

Micheal Vonn
Direct Line: 604-630-9753
Email: Micheal@bccla.org

By Mail

July 24, 2014

Suzanne Anton QC
Attorney General
Minister of Justice
Parliament Buildings
Victoria, BC V8X 1X4

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Dear Minister Anton,

RE: Impermissible disclosures as part of police records checks

Thank you for your July 7, 2014 letter in response to our April 17, 2014 letter calling for immediate implementation of Commissioner Denham's recommendations on changes to police information checks. While we appreciate your reply to our letter, we are terribly disappointed with your response.

Commissioner Denham's report makes clear that the current situation of indiscriminate disclosures under police information checks has caused terrible prejudice and harm to individuals. These findings echo in every way the experiences of individuals who have contacted our offices over the years. The detrimental effect of this program is absolutely clear, while no one who made submissions to the Commissioner even attempted to argue for a demonstrable 'public safety' benefit that is inevitably invoked in defence of this program. There is simply no justification or connection with maligning individuals, impairing their life chances and their dignity and 'public safety'.

As such, we are unable to appreciate how you can continue to privilege the purported 'public safety' lens and essentially ignore the demonstrable harm illustrated by the Commissioner's report. We understand your office, in merely continuing to consult with the BC police agencies who have failed to get the balance right over many years, to be taking no new initiative whatsoever in relation to the Commissioner's report.

To make our position very clear, we are uninterested in a voluntary regime of police complying with guidelines. We, along with the Commissioner, have

called for legislation and genuinely effective recourse for individuals who have suffered from these misguided and perennially unaccountable disclosures by police.

We note that the Ontario Association of Chiefs of Police (OACAP) recently called for the government of Ontario to introduce legislation requiring all of the Province's police departments to follow rules as to what constitutes lawful disclosure. As Paul Cormier, co-chair of OACAP stated in the Toronto Star article on the subject

(http://www.thestar.com/news/canada/2014/07/16/star_gets_action_police_chiefs_call_for_presumed_innocence_in_background_checks.html): "The only way to ensure mandatory compliance is with the creation of legislation." A conclusion that is obvious.

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In short, we disagree that this is a "complex and sensitive issue" or that police have any business in providing inexpert and prejudicial opinions about individuals' 'backgrounds' and 'risks'. We have laws relating to criminal records that police agencies and employers have been circumventing for years through the lucrative invention of the 'police records check'. It is time to put a stop to this end-run around the rights and protections of citizens.

We are not asking for expressions of concern, we are asking for an appropriate legislative response. We urge you to undertake this critically required work.

Yours truly,

A handwritten signature in black ink, appearing to read "M. Vonn", with a horizontal line extending to the right from the end of the signature.

Micheal Vonn
Policy Director