

Response from John Horgan

Police accountability

1. Will you end the system of police investigating police in B.C., as recommended by both the Braidwood and Davies Commissions and as endorsed by the Solicitor General's office in 2010?

I support a more independent police complaints process in British Columbia, including the 2010 recommendations regarding investigations into police conduct that result in death or serious harm.

2. Will you introduce a system where special prosecutors will be appointed to make decisions on whether or not police officers should be criminally charged in cases of police-involved deaths?

I believe that using special prosecutors to consider charge decisions for police officers may be appropriate, once the special prosecutor process is improved to reflect citizen's expectations around issues such as conflict of interest.

3. Will you direct the appointment of a special prosecutor to review the decision on the appropriateness of criminal charges in the following cases: Ian Bush, Kevin St. Arnaud, Clayton Alvin Willey, Frank Paul, Robert Dziekanski, Paul Boyd, and Gerald Chenery?

The cases raised reflect the troubling uncertainty currently eroding public confidence in actions and decisions of both RCMP and municipal forces. I believe these circumstances all need to be reviewed in the context of moving towards an improved independent review process.

4. Will you make the office of Chief Coroner an independent officer of the legislature like the province's police complaints commissioner, auditor and ombudsperson to ensure that investigations of the deaths of British Columbians are free from political interference?

I do not know whether making the Chief Coroner an independent officer of the legislature will, in and of itself, improve the functioning of that office. I want to consult with recent Chief Coroners and people involved with the office to determine the best way to achieve the ultimate goal of a well functioning coroner's service in British Columbia.

5. Will you demand that any Chief Coroner appointments be medically trained and qualified doctors with appropriate background experience and not former police officers or persons from other backgrounds?

I do not support a requirement that the Chief Coroner be a medical doctor. The office deals with a wide variety of death investigations and academic medical knowledge is only one factor of many that might contribute to producing an exemplary candidate for this position. Rather than limiting the qualifications for the role, I would focus more on making the selection process effective and working to bring the Coroner's legislation and tools up to date.

6. Do you support the creation of regional police forces?

Where municipalities are in close proximity to each other, real issues of effectiveness of service arise with multiple individual police services. I favour encouraging and providing incentives for coordination and amalgamation of services where elected municipal officials determine it is in the best interests of their region. As an example, I would like to offer options to the GVRD and the CRD: where local officials representing over 50% of the population request it, the province would fund a study to investigate the options into full amalgamation. In the absence of this type of endorsement from local politicians, the province would fund a study into service improvements that could result from better coordination of services in key areas such as gang intervention, homicide and serious crimes investigation.

7. Will you ensure that the audit of RCMP services that the government has prepared is released prior to any decision made concerning a further contract for services with the RCMP?

Yes.

8. Will you ensure that there is a full and open public discussion and debate concerning the form of any new contract for services with the RCMP prior to it being entered into?

Yes. A new contract for police services is necessary in the province, but not necessarily with the RCMP. However police service is provided, the people of BC need a better arrangement, and more openness about it.

Open and transparent governance

9. Will you implement the recommendations of the Information and Privacy Commissioner of British Columbia provided to the Special Committee to Review the Freedom of Information and Protection of Privacy Act in their entirety? For this question, if the answer is no, please indicate whether you would implement some (and identify which ones) or none at all.

The Information and Privacy Commissioner was one of 38 organizations and 67 individuals who made submissions to the Legislative Committee during their review of the Freedom of Information and Protection of Privacy Act. In 2010 the Committee produced a report based on all submissions received, and that will be my initial guide in moving forward taking steps to improve access to information.

10. Will you revise the rules of the Legislature to eliminate provisions for deemed debate and passage of bills and require instead that all legislation be given a full opportunity for debate and that each stage of legislation be voted upon?

Yes.

Drug policy

11. Do you support Vancouver's safe injection site?

Yes. I think it should be made permanent and the continual threat of closure from the federal government should be removed.

12. Do you support the introduction of more safe injection sites in Vancouver and other centres where injection drug use overdose deaths and HIV and Hepatitis transmission rates warrant such facilities in B.C.?

Yes, in consultation with local government, Health Authorities and police forces.

13. Will you implement widespread treatment of people addicted to drugs or alcohol, where treatment may include providing those individuals with measured and monitored doses of those drugs, as recommended in the North American Opiate Medication Initiative, and as implemented in Seaton House in Toronto?

For me, treatment for people with addiction includes many things: safe housing for those who do not have it; detox/treatment for those who need it; social and training supports to allow people to participate in their communities to the greatest extent possible and well considered harm reduction techniques such as NAOMI. I support all of them being used wisely and in combination. No one treatment element or combination works for everyone.

14. Will you implement detox on demand for people addicted to drugs and alcohol, preventing them from waiting days, weeks or months for access to treatment?

I support this goal.

15. Do you support provincial licensing of compassion clubs for distribution of medical marijuana to approved individuals suffering from conditions ameliorated by medical marijuana?

I support the New Democratic Party's position on the decriminalization of marijuana.

16. Will you eliminate the ability of municipalities to prohibit the growing of medical marijuana by individuals licensed to possess and grow medical marijuana?

While I support the ability of municipalities to appropriately zone for their own needs and planning purposes, I do not support the complete exclusion of legal activities from an entire municipality.

17. Will you eliminate the ability of municipalities to use building, health, fire and other inspection programs as a pretext for criminal drug law enforcement?

No. Commercial criminal drug activity can destroy individuals, families and neighbourhoods and I

support reasonable actions to identify and combat it. Having said that, I do not believe innocent residents should be financially penalized for otherwise unwarranted inspection services conducted only to investigate possible drug infractions.

18. Will you eliminate the ability of municipalities to do as the City of Mission has done and impose heavy “inspection fees” and other charges purportedly in relation to property inspection programs, but in reality as ancillary measures to criminal drug law enforcement?

See above.

Health

19. Do you support the right of individuals to choose to die with dignity?

Yes

20. Will you provide for appropriate legislation, relying on the exclusive provincial jurisdiction over health matters, and establish rules for legal assisted suicide in British Columbia?

I would like to engage in a wholehearted conversation with British Columbians on this issue. It goes to the core of family, religious, cultural and personal beliefs of every person in this province, and I believe that a provincial conversation will produce an appropriate answer for this province.

21. As leader, will you provide amendments to legislation concerning eHealth that would allow a patient to control how his or her personal health information is stored, and who can access that information in an easily understood, intuitive and proactive way?

E-health initiatives offer the promise of quick, accurate and portable records for patients and health care providers in British Columbia. The move to electronic records is positive and I support it. I also support the development of a clear, easy to understand method for patients to control how much those records will be shared for the purposes of their treatment, teaching, research and other purposes.

Administration of justice and access to justice

22. As leader, will you take steps to restore the funding of Legal Aid to the levels of funding available in the year 2000?

Yes.

23. Will you repeal the impaired driving and high speed driving amendments to the Motor Vehicle Act passed in 2010 which purported to make those offences regulatory matters administered by the police and the Superintendent of Motor Vehicles and removed due process protections, including the right of cross-examination, the presumption of innocence and the right to have a fair trial before an impartial judge?

No.

24. Will you eliminate the current high vacancy levels and promptly appoint the full complement of provincial judges as provided for in the Provincial Court Act and ensure adequate funding for the needs of that court to hear cases in a prompt and efficient manner?

I will promptly fill current vacancies in the provincial court.

25. Will you eliminate court fees in civil cases, including those for starting court proceedings, bringing motions and having trials heard?

No. Commencing civil actions is a privilege not a right, and the court system has to be supported. I'd be willing to look at current standards for waiving fees for indigent applicants.

26. Will you enact anti-SLAPP legislation to protect the rights of British Columbians to speak freely, demonstrate and protest, without fear of retaliatory litigation by others for so doing?

Yes. The New Democrat government introduced anti-SLAPP legislation in 2001 and the Liberal government repealed it immediately after they took office. This legislation is needed.

27. Will you enact legislation to protect free speech rights of British Columbians on the internet, including those who host a blog, chat forum, message board or other facility for the free exchange of thoughts, comments, ideas and opinions?

The right to free speech is part of the Canadian Charter of Rights and Freedoms. I am not in favour of restricting rights to free speech or the rights of people affected to take action for libel, slander or hate speech.

Sex work

28. Given the recent court decision in Ontario that struck down the prohibition on activities surrounding prostitution (communication, bawdy house rules), will you be proactive in ensuring women and men involved in sex work will be protected pursuant to the province's exclusive jurisdiction over health and worker safety matters by providing for appropriate, protective regulations to protect sex workers from exploitation, ensure safe workplaces and offer comprehensive education and retraining programs for sex workers who wish to exit that occupation?

I am interested to see both the progress of the Ontario case and the case brought to the courts in B.C. on similar issues, and I don't think the government should act based on those cases until they have concluded. Having said that, I think all people doing work that is legal deserve to be safe at work, and anyone who wants to train for new employment should have access to the opportunity to do that.

Response from Nicholas Simons

CIVIL LIBERTIES, THE FOUNDATION OF A FREE SOCIETY

Submitted by Nicholas Simons, MLA and Candidate for Leader of the BC NDP

A letter was sent to all NDP leadership candidates from the BC Civil Liberties Association (BCCLA) asking for a simple “yes” or “no” to a series of 28 important and complex questions. Despite the required format, none of these issues are simple. Some of the questions are phrased in such a way that by answering in the affirmative, the respondent implicitly shares the tone and validity of the question.

The BCCLA also asked candidates if they had additional concerns which should be raised. I have included them at the end; questions 29-36.

Here are the questions, and my answers.

1. Will you end the system of police investigating police in BC as recommended by both the Braidwood and Davies Commissions and as endorsed by the Solicitor General’s office in 2010?
 - a. Yes. There must be no apprehension of bias in the investigative process. Police should not investigate police. Trust, confidence and public support are fundamental to law enforcement’s ability to do their work. We should follow the lead of other Provinces.

2. Will you introduce a system where special prosecutors will be appointed to make decisions on whether or not police officers should be criminally charged in cases of police involved deaths?
 - a. Yes. The public must have confidence that the law will be administered fairly and without any apprehension of bias. The police must also be reassured that the process will increase the public’s confidence in them.

3. Will you direct the appointment of a special prosecutor to review the decision on the appropriateness of criminal charges in the following cases: Ian Bush, Kevin St. Arnaud, Clayton Alvin Willey, Frank Paul, Robert Dziekanski, Paul Boyd, and Gerald Chenery?
 - a. Yes. I would advocate for the review of any case if it is in the best interest of protecting the public’s confidence in the criminal justice system. Because of the nature of these deaths, and the time that has passed, I would propose that each of these reviews be undertaken by a team of special prosecutors.

4. Will you make the office of Chief Coroner an independent officer of the legislature like the province’s police complaints commissioner, auditor and ombudsperson to ensure that investigations of the deaths of British Columbians are free from political interference?
 - a. Yes. Decisions about investigations should be made free of political pressure. I am aware of sudden and unexpected deaths that have warranted a review, but such reviews have been thwarted.

5. Will you demand that any Chief Coroner appointments be medically trained and qualified doctors with appropriate background experience and not former police officers or persons from other backgrounds?
 - a. The appointment process should ensure that people are appointed based on their qualifications, experience and medical training.
6. Do you support the creation of regional police forces?
 - a. Yes, if it is in the public interest and could be linked to the discussion of RCMP services as in questions 7 and 8 below.
7. Will you ensure that the audit of RCMP services that the government has prepared is released prior to any decisions made concerning a further contract for services with the RCMP?
 - a. Yes, the public should always have an opportunity to participate in such important public policy decisions.
8. Will you ensure that there is a full and open public discussion and debate concerning the form of any new contract for services with the RCMP prior to it being entered into?
 - a. Yes. Informed, public discussions are central to decisions about fundamental public policy.
9. Will you implement the recommendations of the Information and Privacy Commissioner of British Columbia provided to the Special Committee to Review the Freedom of Information and Protection of Privacy Act in their entirety? For this question, if the answer is no, please indicate whether you would implement some (and identify which ones) or none at all.
 - a. Yes.
10. Will you revise the rules of the Legislature to eliminate provisions for deemed debate and passage of bills and require instead that all legislation be given a full opportunity for debate and that each stage of legislation be voted upon?
 - a. Yes. Good legislation should be fully debated as was intended in our system. The system is manipulated for partisan purposes, reducing the democratic processes that lead to good decision-making.
11. Do you support Vancouver's safe injection site?
 - a. Yes. It saves lives, gives dignity to people with addictions, and reflects a compassionate society. It also promotes health and recovery. I have written letters questioning those who publicly oppose it.
12. Do you support the introduction of more safe injection sites in Vancouver and other centres where injection drug use overdose deaths and HIV and Hepatitis transmission rates warrant such facilities in BC?
 - a. Yes.

13. Will you implement widespread treatment of people addicted to drugs or alcohol, where treatment may include providing those individuals with measured and monitored doses of those drugs, as recommended in the North American Opiate Medication Initiatives, and as implemented in Seaton House in Toronto?
 - a. Yes. As an graduate in Criminology, and as the Director of a Health and Social Services Agency for many years, I know, and have seen evidence that supports this from both an economic, and more importantly, ethical standpoint

14. Will you implement detox on demand for people addicted to drugs and alcohol, preventing them from waiting days, weeks or months for access to treatment?
 - a. Yes. From my experience as a social worker, many families were unnecessarily involved in the expensive Child Protection, Health Care, and Criminal Justice systems due to the lack of immediate access to detox and treatment.

15. Do you support provincial licensing of compassion clubs for distribution of medical marijuana to approved individuals suffering from conditions ameliorated by medical marijuana?
 - a. Yes. I have advocated in the Legislature for free and better access to marijuana for patients who benefit from its use. I also advocate for its legalization. I believe the legalization and regulation of the sale of Marijuana would address this and the problems associated with questions 16-18 below.

16. Will you eliminate the ability of municipalities to prohibit the growing of medical marijuana by individuals licensed to possess and grow medical marijuana?
 - a. Yes. No other jurisdiction should prohibit an act licensed by the Federal government. These municipal measures are yet another ineffective weapon in the discredited war on drugs.

17. Will you eliminate the ability of municipalities to use building, health, fire and other inspection programs as a pretext for criminal drug law enforcement?
 - a. Yes. Without sound basis for criminal investigations, our criminal justice system falls into disrepute. Safety concerns must be dealt with through other means.

18. Will you eliminate the ability of municipalities to do as the City of Mission has done and impose heavy "inspection fees" and other charges purportedly in relation to property inspection programs, but in reality as ancillary measures to criminal drug law enforcement?
 - a. Yes. I spoke against the enabling Legislation.

19. Do you support the right of individuals to choose to die with dignity?
 - a. Yes.

20. Will you provide for appropriate legislation, relying on the exclusive provincial jurisdiction over health matters, and establish rules for legal assisted suicide in British Columbia.
 - a. I would appoint an all-party committee to address the issue of dying with dignity, euthanasia and assisted suicide.

21. As leader, will you provide amendments to legislation concerning eHealth that would allow a patient to control how his or her personal health information is stored, and who can access that information in an easily understood, intuitive and proactive way?
 - a. The language is too broad. I would promote the strictest privacy while not unduly affecting a person's ability to access health care or records of that care.

22. As leader, will you take steps to restore the funding of Legal Aid to the levels of funding available in the year 2000?
 - a. Yes. I have seen an erosion of constituents' access to judicial recourse. It is creating fundamental injustice in our society and causing hardship in families. The lack of legal aid funding is also one of the reasons our court system has become over-burdened.

23. Will you repeal the impaired driving and high speed driving amendments to the Motor Vehicle Act passed in 2010 which purported to make those offences regulatory matters administered by the police and the Superintendent of Motor Vehicles and removed due process protections, including the right of cross-examination, the presumption of innocence and the right to have a fair trial before an impartial judge?
 - a. Yes. I spoke against these amendments and the manner in which they were imposed. Bad laws do not make good public policy. We should advocate for a reduction in the legal blood-alcohol limit to .05 if the sanctions for this level of intoxication are equivalent to criminal sanctions. Bad laws bring the administration of justice into disrepute.

24. Will you eliminate the current high vacancy levels and promptly appoint the full complement of provincial judges as provided for in the Provincial Court Act and ensure adequate funding for the needs of that court to hear cases in a prompt and efficient manner?
 - a. Yes. I have raised this issue in the Legislature. Justice delayed is justice denied.

25. Will you eliminate court fees in civil cases, including those for starting court proceedings, bringing motions and having trials heard?
 - a. There should not be any financial impediment to access justice.

26. Will you enact anti-SLAPP legislation to protect the rights of British Columbians to speak freely, demonstrate and protest, without fear of retaliatory litigation by others for so doing?
 - a. Yes.

27. Will you enact legislation to protect free speech rights of British Columbians on the internet, including those who host a blog, chat forum, message board or other facility for the free exchange of thoughts, comments, ideas and opinions?
- Yes. Provided they are in compliance with Canada's hate laws
28. Given the recent court decision in Ontario that struck down the prohibition on activities surrounding prostitution (communication, bawdy house rules), will you be proactive in ensuring women and men involved in sex work will be protected pursuant to the province's exclusive jurisdiction over health and worker safety matters by providing for appropriate, protective regulations to protect sex workers from exploitation, ensure safe workplaces and offer comprehensive education and retraining programs for sex workers who wish to exit that occupation?
- Yes. As Leader of the NDP, I will promote the respect and dignity of all people, the safety and vibrancy of our communities, and the health of our environment.

Additional Questions:

29. Do you support the use of incarcerated youth as subjects of scientific experiments?
- No.
30. Do you believe a youth can give informed consent to medical experiments while incarcerated?
- No.
31. Do you believe incarcerated youths should have access to their own social worker while incarcerated?
- Yes.
32. Do you think job applicants should be required to disclose usernames and passwords of their social media, blogs and websites to their prospective employers?
- No. Many of these sites contain personal correspondence and information meant to be shared with personal contacts, and would constitute a breach of their privacy and an erosion of trust in the principles of confidentiality.
33. Do you believe in drug-testing for employees?
- No. For the most part, performance testing is more accurate and can identify impairments caused by any factor.
34. Do you believe that temporary foreign workers should have access to the rights and services available to all Canadian citizens?
- Yes.
35. Do you believe that transsexual and transgendered people should be explicitly protected in the Canada and BC Human Rights Code?
- Yes.
36. Do you believe that civil liberties, once secured, are here to stay?
- No. It is incumbent on politicians and the public to ensure that civil liberties are continually protected.

Response from Adrian Dix

March 1, 2011

Mr. Robert Holmes
President
BC Civil Liberties Association

Dear Mr. Holmes,

Thank you for your letter of January 20th. I have reviewed the survey questions and I will comment as below. Given the very detailed and specific nature of many of your questions, I think more general comments are more appropriate at this time. I would be happy to meet with you to discuss these issues.

Police Accountability

I would adopt the recommendation of the Braidwood and Davies Commissions with respect to police investigating police. This must be a principal priority for British Columbia as we review the RCMP contract this year. It would go some way to re-establishing public confidence in the wake of the recent cases.

I support the need for an independent investigative agency to investigate allegations of police wrongdoing and, as Premier, I would have an NDP cabinet and government review the suggestion of special prosecutors in cases of police-involved deaths, including the specific cases that you refer to and changes to the status of the Chief Coroner. I support an open public discussion about the future of contracts with the RCMP, including public release of the government's audit.

I will be addressing the issue of regional policing later in this leadership campaign.

As you may be aware, I was a strong critic of cuts to the BC Coroner's Service as Opposition critic for Children and Family Development. Effectively, the government used its budgetary powers to limit death reviews in this province, and the impact of these cuts continues to the present. In the wake of almost a decade of political interference in the independent operations of the BCCS, I support measures that would increase the independence of that office.

Open Government

My proposals on Freedom of Information go beyond the recommendations of the Special Committee. I am attaching a copy of my specific proposals in response to the Vancouver Sun for your information.

With respect to Legislative Assembly, I support the increased use of parliamentary committees to review important issues, and where appropriate, legislation with the calling of witnesses. In my four years as Health critic and a member of the Select Standing Committee on Health, the committee never met.

Critical bills such as the bill regulating Electronic Health Records were passed without full debate as you are aware. This included amendments I had proposed to ensure patient privacy. My approach would be one of full debate and to respect the role of the legislature.

Drug Policy

I support the policy of safe injection sites as one part of a broader approach for treatment of drug and alcohol addiction. We must reverse the complete failure of the Liberals in the area of mental health and addiction treatment, with significant investments in treatment services. The issue of medical use of marijuana is one that is primarily in federal jurisdiction but needs updating and improvement. I believe that the province must work with municipalities and police forces to review the most effective use of municipal by-laws in investigations of alleged grow-ops.

Health

Assisted suicide issues are primarily within federal jurisdiction. Within the provincial health service we must improve hospice services and I would support as a general principle the right of people to die with dignity guided by medical protocols and the law.

Health records must protect individual privacy and the eHealth system must ensure the privacy rights of patients. I am attaching my legislative speech on the government's e-health bill which presents my views on this question in detail.

Administration of Justice

Legal Aid funding must be increased and I will be commenting further on that in the course of the leadership campaign. I want to see a major review of our court and justices systems that would address several issues you raise such as court fees, the Motor Vehicle Amendments and court funding and associated delays. I support anti-SLAPP legislation based on that introduced by then Attorney General Andrew Petter in 2000.

Sex Work

There is a role for the provincial government in ensuring that sex workers are free from exploitation and in offering education and training for sex workers who wish to exit that occupation. I will review the Ontario decision to see what further role there could be for the province to protect women and men involved in sex work. Clearly, there is a significant federal role as well.

Thank you for the opportunity to comment on these issues.

Sincerely

Adrian Dix, MLA and Candidate for Leader, BC NDP

Response from Dana Larsen

1. Yes.
2. Yes
3. Yes
4. Yes
5. Yes
6. Yes
7. Yes
8. Yes
9. Yes
10. Yes
11. Yes
12. Yes
13. Yes
14. Yes
15. Yes
16. Yes
17. Yes
18. Yes
19. Yes
20. Yes
21. Yes
22. Yes
23. Yes
24. Yes
25. Yes
26. Yes
27. Yes
28. Yes



January 17, 2011
Resent February 28, 2011 on request

Mike Farnworth Campaign

VIA EMAIL: mike.gudaitis@gmail.com

Dear Mr. Farnworth:

RE: BC New Democrat Party Leadership Platform

Congratulations on your decision to run for leadership of the BC New Democrat Party. The B.C. Civil Liberties Association is Canada's foremost civil liberties organization, has many members and supporters throughout the province and has dedicated itself to its fundamental mission of promoting education, understanding and respect for civil liberties and human rights here and throughout Canada. We are therefore most interested to learn your position on issues important to our organization and have therefore prepared a survey of questions that we are circulating to all leadership candidates, for both parties, for the purposes of educating the public on the positions of the various candidates on civil liberties-related issues. We will not be endorsing any candidates, but rather publishing the compiled responses without editorial comment except to thank and acknowledge those candidates who choose to participate. If there are any other issues pertaining to civil liberties and human rights in British Columbia and Canada that you wish to address, please feel free to include a further concise statement of your position, as you think appropriate.

With regard to the survey questions, we encourage you to answer with a simple "Yes" or "No" to ensure that interested members of the public clearly understand your position.

Police accountability

1. Will you end the system of police investigating police in B.C., as recommended by both the Braidwood and Davies Commissions and as endorsed by the Solicitor General's office in 2010?
Yes
2. Will you introduce a system where special prosecutors will be appointed to make decisions on whether or not police officers should be criminally charged in cases of police-involved deaths?
I believe in the use of special prosecutors where members of government, the judiciary or law enforcement are involved.



3. Will you direct the appointment of a special prosecutor to review the decision on the appropriateness of criminal charges in the following cases: Ian Bush, Kevin St. Arnaud, Clayton Alvin Willey, Frank Paul, Robert Dziekanski, Paul Boyd, and Gerald Chenery?

I support a review of decisions where considerable questions remain unanswered.

4. Will you make the office of Chief Coroner an independent officer of the legislature like the province's police complaints commissioner, auditor and ombudsperson to ensure that investigations of the deaths of British Columbians are free from political interference?

Yes

5. Will you demand that any Chief Coroner appointments be medically trained and qualified doctors with appropriate background experience and not former police officers or persons from other backgrounds?

I believe in ensuring that Chief Coroners are well qualified. Previous experience as a police officer should not disqualify an applicant.

6. Do you support the creation of regional police forces?

I'm committed to working with local government to ensure better integration and use of special taskforces, but I would not force amalgamation on cities that don't want it, particularly when local government pays much of the policing costs.

7. Will you ensure that the audit of RCMP services that the government has prepared is released prior to any decision made concerning a further contract for services with the RCMP?

Yes

8. Will you ensure that there is a full and open public discussion and debate concerning the form of any new contract for services with the RCMP prior to it being entered into?

Yes

Open and transparent governance

9. Will you implement the recommendations of the Information and Privacy Commissioner of British Columbia provided to the Special Committee to Review the Freedom of Information and Protection of Privacy Act in their entirety? For this question, if the answer is no,



please indicate whether you would implement some (and identify which ones) or none at all.

Yes, I am committed to working with Information and Privacy Commissioner to continue to improve this area.

10. Will you revise the rules of the Legislature to eliminate provisions for deemed debate and passage of bills and require instead that all legislation be given a full opportunity for debate and that each stage of legislation be voted upon?

Yes, I'm a strong believer in legislative reforms that provide a meaningful role to MLAs as representatives of their communities and would address these issues in a bi-partisan matter.

Drug policy

11. Do you support Vancouver's safe injection site?

Yes

12. Do you support the introduction of more safe injection sites in Vancouver and other centres where injection drug use overdose deaths and HIV and Hepatitis transmission rates warrant such facilities in B.C.?

I believe in working with local communities on the introduction of programs that work best in their community. This will differ from place to place and will rely upon the advice of medical experts and the local community.

13. Will you implement widespread treatment of people addicted to drugs or alcohol, where treatment may include providing those individuals with measured and monitored doses of those drugs, as recommended in the North American Opiate Medication Initiative, and as implemented in Seaton House in Toronto?

I believe in addressing these issues as health issues and will depend on the advice of medical professionals to ensure the widest range of programs and services possible.

14. Will you implement detox on demand for people addicted to drugs and alcohol, preventing them from waiting days, weeks or months for access to treatment?



Yes, waiting lists must be reduced to address these critical addiction issues. We need to ensure people are receiving treatment as quickly as possible.

15. Do you support provincial licensing of compassion clubs for distribution of medical marijuana to approved individuals suffering from conditions ameliorated by medical marijuana?

I'm prepared to have a review of the province's role in licensing as it relates to compassion clubs, while recognizing that the federal government is responsible for licensing of medical marijuana.

16. Will you eliminate the ability of municipalities to prohibit the growing of medical marijuana by individuals licensed to possess and grow medical marijuana?

If individuals have a federal license for medical marijuana and stay within the confines of their license, municipalities cannot and should not prohibit this.

17. Will you eliminate the ability of municipalities to use building, health, fire and other inspection programs as a pretext for criminal drug law enforcement?

Municipalities should be able to address issues that fall within their purview, such as fire and electrical safety.

18. Will you eliminate the ability of municipalities to do as the City of Mission has done and impose heavy "inspection fees" and other charges purportedly in relation to property inspection programs, but in reality as ancillary measures to criminal drug law enforcement?

These measures should not be used for revenue generation. Legislation requires that municipal fees must relate to service cost. I support this and would enforce it.

Health

19. Do you support the right of individuals to choose to die with dignity?

I strongly believe that palliative care and hospices need to be appropriately funded as an important part of the health care system.



20. Will you provide for appropriate legislation, relying on the exclusive provincial jurisdiction over health matters, and establish rules for legal assisted suicide in British Columbia?

No, this matter relates to the federal criminal code.

21. As leader, will you provide amendments to legislation concerning eHealth that would allow a patient to control how his or her personal health information is stored, and who can access that information in an easily understood, intuitive and proactive way?

I believe in working to ensure that appropriate privacy safeguards are in place while also ensuring that medical professionals have information to deliver the most appropriate and ethical care to patients.

Administration of justice and access to justice

22. As leader, will you take steps to restore the funding of Legal Aid to the levels of funding available in the year 2000?

Yes

23. Will you repeal the impaired driving and high speed driving amendments to the Motor Vehicle Act passed in 2010 which purported to make those offences regulatory matters administered by the police and the Superintendent of Motor Vehicles and removed due process protections, including the right of cross-examination, the presumption of innocence and the right to have a fair trial before an impartial judge?

The legislation is currently being reviewed as a number of issues have been raised, such as an appeals processes and I support that review.

24. Will you eliminate the current high vacancy levels and promptly appoint the full complement of provincial judges as provided for in the Provincial Court Act and ensure adequate funding for the needs of that court to hear cases in a prompt and efficient manner?

We need to ensure that the appropriate numbers of judges are in place to provide for an efficient court system.

25. Will you eliminate court fees in civil cases, including those for starting court proceedings, bringing motions and having trials heard?

I believe we need to ensure that court fees are not a barrier to accessing justice and a greater balance needs to be found.



26. Will you enact anti-SLAPP legislation to protect the rights of British Columbians to speak freely, demonstrate and protest, without fear of retaliatory litigation by others for so doing?

Yes, I support free speech rights as protected by the Charter.

27. Will you enact legislation to protect free speech rights of British Columbians on the internet, including those who host a blog, chat forum, message board or other facility for the free exchange of thoughts, comments, ideas and opinions?

Free speech is protected by the Canadian Charter of Rights and Freedoms.

Sex work

28. Given the recent court decision in Ontario that struck down the prohibition on activities surrounding prostitution (communication, bawdy house rules), will you be proactive in ensuring women and men involved in sex work will be protected pursuant to the province's exclusive jurisdiction over health and worker safety matters by providing for appropriate, protective regulations to protect sex workers from exploitation, ensure safe workplaces and offer comprehensive education and retraining programs for sex workers who wish to exit that occupation?

Yes, sex trade workers are some of the most marginalized and victimized in society. I believe in provide supports to them and aggressively tackling human trafficking.

As noted at the outset, if there are any other matters relating to civil liberties or human rights that you wish to address, please provide a concise statement of your position on those.

Thank you for taking the time to provide your position on these issues. We would appreciate a response by February 28, 2011, in order that we may assemble and publish the information provided by you and by the other candidates.

We look forward to hearing where you stand, as will our supporters and the public at large.

Yours truly,



Robert D. Holmes
President