



Right to Know Week Workbook

Name: _____

Date: _____

These materials were prepared by the Office of the Information and Privacy Commissioner for British Columbia with assistance from the Office of the Information Commissioner of Canada. The materials are intended to assist high school aged students to understand the purposes of Right to Know Week.

What is Right to Know Week?

Right to Know Week is a global event that highlights the importance of access to information. Why is access to information important? What is happening in the rest of the world? What would you like to know? This workbook will guide you in answering each of these questions.

Exercise #1: Right to Know Week Vocabulary

Draw a line to connect each of the following terms to the correct definition:

Transparency	1. Make a law
	2. Priority in time, order or importance
Accountability	3. A condition of being easily understood; frank; open; where the motive or meaning is evident or obvious
Precedence	4. Body empowered to make laws in a province
Proactive	5. Condition of being responsible or understandable
	6. Creating or controlling a situation by taking the initiative
Democratic	7. Practicing, advocating or constituting a form of government in which the power resides in the people and is exercised by them either directly or by means of elected representatives
Enact	
Public Body	8. A public organization that must comply with the <i>Freedom of Information and Protection of Privacy Act</i>
Legislature	

Why is Access to Information Important?

All of the provinces and territories of Canada as well as the federal government are subject to access to information legislation. In British Columbia the law is known as the *Freedom of Information and Protection of Privacy Act* (FIPPA). This means that anyone can request information from governments across Canada. Access to information is important for three reasons:

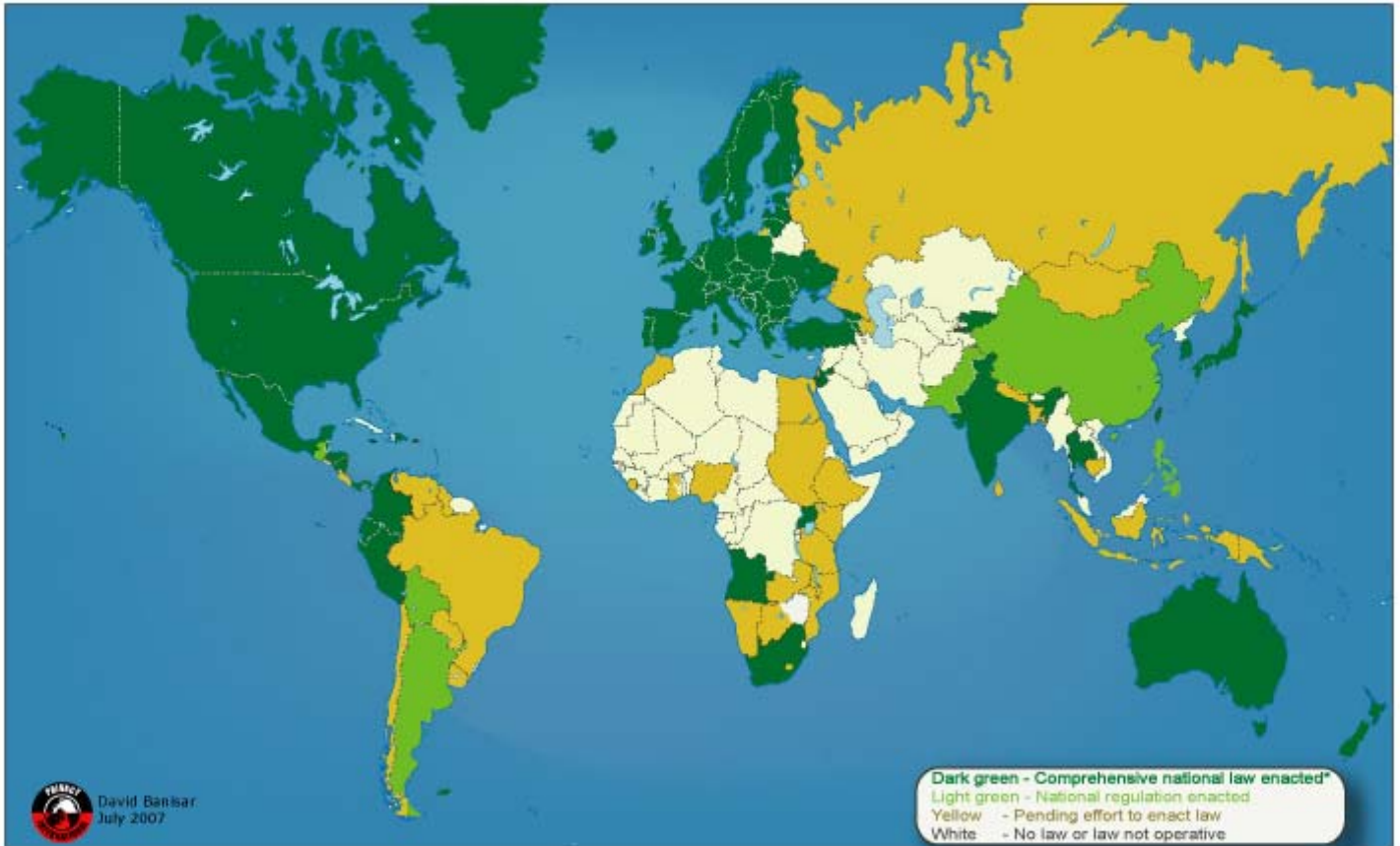
Transparency: It allows citizens to know what their governments are doing.

Accountability: It makes bureaucrats and politicians accountable to the public.

Healthy Democracy: It allows citizens to actively participate in democracy based on knowledge.

Below is a map showing the state access to information legislation around the world:

National Freedom of Information Laws and Regulations 2007



*Not all national laws have been implemented or are effective. See www.privacyinternational.org/foisurvey for reviews and updates of the laws and practices

This map is taken from Privacy International's website at: <http://www.privacyinternational.org/foi/foi-laws.jpg>

Exercise #2: What do you know?

Before proceeding through this workbook, let's find out what you already know about your right to access information.

	True	False
1. All of the following countries have access to information legislation: Angola, Peru, India, Norway and South Korea.		
2. Individuals under 18 years old cannot make access requests in British Columbia.		
3. Access to information laws contribute to healthy democracies by making governments more accountable and transparent.		
4. Public bodies in B.C. include your school, a church, the local police force and all ministries of the provincial government.		
5. In order to make an access request you must put your request in writing.		
6. You must use a special form to make an access to information request.		
7. The office in B.C. responsible for ensuring that public bodies comply with the <i>Freedom of Information and Protection of Privacy Act</i> is the Office of the Information and Privacy Commissioner.		
8. Public bodies do not have to release any information unless the <i>Freedom of Information and Protection of Privacy Act</i> requires them to.		
9. Public bodies have 60 business days to respond to an access request.		
10. If a public body decides to deny you access to all or part of a record, the public body can simply tell you that the information is secret. No further explanation is required.		

10 Core Principles

Over the years, there have emerged certain principles that form the core of the right to know:

1. Access to information is a right of everyone.
2. Access is the rule – secrecy is the exception!
3. All public bodies are subject to the right of access.
4. Making requests should be simple, speedy, and free.
5. Officials of public bodies have a duty to assist requestors.
6. Refusals to provide access must be justified.
7. The public interest takes precedence over secrecy.
8. Everyone has a right to appeal a decision to refuse access.
9. Public bodies should proactively publish core information.
10. The right should be guaranteed by an independent body.

What do these rights mean and how can they help you become an active participant in democracy?

1. Access to information is a right of everyone

In British Columbia the *Freedom of Information and Protection of Privacy Act* (FIPPA) is the law that makes access to information a right. Anyone in B.C. can make an access request including individuals, unions, businesses and charities. You do not have to be an adult or a B.C. resident to make an access request.

2. Access is the rule – secrecy is the exception!

Public bodies in British Columbia must provide a copy of the record requested unless FIPPA specifically permits the public body to withhold all, or part, of the record.

3. All public bodies are subject to the right of access

In B.C. there are more than 2000 public bodies that are subject to FIPPA including: the police, school boards, all of the ministries of the provincial government, hospitals, cities and towns, colleges and universities and governing bodies of professions such as the College of Physicians and Surgeons.

4. Making requests should be simple, speedy and free.

In B.C. all you need to do to make an access request is put your request in writing, identifying the records you want and then send it to the public body you think has the records. You do not need to use a special form. You cannot just ask questions, you must ask for a copy of a record. There is no fee for making an access request, but you may be asked to pay a fee for example, if your request requires more than 3 hours of search time or if you have requested a large volume of records. You cannot be charged a fee if you are requesting your own personal information.

5. Officials of public bodies have a duty to assist requestors.

In B.C. officials of public bodies must make every reasonable effort to assist applicants and to respond without delay to each applicant openly, accurately and completely. Public bodies have 30 business days to respond to a request. FIPPA does allow for extensions of time in certain limited situations.

6. Refusals to provide access must be justified.

If a public body refuses to supply all or part of the record requested, they must explain their reasons to the requester. The reasons must comply with the rules in FIPPA. If they do not, the requester has a right of review (see Principle #8).

7. The public interest takes precedence over secrecy.

Public bodies cannot avoid disclosing records by labelling them as “confidential” or “draft” or “secret”. All records are subject to FIPPA and can only be withheld if FIPPA permits it. In addition, where the records disclose a risk of significant harm to the environment or to the health or safety of the public, the public body must immediately disclose the records.

8. Everyone has the right to appeal a decision to refuse access.

If you make an access request and are unhappy with the response you receive, you can file a complaint with the Office of the Information and Privacy Commissioner for British Columbia.

9. Public bodies should proactively publish core information.

FIPPA requires public bodies to make policy documents available without request. In addition, public bodies often publish extensive information on their websites. FIPPA permits, but does not require public bodies to proactively release records.

10. The right should be guaranteed by an independent body.

The Information and Privacy Commissioner for British Columbia is an independent officer of the legislature. This means that the Commissioner reports directly to the Legislature through a Committee. The Commissioner's reports are public documents, the budget for the office is decided by the Committee of the Legislature that is made up of members of both political parties. The Commissioner is appointed for a six year term.

Review of Exercise #2

Now that you're an expert on access to information law, let's review your answers to exercise #2:

1. All of the following countries have access to information legislation: Angola, Peru, India, Norway and South Korea.	True
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Yes, Angola, Peru, India, Norway and South Korea all have access to information legislation. Review the map at page 3 of these materials. It indicates that all of the countries listed have access to information legislation. The map is taken from Privacy International's website at: <http://www.privacyinternational.org/foi/foi-laws.jpg>

2. Individuals under 18 years old cannot make access requests in British Columbia.	False
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Anyone can make an access to information request under FIPPA, including children.

3. Access to information laws contribute to healthy democracies by making governments more accountable and transparent.	True
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In Canada right to know week is celebrated to promote the right to information as a fundamental human right. Citizens are encouraged to participate in open, democratic societies through the use of access to information laws.

4. Public bodies in B.C. include your school, a church, the local police force and all ministries of the provincial government.	False
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Public bodies in B.C. include your school, the local police force and all ministries of the provincial government but they do not include private organizations such as your church.

5. In order to make an access request you must put your request in writing.	True
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In order to make an access request you must put your request in writing, FIPPA requires this. Remember, your request must be a request for records not just a question.

6. You must use a special form to make an access to information request.	False
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There is no special form required to make an access to information request. There is, however, a form available should you choose to use it. Go to: http://www.oipc.bc.ca/pdfs/public/Access_Form.pdf to obtain a copy of the form.

7. The office responsible for ensuring that public bodies comply with the <i>Freedom of Information and Protection of Privacy Act</i> is the Office of the Information and Privacy Commissioner.	True
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The office responsible for ensuring that public bodies comply with the *Freedom of Information and Protection of Privacy Act* is the Office of the Information and Privacy Commissioner.

8. Public bodies do not have to release any information unless the <i>Freedom of Information and Protection of Privacy Act</i> requires them to.	False
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The *Freedom of Information and Protection of Privacy Act* requires the opposite. That is, public bodies must release all information requested unless FIPPA specifically permits the public body to withhold the information.

9. Public bodies have 60 business days to respond to an access request.	False
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Public bodies have 30 business days, not 60 to respond to an access request. Keep in mind public bodies may be permitted to extend the time in limited circumstances.

10. If a public body decides to deny you access to all or part of a record, the public body can simply tell you that the information is secret. No further explanation is required.	False
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If a public body decides to deny you access to all or part of a record, the public body must give you reasons for denying access. It cannot simply tell you that the information is secret.

Class Challenge

We challenge this class to make an access to information request. Be sure that your request:

- is in writing,
- includes enough information to allow a public servant to find the records you are requesting and
- is sent to the public body you think has the records.

How to make an access request:

1. As a class, decide what information you would like to receive. To avoid a fee, be as specific as possible and provide as much information as you have to help the public body find the requested record. Remember, access to information requests must be requests for records, not simply a request for an answer to a question.
2. Put your request in writing. You can use a standard form if you want:
http://www.oipc.bc.ca/pdfs/public/Access_Form.pdf
3. Send the request to the public body you think has the records. If your request is to a ministry or a Crown Corporation, you can find the contact information for these public bodies at:
http://www.cio.gov.bc.ca/services/privacy/Public_Sector/contacts/dmip_list.asp
4. Be sure to keep a copy of your request. Note that the public body is supposed to reply within 30 business days (this means holidays and Saturdays and Sundays don't count). Mark your calendar and call the public body if they have not replied in time.
5. If you are unhappy with the response or if the public body does not reply on time, you can send a complaint to our office:

Office of the Information and Privacy Commissioner
By Fax: 250-387-1696
By Mail: PO Box 9038 Stn Prov Govt, Victoria V8W 9A4

Good Luck!