

Speaker blasts freedom of information laws

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Professor | Dominique Clement says transparency is vital to democracy

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Access to information is a fundamental human right and democracy can't function unless you know what government is doing, Dominique Clement, an associate professor at the University of Alberta, said Monday.

"By denying people access to information, you're denying a human right and you're denying them knowledge of how governments work, and ultimately that harms our democracy," Clement, a sociology professor, said during a Canadian Historical Association panel discussion at the Congress of the Humanities and Social Sciences.

Calling freedom of information law in Canada "draconian," Clement, who's filled about 500 information requests throughout his career, said reform needs to happen nationwide in order for those laws to be effective.

He said privacy commissioners in the provinces should become more arm's length than they are now and should be answerable to the legislative assembly or parliament, not to any premier or prime minister.

"It's like you hiring someone to tell you if you're doing a good job," he said.

"If they depend on you for their job, they're not going to be very critical are they?"

He spoke of his frustrations with a freedom of information request he filed to receive RCMP documents in relation to the 1976 Olympic games.

He said it's been two years now and his request still hasn't been entirely processed. Though up to now he's received about 85 per cent of the documents he's seeking, even that took more than a year.

Every time he's made an appeal for more information, it's failed.

"Every time," said Clement, who's made requests in British Columbia, Alberta, Newfoundland and Labrador, Quebec, Ontario and at the federal level.

He said B.C. has the worst freedom of information law in the country, mainly because of its intrusive audit process, whereby government employees come to your house to do a check of the premises.

"Let's say you're a 22-year-old masters student living in Victoria, in a small one-bedroom apartment, a young guy or a girl," he said.

"You're living on your own, and in order to do your master's thesis, on any innocuous topic, like a mother's allowance or welfare policy, you have to allow two guys with no real training to walk into your apartment and look through your drawers, to type and look into your computer. And either you do it, or you can't do your thesis."

Clement said since freedom of information laws were enacted in the 1970s, the reins have been drawn tighter and tighter to the point where the presumption is no longer that the public has a right to the information at all.

"It's (government) saying, 'We'll say no, you ask us, and we'll tell you if you can get it,'" he said.

As for tips to anyone hoping to file such a request: "Don't ever do a huge request ... Read the laws ... and be patient."