

December 7, 2023

Honourable Lisa Beare
Minister of Citizens' Services
PO Box 9068 Stn Prov Govt
Victoria BC V8W 9E2

RE: Urgent action needed on Artificial Intelligence

Dear Minister Beare:

Governments and regulators around the world are working hard to responsibly leverage the benefits of Artificial Intelligence (AI). Canada and the provinces are poised to be a leader in this space. Federal, provincial, and territorial privacy commissioners are hosting the Berlin Group – International Working Group on Data Protection in Technology today, and published a joint resolution on generative AI.¹

AI has tremendous potential benefits but deployed improperly can lead to real and significant harms. Those harms include the lack of fairness in its application or outcomes, risks to individual privacy, and perpetuation of systemic discrimination. Many of these matters, including a recommendation that public bodies commit to and abide by an AI framework, were canvassed more than two years ago by the OIPC and Ombudsperson.²

We welcome the Government of British Columbia's recent internal publication of draft principles for the responsible use of AI as a positive first step towards ensuring the use of this technology will benefit our citizens. In asking for feedback from public employees on its draft set of principles, government acknowledges the Province already has existing laws, policies, and practices to guide the use of AI by public servants. We encourage the government to expand its consultation to members of the public as they will unquestionably be affected by any introduction of AI into the delivery of public services.

While establishing principles to govern AI use in the public sector is a good initial step, reform of existing laws and regulations may be needed to ensure alignment with global regulatory efforts in this field. Creating clear and legally enforceable ground rules will both protect the interests of British Columbians and promote innovation.

¹ Available at <https://www.oipc.bc.ca/news-events/newsroom/>.

² [*Getting Ahead of the Curve: Meeting the challenges to privacy and fairness arising from the use of artificial intelligence in the public sector.*](#)

Consistent with our legislative responsibilities we will continue to provide advice to government and comment publicly on the challenges AI poses for all British Columbians. We ask the government to commit to separately include our offices in its consultations on issues relating to privacy, human rights, and administrative fairness, as it seeks to finalize principles that will guide its actions.

We now stand at a critical crossroads in the development of AI. We appreciate government's recognition of the challenges that lie ahead, and we commit to lend the collective resources of our offices to working with it to meet those challenges.

It is our intention to publicly release this letter today.

Sincerely,

ORIGINAL SIGNED BY

Michael McEvoy
Information and Privacy Commissioner
for British Columbia

ORIGINAL SIGNED BY

Jay Chalke
Ombudsperson of British Columbia

ORIGINAL SIGNED BY

Kasari Govender, Commissioner
Office of the Human Rights Commissioner