

Freedom of Information Matters When Environmental Health Is At Stake

Two Nova Scotia residents are taking the provincial government to court in an attempt to obtain documents requested under Nova Scotia's *Freedom of Information and Protection of Privacy Act (FOIPOP)*. Kelly Cove Salmon Ltd. operates a salmon farm within 200 meters of Ron Neufeld and Kathaleen Milan's property. Since this insulation went into operation in 2012, Ron and Kathaleen have made five FOIPOP requests with limited information released as a result.

A hearing has been set for Jun 18, 2018, during which time lawyer Brian Hebert, from McKiggan Hebert will appear as Kathaleen and Ron's pro bono legal representative. ECELAW and the Right to Know Coalition have been providing ongoing support to help Ron and Kathaleen as they navigate the legal system.

Like Ron and Kathaleen, ECELAW and the Right to Know Coalition believe that there is more at stake than the information they requested. Ron and Kathleen have a right to know what aquaculture operators have been putting into the waters of Nova Scotia, and so do the other members of their community who value the waters for fishing, recreation, and the vital role they play in the health of our provincial ecosystems. This case is a clear illustration of why transparency must be a core component of protecting Nova Scotia's environment, as well as the health and safety of its residents. Previous studies, including the Doelle-Lahey Report, have clearly stated that openness and transparency are also an essential component of a robust aquaculture regulatory framework. This case highlights why the Information and Privacy Commissioner (OIPC) should be granted order making power, in order to limit the scope for government bodies to ignore their findings. Stephen McNeil made an explicit promise to grant the OIPC order making power when he was first running for Premier in 2013. The Premier has reneged on that pledge. The Right to Know Coalition and ECELAW urge the government to stop stonewalling Ron Neufeld and Kathaleen Milan's request, to consider regulatory changes to facilitate the publication of such information proactively in the future, and to finally amend the Freedom of Information and Protection of Privacy Act to grant order making power to the OIPC.

For More Information:

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