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Canada: Serious Access to Information Reform Needed Now

For years, calls from across Canada to improve the Access to Information Act fell on deaf ears. The government is finally moving forward with reforms but the opportunity to address the numerous shortcomings of the Act may be threatened by proposals to undertake a modest set of reforms now – as reflected in Canada's draft Action Plan for the Open Government Partnership – with a full review coming only in 2018. In its Recommendations for improving the Access to Information Act, released today in response to a call for feedback from Canada's Treasury Board Secretariat, the Centre for Law and Democracy is calling on the government to reconsider the idea of a two-stage reform process and, at a minimum, undertake a wide range of reforms in phase one.

"The government has already taken some important steps to improve the access to information regime, but much more is needed," said CLD's Senior Legal Officer, Michael Karanicolas. "Canadians cannot continue to wait for the bold reforms that are needed to bring our right to information systems into the 21st century."

CLD's Recommendations for short-term reforms include:

- Granting order-making power to the Information Commissioner.
- Eliminating the fees simply for making requests.
- Extending the right to information to all persons.
- Replacing the categorical exclusions to and overbroad exceptions in the Act with a properly crafted regime of exceptions.
- Extending the Act to apply to all federal constitutional and statutory bodies, and any other body that performs a public function or receives public funding.
- Requiring public bodies to respond to requests as soon as possible, and to obtain permission from the Information Commissioner for deadlines beyond 60 days.

You can read the full Recommendations at:

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