

Right to Information and Protection of Personal Information Review Task Force:

I would propose the following changes to the Right to Information Act:

- (1) Delete "as set out in the regulations" from the s. 1 definition of "department," and/or provide more definitively in s. 2 that the list of departments and agencies in the regulations do not take away from the generality of everyone's right to information relating to the public business of the Province (i.e., all municipalities, universities, policing agencies, etc.).
- (2) Change the s. 1 definition of "document" to include a document which should have been created (i.e., which the public would reasonably expect someone to create), so that a request for information would trigger a duty to create such a document not yet created.
- (3) Remove all of the exemptions under s. 6, except 6(a), which denies a right to information "where its release would disclose information the confidentiality of which is protected by law" - since any other exemption would either overlap with this one or, lacking independent legal protection, is not important enough to override the right to information about public business.
- (4) Alternatively, reduce the scope of at least s. 6(b), which denies a right to information where its release "would reveal personal information concerning another person" - since this could be, and has been, undemocratically interpreted by the government and the court (though not by the Ombudsman) to allow non-disclosure of the identity of a government employee making decisions about the use of public funds: *Barnett v. NB* (F/M/19/06).

Advocacy Collective