

Freedom of Information in Canada: The Changing Role of the Government Information Librarian

**Amanda Wakaruk, MLIS, MES, Government Information Librarian
Government Information Day, Toronto, November 1, 2013**



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What the FOIP is ATIP?

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Definitions

FOIP = Freedom of Information and Protection of Privacy (or some variation thereof)

- provincial legislation

ATIP = Access to Information and Privacy

- federal legislation: *Access to Information Act* and *Privacy Act*

What's Out There?

- briefing notes, executive summaries, reports, meeting minutes, studies, and 'decks' (often w/speaking notes)
- memorandums, correspondence, emails, texts, other communications products (e.g., 'media lines')
- audit and financial details, expense records
- polls (internal - others available via LAC web site)
- inspections and audits
- incident reports and forms, public safety/security records
- MOUs and contracts

What's Out There but Out of Reach?

Exclusions:

- published material (or will be published/released within 90 days)
- library or museum material preserved solely for public reference or exhibition purposes, materials placed in cultural memory institutions by those outside government
- CBC, AECL, House of Commons/Senate, Cabinet records
- federal courts (administration, financial)
- private corporations that partner with government

List compiled from: ATIA: <http://laws-lois.justice.gc.ca/eng/acts/A-1/FullText.html> ; Cribb, Jobb, McKie, and Vallance-Jones (2010); Larsen (2013).

What's Out There but Out of Reach?

Exemptions / Exceptions

- policy advice or recommendations
- politically sensitive / amber lighted content; ministerial documents
- legal advice
- disclosure harmful to law enforcement, intergovernmental or international affairs, defense, financial interests of public bodies, economic interests of Canada, etc.
- personal information (unless it's a 'vanity request')

List compiled from: ATIA: <http://laws-lois.justice.gc.ca/eng/acts/A-1/FullText.html> ; Cribb, Jobb, McKie, and Vallance-Jones (2010); Larsen (2013).

Learning About and Assessing the System: Suggested Reading

1. Cribb, Jobb, McKie, and Vallance-Jones (2010). "Getting Behind Closed Doors: Using Information Laws." in *Digging Deeper: A Canadian Reporter's Research Guide*. 2nd ed. Toronto, ON : Oxford, pp. 199-230.
2. **Larsen, Mike. (2013). *Access in the Academy: Bringing ATI and FOI to Academic Research*. Vancouver, BC : BC Freedom of Information and Privacy Association.**
3. Office of the Privacy Commission of Canada (2013). *Modernizing Access and Privacy Laws for the 21st Century: Resolution of Canada's Information and Privacy Commissioners and Ombudspersons*.
http://www.priv.gc.ca/media/nr-c/2013/res_131009_e.asp
4. Roberts, Alasdair S. (2012). "Access to Information: The Elements of Reform," Submission to the 2012 Open Dialogue Consultations of the Office of the Information Commissioner. Updated August 27, 2013. http://www.oic-ci.gc.ca/eng/access_to_information_the_elements_of_reform_acces_a_l_information_les_elements_de_la_reforme.aspx
5. Walby, Kevin, and Larsen, Mike (2012). *Brokering Access: Power, Politics, and Freedom of Information Process in Canada*. Vancouver, BC : UBC Press.
6. Canadian Journalists for Free Expression (2013). *A Hollow Right: Access to Information in Crisis*. A submission by CJFE to the Office of the Information Commissioner concerning reform of Canada's Access to Information Act.
<http://www.cjfe.org/resources/features/new-report-hollow-right-access-information-crisis>

Govt pubs you know about: DPRs, Office of the Information Commissioner reports, etc.

Your Role as a Public Service Librarian

Reference and Liaison Work / Helping Others Complete an ATI request

1. Make sure information isn't already available
 - conduct 'normal' search for government information
 - search for previous ATI requests (learn from language used, etc.)
 - contact government employees directly (*before* ATIP Coordinator)
2. Consult InfoSource (<http://www.infosource.gc.ca/>)
3. Fill in the ATI form; keep copy (<http://www.tbs-sct.gc.ca/tbsf-fsct/350-57-eng.asp>); \$5 fee
4. Wait (~2 weeks). Follow Up. Wait (30 days). Appeal (if necessary).

Current Search

Organization

(-) Library and Archives Canada

[Clear Filter\(s\)](#)

Organization

[Aboriginal Affairs and Northern Development Canada \(1082\)](#)[Agriculture and Agri-Food Canada \(239\)](#)[Atlantic Canada Opportunities Agency \(77\)](#)[Atomic Energy of Canada Limited \(152\)](#)[Bank of Canada \(139\)](#)[Canada Border Services Agency \(545\)](#)[Canada Economic Development for Quebec Regions \(71\)](#)[Canada Mortgage and Housing Corporation \(80\)](#)[Canada Post \(109\)](#)[Canada Revenue Agency \(1549\)](#)[Show more](#)

Year

[2011 \(350\)](#)[2012 \(503\)](#)[2013 \(327\)](#)

Search Summaries of Completed ATI Requests

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All institutions subject to the Access to Information (ATI) Act are required to post summaries of completed ATI requests within thirty calendar days after the end of each month. Now you can browse through ATI summaries from key federal institutions in one place. Updated monthly, this service enables the searching of ATI summaries by keyword, institution, month, and year. Moving forward, summaries from additional institutions will be added and enhancements made to improve the service.

A [full list](#) of links to summaries of completed ATI requests processed by government institutions is also available.

Download the [list](#) of completed ATI Request Summaries from key federal institutions.

If you still cannot find the ATI Request that you are looking for, you may [Make an Access to Information or Privacy Request](#).

Please note: Summaries of requests that contain primarily personal information of the applicant, are uniquely of interest to the applicant, or may possibly reveal the identity of the requester are not included. Informal requests, and requests treated informally or abandoned, are similarly not included.

Enter Keywords:

Search

Retain current filters

Search Results

Results 1 - 10 of 1180

Organization: Library and Archives Canada**Request Number:** A-2009-00041**Disposition:** Disclosed in part**Year:** 2011

Enter Keywords:

Retain current filters

Search Results

Results 1 - 1 of 1

Organization: Library and Archives Canada

Request Number: A-2013-00146

Disposition: All disclosed

Year: 2013

Month: July

Number of Pages: 75

Request Summary: Provide May 2013 to present new leadership directions or memos from the acting Librarian Herve Dery, including on digital plans, code of conduct and special projects. Include 2013 digital conversion timetables, plans, risk assessments further to A-2013. Include 2013 analyses, responses to various professional groups concerns that less historical records will be collected and preserved and downplayed with digital plans. Include summary and notes of further May to present 2013 staff feedback to the 2013 Code of Conduct introduced, and any changes under consideration.

Contact Information: <http://www.bac-lac.gc.ca/eng/transparency/atip/Pages/atip.aspx>

Seven hits with search term = digitization (October 11, 2013)

Organization: Library and Archives Canada

Request Number: A-2013-00005

Disposition: All Disclosed

Year: 2013

Month: April

Number of Pages: 22

Request Summary: Provide latest 2012 and 2013 briefing notes as well as status reports on the progress to date, on the work plans/plan of action/timetable for, on the feasibility of, and costs associated with digitalizing all records by 2017, including reviews of the implications and potential pitfalls/problems.

Contact Information: <http://www.bac-lac.gc.ca/eng/transparency/atip/Pages/atip.aspx>

Organization: Library and Archives Canada

Request Number: A-2013-00014

Disposition: All Disclosed

Year: 2013

Month: April

Number of Pages: 5

Request Summary: A copy of the contract or memorandum of understanding between LAC and Ancestry under which the digitization of the 1871 census took place.

Contact Information: <http://www.bac-lac.gc.ca/eng/transparency/atip/Pages/atip.aspx>

Organization: Library and Archives Canada

Request Number: A-2011-00467

Disposition: Disclosed in part

Year: 2012

Month: March

Number of Pages: 278

Request Summary: 'All correspondence, emails and other documentation since January 2010 relating to LAC's changes in policy, programs and practices regarding the Canadian newspaper collection, with special emphasis on digitization, deaccession and changes in access at 395 Wellington.'

Contact Information: <http://www.bac-lac.gc.ca/eng/transparency/atip/Pages/atip.aspx>

One hit with search phrase = web renewal (October 11, 2013)

Organization: Treasury Board of Canada Secretariat

Request Number: A-2012-00586

Disposition: Disclosed in part

Year: 2013

Month: July

Number of Pages: 11

Request Summary: Copies of the final version of the report on the Government of Canada Web Renewal Project, including but not limited to the "action plan", "governance principles" and "information architecture".

Contact Information: [http://www.tbs-sct.gc.ca/contact/\(X\(1\)S\(ksq5h5fjpiswbor5hdmm4kv4\)\)/contact-eng.aspx?AspxAutoDetectCookieSupport=1](http://www.tbs-sct.gc.ca/contact/(X(1)S(ksq5h5fjpiswbor5hdmm4kv4))/contact-eng.aspx?AspxAutoDetectCookieSupport=1)



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Completed Access to Information
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Preservation Copying

Preservation copying is the creation of a reproduction of an original from LAC's collection of documentary heritage. This copy can then serve as a permanent replacement for a deteriorated, unstable, fragile or obsolete original, or it can be used for service in lieu of rare or vulnerable items that might be subject to loss or damage due to their medium, format or value. The goal of preservation copying is to transfer information as faithfully as possible, ensuring an accurate rendition of the original. Preservation copying is distinguished from other copying in that it always results in a "preservation master" from which subsequent access copies are derived. The transfer and refreshment of audio, video, film and electronic files to new carriers is also preservation copying, often associated with technological obsolescence. Preservation copying activities are performed through a variety of analog or digital means.

Audio-Visual and Motion Picture Film Copying

Description: Information on the preservation of audio-visual and motion picture film holdings to ensure their preservation for future use and research.

Document Types: Policy documents, strategy documents, and work order documentation.

Record Number: LAC DHC 300

Digitization

Description: Includes records and information related to the effort made in digitizing all media types of analog material to digital form. This activity is to ensure the preservation of LAC's collection of documentary heritage for future use and to enable enhanced access to LAC holdings. Records also include policy on digitization, guidelines, standards, frameworks, strategies, action plans, surveys, preservation plans, presentations, and briefing and discussion papers.

Document Types: Policy documents, strategy documents, and work order documentation.

Record Number: LAC DHC 310

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4. Wait (~2 weeks). Follow Up. Wait (30 days). Appeal (if necessary).

Your Role as a Selector of Government Information

Collections Work

- Based on your community, consider making scheduled ATI/FOI requests; for example:
 - speeches and briefing notes
 - new releases and other communications products
 - web content no longer available on the web site

Observations? Comments? Questions?

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