



Right to Know Day Op-Ed:

Our Right to Know What Governments Know About Us

By Jill Clayton, Information and Privacy Commissioner

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September 28 is the International Day for Universal Access to Information. Since 2002, access-to-information advocates have unofficially been celebrating “Right to Know Day” but in November 2015 UNESCO officially adopted a resolution to recognize the day.

More than 80 countries around the globe have access-to-information laws and, within nations, there are numerous other laws – provincially or otherwise – providing the public with a right to access government information. Federally, provincially and territorially in Canada there are laws providing a right of access to government information.

As UNESCO notes, “Universal access to information is bound up with the right to seek and receive information, which is an integral part of the right to freedom of expression.” By officially recognizing the day, UNESCO hopes it “will provide for more countries adopting (freedom of information) legislation, developing policies for multilingualism and cultural diversity in the cyberspace, and ensuring that women and men with disabilities are integrated.”

These are laudable goals. In Alberta, we have been fortunate to have this right of access for the past 20 years, although we lagged a bit behind most other Canadian jurisdictions in establishing such a law.

What’s often overlooked is that access rights typically extend beyond government information. Many of these laws also provide individuals a right of access to their own personal information.

In Alberta, by default, an individual has a right to access any record in the custody or under the control of a public body, including a record containing their own personal information, and subject only to limited and specific exceptions.

A point often espoused about access-to-information laws is that these rights primarily serve the interests of media, businesses and political parties.

This simply is not the case.

Yes, media, businesses and political parties do use the law to inform the public about matters that would otherwise be unknown or to advance their own agendas.

However, the most recent data from the Alberta government noted that nearly half of all access requests submitted to provincial government departments, municipalities, police forces and educational institutions were from individuals seeking access to their own information.

Requests from media represented less than eight per cent of the total number of general information requests to public sector institutions. Taken together with requests for personal information, media submitted less than five per cent of the total number of access requests to Alberta's public institutions.

Individuals, including general information requests, are responsible for more than half of all requests to public institutions. At last count, there were more than 8,000 requests made annually to Alberta's public institutions.

Admittedly and understandably, much of the discourse on access to information revolves around the issues raised by media, businesses and political parties who often have the means and mediums to share their messages broadly.

But it's individuals – you or your neighbours – who are using the right to know more than any group over the 20-year history of the Freedom of Information and Protection of Privacy Act.

Another story the stats tell is that as awareness of access rights increase so too does the use of the law. Since 1995, personal information requests have increased approximately threefold.

So, as we celebrate access to information this year, let's remind ourselves that it's not just about exposing secrets or advancing private interests. We are recognizing our right to know what governments know about us.

The Office of the Information and Privacy Commissioner is responsible for regulating Alberta's three access and privacy laws – the Freedom of Information and Protection of Privacy Act, Health Information Act and Personal Information Protection Act. All three laws provide individuals with a right of access to their own personal or health information.