

Right to Know - Freedom of Information (2008.09.29)

Darce Fardy,

Thank you for your email of September 18, 2008 on behalf of the Right to Know Coalition of Nova Scotia.

I have made successful use of the Freedom of Information and Protection of Privacy (FOIPOP) Act with respect to information associated with the provincial level of government. Until your email, I had not considered its potential application to information associated with the Halifax Regional Municipality (HRM). Since receiving your email, I have also looked at Section 20 of the Municipal Government Act, and appreciated the opportunity to clarify some of your interests and concerns in a telephone conversation.

The scope of application appears to be very broad and include municipal committees, community committees or citizen advisory committees, planning advisory committees, and in the case of HRM, community councils. Section 481 regarding information provided to HRM from third parties such as the private sector answered some of the questions I raised with you.

I am not sure, but there may be some ambiguity with respect to the status of "draft information" or "part of the process" communications versus the final version of documents being released to the public. For practical considerations, I think it is desirable during a process for an atmosphere to exist where HRM staff can provide their opinions internally in confidence. As Councillor, I would be happy to provide support with respect to the release of final versions of documents, but not early draft versions or supporting communications. As Councillor, I would be happy to provide support with respect to seeking from HRM staff a statement on the reasons for a particular decision, but not to make public a copy each and every email exchanged during the development of an HRM document. As Councillor, I would be happy to support efforts at asking "the right question" to "the right person."

As Councillor, I would welcome suggestions from your members regarding the human, material, and financial resources available to the applicable HRM "Responsible Officer" for FOIPOP purposes. I believe in the general long term usefulness to our community of open and accountable government, and in the general merits of Freedom of Information legislation. I also believe that a reasonable fee for FOIPOP responses, prioritizes the use of "Responsible Officer" resources in a useful way (ie. Placing a cost on "fishing expeditions").

- Cameron Ells

Cameron Ells for Councillor - Downtown Halifax

Dear candidate:

The *Right to Know Coalition of Nova Scotia* congratulates all municipal candidates for their interest in seeking office. The coalition is canvassing all candidates for their views on openness and accountability and to commit themselves, if elected, to ensure HRM is fully accountable to the public as required by Part XX of the Municipal Government Act (Freedom of Information and Protection of Privacy legislation).

The Right to Know Coalition of Nova Scotia is a non-profit agency under the Societies Act. Its mandate is to advocate openness and accountability in government, provincial and municipal, and to educate citizens on the importance of using our freedom of information legislation to become better informed on public matters.

The coalition is satisfied that a major reason for low voter turnouts and the absence of citizen engagement in the democratic process is secrecy in government.

Your responses will appear on our website.

Yours truly

Darce Fardy

President

Right to Know Coalition of Nova Scotia