quick Wins, announcements for community
 - Certificates: for events, organizers and volunteers
 - Research Community focused wins eg. Historical wrongs
- o Building Lists
 - ID how to get right people building lists
 - What kind of list, how to use list
 - Technological challenges?
- o Typing faith into plan
 - Prioritize multi-faith holidays/events-use IGR
- o Identify Ethnic Chair
- o Engage & Consult with communities
 - Listening and outreach tours w/ MHB
 - Determine asks and feed into Gov't

Prim Carson

lead:

- o Outside spokesperson, third-party validator
- o Coordination between Party, Caucus and Gov't
 - Get Caucus buy-in on the plan

Support:

- o Translation
 - Identify potential people that are suiting in one of above ethnic groups – MA, EA, Caucus, CA, Party
- o Ethnic Spokesperson
 - Inside – Caucus Leaders
- o Opposition Research
 - Utilize Caucus Research
 - Find divisions on Multiculturalism stance/ policies
 - Analyze our record-concrete & tangible item

- o Using our resources
 - Surveying MLA/CA/LA/MO staff & other staff

Analyze and understand government's strengths and weaknesses on the multicultural file to ensure that past mistakes *aren't* repeated, and that future opportunities aren't missed.

Stephen Harris

Lead:

- o SWOT Analysis of Government/Caucus
 - Analyze and understand government's strengths and weaknesses on the multicultural file to ensure that past mistakes aren't repeated, and that future opportunities aren't missed.

Mike Lee

Lead:

- o Quick Wins
 - Workout a process for letters & certificates
 - Greeting letters
 - Certificates: for events, organizers and volunteers
 - Thank you letters
 - Who should letter be signed by?
- o Build Lists
 - o Catalogue invitations to track stakeholders and organizations

Support:

- o Ethnic Social media
- o Workout process for letters and certificates
- o Identify potential government initiatives and projects to highlight to various communities

Fiera Lo

Lead:

- o Quick Wins
 - Name tags for Ministers/ MLAs for multicultural events
- o Coordination between Party, Gov't and Caucus
 - Get Party website in more languages (core info)
- o Build lists
 - Technical difficulties?
- o ER in swing ridings
 - Teams for ethnic target groups
 - Train ridings and give them tools-provide consistent support
 - Win 2013 software-ability to create ethnic lists
- o Using our resources

- Riding Executive members

Support:

- o Outside spokesperson, third-party validator
- o Quick Wins
 - Certificates: for events, organizers and volunteers
 - Thank you letters
- o Build lists
 - Catalogue invitations to track stakeholders and organizations
- o ER in swing ridings
 - Teams for ethnic target groups

Pamela Martin**Lead:**

- o Outside spokesperson, third party validator
- o Video greetings (utilize more at events)
- o Typing Faith
 - Multi-faith events with faith groups
 - Targeted strategy to meet with faith groups
- o Engage/Consult with communities
 - Focus/reach out to community leaders and groups
 - Feed in asks to government
 - Focus on 'blockbuster' events and meetings for PCC

Lorne Mayencourt**Lead:**

- o Ethnic Spokesperson
 - Inside Caucus Leaders
- o Build and populate calendar on significant ethnic/religious events
- o Typing Faith
 - Multi-faith events with all ethnic faiths
 - ID people to reach out to faith groups
- o Better coordination between Party, Gov't and Caucus
 - Ask MOs and MLAs to flag any multi opportunities for support
- o ER in swing ridings
 - Identify Ethnic Chair
 - Get ethnic lenses on swing ridings/teams- coordinate flow of information

Support:

- o Outside spokesperson, third-party validator
- o Better coordination between Party, Gov't and Caucus

- Break down government silos – share
- Get Caucus buy-in on the plan
- o Teams for ethnic target groups
 - Path we want to proceed on? If so, set up memberships, etc.

Jeff Melland

Lead:

- o Identify potential translators that are suited in one of the above ethnic groups
- o Catalogue our strengths
 - Strength: free enterprise (most ethnic groups value)
 - Weakness: lack of diverse Caucus -languages spoken
- o Surveying MLAs/CAs/LAs/MO staff and other staff from ethnic communities/connections

Support:

- o Coordinating media strategy
 - Ethnic media to be part of media outreach every NR and MA
 - Research/ update media distribution lists in Caucus Comms and GCPE

Tracy Pellizzari

Support:

- o Video greetings

Blair Phelps

Lead:

- o Opposition Research
 - Utilize Caucus Research team
 - Analyze multicultural readiness and weaknesses
 - To look into every nominee candidate
 - How these candidates are perceived in their communities
 - Find divisions on Multiculturalism stance/ policies
 - Analyze our record -concrete & tangible items

Support:

- o Catalogue our strengths
 - Strengths and Weaknesses

Dave Ritchie

Lead:

- o Translation

- Identify potential people that are suited in one of above ethnic groups – MA, EA, Caucus, CA, Party
- o Build and Populate calendar of significant ethnic/religious events
 - Compile Calendar with IGR and GCPE
 - Cross Reference with Lorne's Caucus Calendar
- o Typing Faith
 - Prioritize multi-faith holidays/ events – use IGR
- o Listening and outreach tour for MHB
 - Determine asks and feed into government

Support:

- o Quick Wins
 - Research community focused wins eg. "historical wrongs"

Mark Robertson

Support:

- o EN in swing ridings
 - Get ethnic lenses on swing ridings/teams – coordinate flow of information
 - Win 2013 software – ability to create ethnic lists
 - Ethnic database (2nd generation problems)