



Canada's Police among Worst Offenders for Freedom of Information Compliance

Audit Finds Huge Disparities in Access to Basic Information

Ottawa, January 10, 2009 – Many Canadian police forces obstinately refuse to report on taser stun gun usage, despite an apology from RCMP Commissioner William Elliott last year for excessive secrecy, and mounting public controversy surrounding the deaths of taser victims.

This is among the findings of a new audit by the Canadian Newspaper Association (CNA) of freedom of information regimes across Canada, released today. The annual exercise tests how readily officials disclose information that should be publicly available on request.

As in previous years, the CNA's 2008 audit finds that officials across Canada are disturbingly inconsistent in their compliance with laws that underwrite the public's right to know.

"Whether it be details of expenditures by municipalities, or federal policies on talking to the media, what you get and how fast you get it depends on where you are making the request," said Fred Vallance-Jones, the University of King's College journalism professor who conducted the audit in collaboration with the CNA.

"Information freely available from some government agencies was denied by others. And when it wasn't denied, prohibitive fee estimates often took it out of the reach of all but the wealthiest requesters," he said.

Police reporting on taser usage is a striking example. Officers who use tasers are required to file use-of-force reports, however some police forces demanded exorbitant fees for this information. Winnipeg demanded \$4,500, the highest in Canada.

Regina, Saskatoon and Saint John police refused to provide any records, alleging that provincial freedom of information law didn't apply to them. On the other hand, Halifax, Fredericton, Calgary and Victoria police, and the Codiac RCMP released records at no cost. Hamilton Police claimed in an e-mail that Ontario law prohibited them from releasing use-of-force reports.

"The police must be held to account just like government or anyone who exercises power on the public's behalf," said David Gollob, CNA's Senior VP of Policy and Communications. "Canadians depend on newspapers to keep them informed and keep the system accountable. This is our watchdog mandate. But we can't do the job properly when authorities block information, or make it difficult or prohibitively costly to obtain."

The audit grades institutions based on the speed and completeness of disclosure. Grades range widely from an A- for the City of Saskatoon and Province of Saskatchewan, to outright failures in Moncton, Saint John and Quebec City. The CBC, with a D, received the worst grade of any of the federal institutions tested.

A highlights package and national report card follow. The complete study is available on www.cna-acj.ca.

(For more information or interviews, contact David Gollob, Canadian Newspaper Association, 613-301-6162, or email dgollob@cna-acj.ca)



Backgrounder/Highlights:

The CNA national FOI audit is a collaborative project of the CNA with the School of Journalism at the University of King’s College in Halifax. King’s professor Fred Vallance-Jones led the audit team. The audit ran from late August to mid-November.

Two hundred and nineteen requests were mailed to 22 municipal governments and their police services, 10 provinces and Yukon, and 11 federal departments and crown corporations. At each level of government there were five identical requests. To prevent institutions from treating audit requests differently from other requests, the requests were filed by a student acting as an ordinary member of the public. Institutions did not know they were being audited.

Highlights

- The City of Windsor proposed to charge more than \$103,000 for information on city payments that several municipalities provided at no cost. It said extensive manual searches would be necessary to find out why payments had been made. If some of the information was left out, the price dropped to \$1,570;
- The City of Montreal twice sent back the same request for payment information. It first asked for a time period for the request, then after that was provided, refused to process the request on the basis it would mean creating a record;
- The CBC was the least transparent of the federal agencies tested. It asked for six-month time extension to release a list of its top employees, their classifications and their salary ranges. Most federal agencies provided the same information within a month. The CBC acknowledged but didn’t answer a request for its policy on employees speaking to the media;
- The City of Vancouver asked for more than \$2,500 to provide a priority list of road repairs for the current year. Many other municipalities provided the information at no cost.



Grades/Report Card

The audit graded institutions on the speed and completeness of their responses, and on whether they imposed fees or time extensions. The grades were based on a point system, and then converted to a letter based on an institution’s aggregate score. The complete list of grades follows.

Level	Institution	Grade	Level	Institution	Grade
Municipal	Saskatoon, Sask.	A-	Municipal	Edmonton, Alta.	C+
Provincial	Saskatchewan	A-	Municipal	Toronto, Ont.	C
Federal	Public Works	B+	Provincial	Quebec	C
Provincial	Manitoba	B+	Municipal	Vancouver, B.C.	C
Provincial	Alberta	B+	Municipal	Winnipeg, Man.	C
Municipal	Regina, Sask.	B+	Municipal	Hamilton, Ont.	C
Federal	Canada Revenue Agency	B	Federal	Canada Post	C-
Provincial	P.E.I.	B	Provincial	B.C.	C-
Federal	VIA Rail	B	Federal	Transport Canada	C-
Federal	Environment Canada	B	Municipal	Victoria, B.C.	C-
Municipal	St. John's, NF	B	Municipal	Cape Breton, N.S.	C-
Municipal	Calgary, Alta.	B-	Provincial	Ontario	C-
Federal	Finance	B-	Municipal	Ottawa, Ont.	D+
Provincial	Nova Scotia	B-	Municipal	Corner Brook, NF	D+
Federal	Health Canada	B-	Municipal	Brandon, Man.	D+
Federal	Privy Council Office	B-	Federal	CBC	D
Municipal	Fredericton, N.B.**	B-	Municipal	Windsor, Ont.	D
Federal	National Defence	C+	Federal	Codiac RCMP	D
Provincial	Yukon	C+	Municipal	Thunder Bay, Ont.	D-
Provincial	New Brunswick	C+	Municipal	Moncton, N.B.	F
Municipal	Montreal, Que.	C+	Municipal	Saint John, N.B.	F
Municipal	Halifax, N.S.	C+	Municipal	Quebec City, Que.	F
Provincial	Nfld	C+			

**The grade for Fredericton is an anomaly. The City of Fredericton actually released no information. But because it made its decision immediately, the grading system awarded it points for speed of response. The Fredericton Police did release reports on Taser use, however, and these contributed to the B- grade.

About the Canadian Newspaper Association

The Canadian Newspaper Association is the voice of Canada’s daily newspaper industry. We promote the positive reputation of newspapers as an essential medium that benefits all Canadians, and as an effective vehicle for advertisers. The CNA is a vigorous champion of journalistic freedom and democratic reform and is a valued source of industry information, trends and best practices.