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Chair

The Honourable Shawn Murphy

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• (1530)

[English]

The Chair (The Honourable Shawn Murphy (Charlottetown, Lib.)): I call the meeting to order. I want to welcome everyone. *Bienvenue à tous.*

This meeting is meeting number 49 of the Standing Committee on Access to Information, Privacy and Ethics. It's a continuation of our ongoing study into open government.

We do have two witnesses before us this morning, both appearing via telephone conference. But before I get to the witnesses and introduce the witnesses, I want to just follow up on Mr. Easter's motion that was passed by this committee two days ago to call Mr. Nejatian tonight.

Mr. Nejatian was out of the country and wasn't able to come tonight, but with the clerk he agreed to come Monday night. That's Monday, March 21, from 7 to 9. Of course the clerk will send out the appropriate notices in due course.

Mr. Easter, do you have a comment?

Hon. Wayne Easter (Malpeque, Lib.): Just a comment. I think that's good, Mr. Chair. That would allow us to do the scheduled meeting on CBC that the Conservative members on the committee wanted, so that is fine by us.

The Chair: Okay, then.

I will go now to introduce the witnesses. We have before us, first of all, from University College London, Mr. Ben Worthy, research associate, constitution unit, and also Mr. John Sheridan. Mr. Sheridan is the head of e-services and strategy at the office of public sector information in the National Archives in the United Kingdom. Of course he is appearing before us today as an individual, and he is not speaking for his office but as an individual.

On behalf of this committee, I certainly want to welcome and thank you both, Mr. Worthy and Mr. Sheridan, for your appearance here today.

The way the committee operates is that we will invite you each to give opening remarks, hopefully in the vicinity of anywhere from five to ten minutes. Then we will go to questions from individual members according to a pre-allotted schedule that the committee has agreed upon.

I have nothing further to say. Again, welcome.

I am going to ask you, Mr. Worthy, if you have any opening comments you want to leave with the committee.

Mr. Ben Worthy (Research Associate, Constitution Unit, University College London): Yes. If I could, first I want to say thank you for inviting me. It's always a pleasure to appear before people of your stature, so thank you for that.

I just want to tell you very briefly for about five minutes what we've been doing at University College London.

The Chair: I want to interrupt you just for ten seconds. Perhaps I should have clarified this issue. This is coming via the teleconference, but there's no video. Perhaps everyone wasn't aware of that, so I just wanted to let everyone know. You can hear the witness, but you cannot see him.

I apologize for the interruption. Go ahead, Mr. Worthy.

• (1535)

Mr. Ben Worthy: No, that's fine. My apologies for not being able to appear via video conference.

What we've been doing at the unit is for the past few years we've been looking at the impact of the Freedom of Information Act in the U.K. We've spent two years looking at the impact of freedom of information on British central government, and we're now looking at both the impact on local government and also on the Westminster Parliament. We've also been looking internationally at how other regimes work.

Also, we're becoming increasingly interested in issues around proactive publication, and particularly—

The Chair: Mr. Worthy, can I interrupt you again?

Mr. Ben Worthy: Yes.

The Chair: I'm going to interrupt you again. In Canada, we have two official languages, so when you're speaking, your actual presentation is being translated by interpreters or translators here into the other official language, French. Could I just ask you perhaps to slow down by 20% or 30% so that they have an easier job in translating what you're saying?

Mr. Ben Worthy: Absolutely. My apologies.

The Chair: It has nothing to do with you. It's just the way we do the system.

Mr. Ben Worthy: Right.

The Chair: Thank you very much. I'm sorry for the interruption.

Mr. Ben Worthy: What we've been doing is looking internationally to see how other freedom of information regimes work, or access to information, as it's known in Canada. Also, we're increasingly interested in issues around the online publication of information and proactive disclosure via the Internet.

The way we've been looking at how the act works in these different areas is by interviewing officials across central government as well as local government. We've also been using the media to look at stories based on freedom of information requests. We've looked at case law. And we've also tried an online survey of requesters who use the act to see what they think about it.

To talk very briefly about what we've been doing, we've tried to examine to what extent freedom of information has met the objectives set for it by the people who supported the act. So we've tried to see to what extent freedom of information has made the government in the U.K. more transparent and more accountable, whether it's had any impact on decision-making and on public understanding, and if it has in any way affected levels of public participation and trust.

We've also been quite keen to look at the impact on the day-to-day work of public institutions and to see whether it has affected things such as records management and even constitutional conventions. We've also written a brief article about some of the difficulties involved in measuring freedom of information and how you go about seeing to what extent it's done its job.

Here are a few brief conclusions from us to the central government. We concluded that freedom of information had made the U.K. central government more transparent both in terms of the amount of information it put out and in creating a more open culture. Also, it made government more accountable. Government spent more time explaining what it did, often when FOI worked in conjunction with the media.

It had very little impact overall on things such as decision-making and levels of public participation and trust. But this is not because FOI has failed; it's more because these are very deep and complex issues and it's rather difficult to get to the bottom of them. And FOI alone probably can't affect these.

We also found that few of the fears relating to freedom of information were borne out in practice. There was little effect, for example, on how records were kept as a result of FOI and there was little impact on things such as ministerial accountability.

I want to flag a few things of interest to the committee. How freedom of information or ATI works depends very much on where you put it. And different public bodies have different cultures, different levels of leadership, and different relations with the media, for example, all of which means that freedom of information can work differently.

We felt that leadership is absolutely key to making open government work. Strong leadership and support high up from both politicians and officials help other people not to resist within the organization and also allow space to innovate. Freedom of information never really settles down; however you change the act to whatever you're doing, there will always be scandal and embarrassment. That's part of the nature of freedom of information.

Freedom of information requests are not all about expenses and high-level things. They're often rather niche, about very small pieces of information that are of importance to the person asking.

And finally, of course, freedom of information works alongside a host of other things, not the least of which is information technology. As you know, the U.K. coalition government committed itself to publishing online all spending over £25,000 for central government, and all spending over £500 for local government. And we're now starting to look into this to see what impact it's had. I'd be more than happy to speak about what we know up to now.

That's all I have to say. Thank you for listening.

● (1540)

The Chair: Thank you very much, Mr. Worthy.

We're now going to you, Mr. Sheridan, for your opening comments.

Mr. John Sheridan (As an Individual): I would first like to thank you very much for this opportunity to talk to you.

I'll give you a little bit of background, as you say. I'm head of e-services and strategy at the Office of Public Sector Information. I have worked around the issues to do with open data, and publishing data in particular, for about five years as a public servant and have been involved in most of the initiatives the U.K. government has taken forward around open data publishing and how we do that well.

In policy terms, we distinguish between access legislation, which is covered by freedom of information legislation—you're just hearing about the Freedom of Information Act that we have in the U.K.—and re-use issues, which are about people who may take the information that government has made available and build maybe new commercial products or build applications that potentially help the citizen to hold government more to account.

There has been a long-running separation between access on one side and what we would call re-use on the other. Re-use probably involves more the economic use and the economic contribution that public sector information and public data can make. It also involves the use we now see for transparency, as well as the contribution that having better public access to data and better use of public data can make to new models of delivering public services. So the re-use agenda tied into lots of different agendas: an economic agenda, a transparency agenda, and a public services reform agenda along with the changing role of the state in society.

These have all driven a number of initiatives over the last decade or more in the U.K. A very striking and important moment was the coalition agreement that sets the policy framework for the current Parliament. The coalition agreement enshrines a number of obligations, a number of commitments with regard to our data publishing.

You've heard the commitment around publishing spending data and the idea that if we publish spending data, not only would the public be able to hold the government more to account but people would also be able to understand better what public organizations are doing and potentially public servants will make different decisions about how they spend public money. Also, information about the organizational structure of government, how much civil servants are paid, who reports to whom, and who is making decisions would be published.

Simultaneously, there's a very strong focus around growth, and quite a lot of work is happening at the moment with respect to further adapting the policy framework to try to make sure the private sector and the voluntary sector have the access they need to key government data sets.

For the first time—and this is very interesting—given this long-running separation between access and re-use both in policy terms and in terms of our statutory framework, the freedom bill that has been introduced to the U.K. Parliament proposes amendments to our freedom of information legislation...[*Technical Difficulty—Editor*]... right to government data sets and defines what a data set is. So for the first time we actually see those two strands potentially coming together in our statutory framework. That's just to give you a flavour.

My particular competence is around the technologies we have to enable this and the possibilities that new technologies, particularly on the web, will open up for bringing information together from lots of different sources, as well as why that's important and why suddenly data is, as I've heard it described, the new oil. It's an amazing resource that people are able to do all sorts of wonderful things with.

• (1545)

With some of that it's very much the government's role to enable from many different policy-check tests.

The Chair: Did we lose you, or are you through?

Mr. John Sheridan: I'm finished.

The Chair: Okay. Thank you very much. That was helpful.

I want to thank both of you for your opening comments.

Now we'll go to the first round of questions. Mr. Easter, you have seven minutes.

Hon. Wayne Easter: Thank you, Mr. Chair.

Thank you, gentlemen, for your presentations.

Mr. Worthy, I went through your paper, *More Open but Not More Trusted? The Effect of the Freedom of Information Act 2000 on the United Kingdom Central Government*. You talk about how it has improved the quality of government decision-making and intended to increase public trust. Can you comment further on that? Your title kind of indicates that it hasn't meant more trust. Can you expand on the quality of government decision-making, and whether or not there has been more public trust in greater public participation?

Mr. Ben Worthy: Those are two of the hopes for freedom of information: that it would improve the quality of decision-making within government, and make government more trusted. So if I take each of those in turn, we found it hadn't had much impact on the

quality of government decision-making, but part of this was the difficulty that so many things had influenced the quality of government decision-making, particularly in the last ten years, that freedom of information could only be a very small part of any change that had taken place.

It hasn't improved trust at the central government level. This is not a fault of freedom of information, but more the political environment in which freedom of information exists. A few FOI-based stories get into the press. They're generally the rather negative ones. So they have no effect or a negative effect on public levels of trust. We also found that pre-existing low levels of trust shape what sorts of requests people make. So sometimes they make requests that confirm their low levels of trust that already exist.

We found that things like how the media and government interacted and fought shaped issues around trust. It wasn't really FOI itself.

Hon. Wayne Easter: Where do you think it is going now? You have the new coalition government. Is it their intent to go more to open government and open up access to information further? How do you see that working out?

Mr. Ben Worthy: Is that for me or John, or both of us?

Hon. Wayne Easter: Both of you can answer either question.

Mr. Ben Worthy: John really hinted at that when he was speaking. Lots of things are coming together. The open data movement and the FOI movement are coming together. As I see it, the coalition government is firstly committed to kind of joining up ideas of proactive publication, with use of the Internet and online publication of information to obtain a range of political and economic benefits. They're also committed, interestingly, to extending the Freedom of Information Act to new bodies that weren't previously covered. The initial list was rather long. It seems to have been cut down slightly, but we'll have to see how that develops.

So in a sense it's spreading crossways towards information technology, and outwards to cover new bodies. That's where the future of freedom of information is. It's joining up, as John said, with this new idea of a right to data. That is very similar to where it seems to be going in the U.S. under Obama, with a linkup to electronic record diffusion, electronic information systems.

• (1550)

Hon. Wayne Easter: I'll just add a little further to that, and maybe Mr. Sheridan can respond as well.

You mentioned the U.S. We had witnesses from the U.S. here last week by video conference. They emphasized open data, new technologies, and how they could add value. Entrepreneurs could collect that data and use it in an open and transparent way, and create some considerable economic value for some.

Either or both of you could comment on that.

Mr. John Sheridan: For me there are two things. The first is that in terms of the transparency work the coalition government is taking forward, there's been a very strong focus on how the government spends its money and who's making decisions.

Also, interestingly, elements of how government has worked, even under freedom of information, have been hitherto quite hidden. So in terms of, for example, commitments about publishing the detail of contracts, not just information technology contracts but contracts across the board, when people have generally asked for those sorts of things under freedom of information, they've potentially been told that they can't be released because it's commercially sensitive information.

There's been a proactive decision to push government suppliers into making available contract information, which goes alongside spending information, which goes alongside potentially how a contractor is performing. The relationship between, if you like, government and its suppliers is being put into the public domain, really for the first time. That's very much part of the drive to a more efficient government.

Second, which I think is an important message and one that I would endorse from the witnesses who you've had from the United States, is that making available data does open new possibilities, in that we have computing power very cheaply available. This means that things that were once the province only of large corporations or organizations with significant capital, in terms of the ability to process large quantities of data and build applications on top of it, are now in the hands of the ordinary citizen. This is a transformative development.

One of the things that's interesting is that as the U.K. government has published more and more transparency data, it hasn't necessarily equated with the kinds of data that many of the external developers or many of the businesses would have put at the top of their lists.

The government has been very driven in terms of its priorities about making available data, about how it's spending money, for example. The external developer community and the business community are often more interested in geo-spatial data or transport data, data that they can really get their teeth into in terms of being able to create new products.

While the policy objectives are aligned, there's a difference of emphasis, depending on what kinds of points people are looking to try to demonstrate with the data that's being released and being made available.

The Chair: Thank you very much.

We're now going to move to Madame Carole Freeman, a member of Parliament from the Bloc Québécois.

Perhaps I'll ask Mr. Worthy and Mr. Sheridan just to help us a little bit. When you're answering a question, could you identify yourself

first? Usually we go by video conference rather than teleconference. This is a little different.

Madame Freeman, seven minutes.

[Translation]

Mrs. Carole Freeman (Châteauguay—Saint-Constant, BQ): Good afternoon and welcome to our committee, Mr. Sheridan and Mr. Worthy.

I have questions about open data and the Access to Information Act. What were the biggest obstacles that the United Kingdom encountered when it implemented its open data policies?

This issue raises a number of other questions, such as the information that must be retained because of national security or copyright considerations. How do you handle this?

My question is directed to both of you. I'm not sure who would like to respond first.

•(1555)

[English]

Mr. John Sheridan: This is Mr. Sheridan. I'm afraid we didn't get a translation on the line.

Mrs. Carole Freeman: There's no translation.

Mr. John Sheridan: No, there's no translation coming through.

The Chair: Are you getting the translation, Mr. Worthy?

Mr. Ben Worthy: No, I'm afraid I'm not either.

[Translation]

Mrs. Carole Freeman: Could the interpreters please say something, so that we can verify if the sound is coming through.

[English]

The Chair: Can you hear the English now, Mr. Worthy, Mr. Sheridan?

Mr. Ben Worthy: This is Mr. Worthy. I'm afraid I can't hear the translation again.

The Chair: We'll just suspend here for a minute to see what's going on.

•(1555)

_____ (Pause) _____

•(1555)

The Chair: Does it appear we have the problem fixed?

Okay, I'm going to go back to you, Madame Freeman. I'm going to start your time anew, and I'm going to ask you to repeat the question you asked first.

[Translation]

Mrs. Carole Freeman: I'd like to start by welcoming our two witnesses, Mr. Sheridan and Mr. Worthy. Thank you for joining us today.

My questions pertain to open data. I want to know what major obstacles the United Kingdom encountered when it decided to opt for a more open government. On the issue of open data, I want to know how things turned out, what type of information the government started to disclose more and how information is handled when national security or copyright considerations come into play.

I ask myself the same question when it comes to the Privacy Act. [English]

Mr. Ben Worthy: This is Mr. Worthy. I could perhaps just say a few things.

Is this okay? Can everybody hear me? Can you hear me?

The Clerk of the Committee (Mr. Chad Mariage): Yes, we can.

Mr. Ben Worthy: With regard to that question, there are of course obstacles to freedom of information, and one of the obstacles is something that hits every regime, which is to what extent the bureaucracy and the political class endorse FOI or attempt to resist it. This again comes down to the issue of leadership.

There are also problems with the mechanisms of how it works. For example, every system experiences delay, frustration, and slowness of response times. In terms of the three issues mentioned, these are all problematic areas. Of course national security does contain a specific exemption under every freedom of information act I know of, but there are often battles around that area for issues that might be on the cusp of national security.

In terms of copyright, I think John is far better placed than I to speak about it. I will just say that it remains an issue in the U.K. at several levels, about to what extent copyright covers these.

Finally, the division between openness and privacy is a very controversial and difficult area, and I think about a third of all the requests that go to the information commissioner to be looked at are actually around this area between where freedom of information ends and privacy begins. It was even a rather big issue as regards MPs' expenses in the U.K., about whether expenses were private data related to MPs or whether it was possible to open them up to the public.

•(1600)

Mr. John Sheridan: On the issue specifically of copyright, there are a number of points to make. Under the Copyright, Designs and Patents Act 1988, in the U.K., work that's produced by civil servants is deemed crown copyright.

This has been an enormous advantage for the U.K. compared to many other European countries. It has meant we've been able to have a single coherent framework for licensing crown copyright information across a large number of organizations that would potentially otherwise own their own intellectual property. If you compare that, for example, with the situation in Germany, which is much more federated, they have found it comparatively more difficult to introduce that kind of single framework at the federal level.

In European terms, the coherency of crown copyright has been an advantage. The U.K. government has evolved its policy around licensing, and we have a number of different purviews.

Some information is made available under a waiver of copyright in particular legislation. A lot of central government information is deemed core crown copyright material, and it is available for reuse, including commercial reuse, on a worldwide non-exclusive basis, free of charge. Over most of the last ten years, this has been under the click-use licence, which is a simple online licence you can apply for. Some information is deemed value-added, and that would have a separate licensing arrangement associated with it.

A small number of government organizations, particularly those that have some very rich and important data, have a legal status. They are trading funds, which means they do not receive any money from Parliament to fund their activities. They're not taxpayer-funded. Although they're part of the government, the information they create is crown copyright. They have to fund it themselves, through their own trading activities, including their own information-trading activities. Examples of these sorts of organizations would be our mapping agency; our meteorological office; our registrar of companies information; our cadastral registry, which is the land registry; and there are one or two others.

We have canvassed people at the National Archives about their perceptions about crown copyright, particularly looking at whether people understand what information is free and what they can reuse. One of the things we found is that people have quite strong perceptions around the word "copyright". We introduced it to them. We did some research. We asked people to do some exercises using information from government websites and tracked what they were doing. We would then get them to try a longer task, maybe copying a piece of information, and we asked whether they thought about the copyright associated with that.

Copyright is a very strong word when you test it with people who are interacting with information on the web. One of the interesting things is that when we asked people how they felt about the word "copyright" and compared it with how they felt about "crown copyright", people felt more positive about crown copyright. I find that quite amusing. It shows how strong and powerful the word "copyright" is. It's probably the only word in the English language that you can soften by adding "crown" in front of it.

In terms of developing our policy, in the last four months we have moved to a thing called the open government licence for crown copyright information, which replaces previous licensing systems. It's very simple, and it's been designed to convey the message that you can use and are encouraged to use crown copyright information. That was very much driven by our research about people's perceptions of copyright. That has been a big success, and most of the central government has moved to using that licence.

• (1605)

We worked hard to make sure that the licence was compatible with the creative commons licences. We looked carefully at the creative commons licences, in particular because we don't just have copyright in U.K., but under European law we also have the concept of database rights. The creative commons licences for the U.K. were not going to be comprehensive enough and were going to leave some issues undone that we needed to cover in our licensing, so we introduced the open government licence.

For many of our local authorities, we have invited them to use their open government licence for licensing their own information. They have been very willing, and the number of organizations beyond central government that have voluntarily adopted the open government licence has been doubling more or less every month. At the last count the total was 170 of 450 local authorities have now adopted the open government licence in the space of a few months. So that has been a very big success for us.

Meanwhile, the government has had a number of attempts to address the issue of the information-trading activities and we've had a number of policy changes. The big change was from April 1, 2010, when significant amounts of the information held by our mapping agency, Ordnance Survey Mapping, which had previously only been available under a commercial licence that you paid for, were moved to be open data and free to reuse. We're now in the process of understanding what the consequences of that have been, in terms of new applications that people have been able to develop, and building the evidence base. But that has been a very big shift in the licensing policy of the U.K. government.

There's now a policy to create a thing called the Public Data Corporation, and the government is actively engaging with the information industries, other industries, civic society, and in particular the open data community about what the Public Data Corporation might be, what it might do, and how it may help stimulate the further reuse and exploitation of government data.

The Chair: Thank you very much.

We're now going to move to Mr. Bill Siksay. Mr. Siksay is a representative of the New Democratic Party, and he will have seven minutes.

Mr. Bill Siksay (Burnaby—Douglas, NDP): Thank you, Mr. Worthy and Mr. Sheridan, for taking the time to be with us today. The information that you've already provided has been very, very helpful.

Mr. Sheridan, you just mentioned the Public Data Corporation at the end of your last response. I wonder if you could tell us a little bit about what that's going to look like or what's anticipated to happen there.

Mr. John Sheridan: This is difficult territory for me. The government has made it clear that the objective is to make sure that the economy is well served by public data and that this is potentially best done with an organization that is dedicated to that purpose.

The precise shape of that is something that is currently a matter of consultation, and the consultation events are happening. There are three events, the most recent of which was on Friday. So this is very much a policy that's under development. And beyond the broad objective, it is stated that it is expensive to create, has traditionally been traded, and is often key to elements of the economy. What role would a public data corporation have in making sure that the economy has access to the information that it needs, and what would the balance be in terms of charging and in terms of free use? The precise shape, as I say, of the Public Data Corporation is very much part of the policy development process: what information; what the scope is of what information is making available; precisely where that balance is drawn between commercial opportunities on one hand and free access to data on the other; what the shape of the demand curve is, if you like, for public data. At the moment, I'm part of the consultation that the government is doing.

• (1610)

Mr. Bill Siksay: Thank you. That was helpful.

Mr. Worthy and Mr. Sheridan, I'm wondering if you have any experience of analysis of the economic impact of moving to a data-publishing regime or an open data regime either in the U.K. or other European countries, and if there has been any evidence or any study done of the employment impacts of moving to that kind of policy.

I think we're all aware now of the democratic impact of potential for improving our democracy and transparency and accountability, but I'm wondering if either of you has seen any studies or has any evidence of the economic or the employment impacts of moving to a data-publishing or open data system.

Mr. Ben Worthy: There isn't much evidence that I know of. There is some analysis by economists of the potential for what sorts of economic benefits open data can generate, and this is by Professor Pollock, who is also one of the leading supporters of open data policy.

All I know from the U.K. is rather anecdotal. I know that a short study of data.gov.uk revealed that the primary users of the data sets—and a rather narrow field of data sets on data.gov.uk—were businesses, rather than individuals. Similarly, the spinoff sites.... And of course the spinoffs are extremely important; it isn't just the sites themselves, but the sites other people develop. Similarly, one of the spinoff sites, called spotlightspend.org.uk, also does some rather interesting things with data about spending and allows you to look at it in various ways.

I've also been told by the people behind that site that the primary users of a rather limited number of the data sets are again overwhelmingly businesses. And they put it, at a guess, that above 90% of those using their site were businesses.

Mr. Bill Siksay: Mr. Sheridan, is there any sense of the economic or employment impact of data publishing?

Mr. John Sheridan: I don't know of any yet. There may be more studies in the U.S., where their policy is a little more advanced. It's of course extremely difficult to trace it, particularly because it's so new.

Mr. Bill Siksay: I think you've had some association with the World Bank Institute and the study on proactive transparency that I think Helen Darbishire wrote. And I gather there is some sense in there of data publishing being related to freedom of information, that they somehow be combined, that they not be seen as separate regimes, and that maybe even data publishing and open data be seen as a subset of access to information and freedom of information law.

I wonder if that's something you're familiar with, and if you could comment further on that, or if there is more to be said about that kind of framework for improved publishing of government data and access to information.

Mr. Ben Worthy: I think what Helen Darbishire has done—and I heartily recommend her report—is point out that ten years ago the transparency community and the open data community were two very different bodies, but increasingly they're coming to work together. You can see this in the U.S. and the U.K.

One of the parts of freedom of information that people don't talk about much is the proactive aspect. When people discuss freedom of information and access to information they often talk about people making requests and responses. But proactive dissemination is contained in every act I know of, and it is as important. And it's hoped that technology can alleviate some of the problems around freedom of information.

Freedom of information can be seen as quite costly to bureaucracies in terms of time. It can be seen as quite complex, in the sense that the information isn't always easily understandable to everybody once it's put out there. And it's hoped that use of open data and information technology can both cut down costs and also make the information much simpler so that more and more people can understand it. So the hope is that open data can mean that FOI leaps ahead and becomes easier to use and much less costly and, as was pointed out earlier, you can do much more with the information once it's out there and it's combined with applications.

•(1615)

The Chair: Thank you very much, Mr. Siksay.

We're now going to go to Ms. Pat Davidson, who is a member of the governing Conservative Party and vice-chair of the committee.

Ms. Davidson, seven minutes.

Mrs. Patricia Davidson (Sarnia—Lambton, CPC): Thank you very much, Mr. Chair.

Thank you very much, gentlemen, for your information you've given us this afternoon. Certainly it's useful information, and we're very glad we were able to have this connection here today.

One of the things I am still a little unsure about, Mr. Worthy, is what stage you are at in the U.K. with putting together the Freedom of Information Act in the open data exercise. I thought you made

some remarks about two different bodies, but they're now starting to come together. Is that correct?

Mr. Ben Worthy: Yes, that's more about the supporters groups. There's obviously quite a long-established pro-transparency community in the U.K., headed by people like the Campaign for Freedom of Information and other groups like that. Also, there's an advocates group for open data.

Just to specify, I was referring to the fact that Helen Darbishire points out that actually the advocacy groups themselves are starting to merge more closely. As John pointed out, as policies on the right to data merge with FOI, so the advocates groups have increasingly begun to work together and recognize that they can actually push the agenda forward by learning from each other.

Mrs. Patricia Davidson: At what stage is the government on open government?

Mr. Ben Worthy: I'd refer back to what John said earlier. The coalition government is less than a year old. It started rolling out what you'd call, I suppose, version 2.0 of freedom of information, which is about online publication. All local authorities in Britain have to publish online all of their spending over £500, as of the end of January 2011, and all but eight of the local authorities have done that. Government departments have published contracts and have published their spending over £25,000.

The point is that although these things can be done relatively quickly, it can take some time for people to start using this information and looking at it. So there's often a gap between a reform happening and being able to see what exactly the impact on the public is. But I'll perhaps pass over to John to comment on this, because he probably knows a bit more about what stage it's at.

Mrs. Patricia Davidson: Mr. Sheridan, if you're going to answer that question, could you perhaps also tell me if it is the coalition government at the national level that sets the limits for the municipalities? Or is that set separately?

Mr. John Sheridan: It's the national government that is setting the thresholds for local government and for central government. It's the national government that is driving the policy. Obviously that only extends to the competence of the U.K. government. It doesn't extend to our devolved administrations in Scotland, Wales, and Northern Ireland. There is a different degree of emphasis placed by the devolved administrations on the transparency agenda compared to the coalition government.

As you're saying, there are very clear commitments in the coalition agreement about particular data sets that are to be published. That has been done, and those commitments have been met. We're moving from exercises to publishing these sorts of transparency data sets and organizational structures' contracts as a matter of routine.

Mrs. Patricia Davidson: Thank you.

Mr. Worthy, going back to your document that was circulated to us, in the conclusion you talk about some resistance, some obstruction, and uneven levels of openness. You talk about the unexpected finding that requesters who responded were distrustful as a result of the FOI. Could you talk a bit about that, please?

•(1620)

Mr. Ben Worthy: I think resistance is extraordinarily hard to measure. It does go on at whatever level, but I think it's very much in the minority of cases. The problem is that a requester may see a delay as resistance, whereas the official will see it as the fact that unfortunately the response to the request has been delayed. It varies from department to department. Now that we're finally looking at local government, it varies from local authority to local authority. It depends on a range of things. For example, different departments deal with different sorts of information. Their leadership has different levels of enthusiasm for FOI, and all these things can make it rather uneven.

We expected, when we did this study, to find that while reporting of stories in the media would decrease trust, people who used FOI would increase their trust in government. We found that for central government that wasn't the case. What's interesting is that it seems that a lot of the people who use FOI are using it for a certain angle or perspective on an issue of importance to them. Sometimes it's an issue that's part of an ongoing conflict with a political authority or with someone related to it. So actually their trust wasn't very high to start with. FOI can act to confirm their distrust, if you see what I mean.

Mrs. Patricia Davidson: Yes.

So as the central government moves towards more open government and a more open data situation, do you see that trust in government changing?

Mr. Ben Worthy: I think it's extraordinarily difficult, because trust is influenced by so many other things. We found for central government there was no change in trust. We found for the ongoing study of local government—and it's not yet complete—that there was a very different perspective. We suspect this is because local government can do things central government can't do, such as be visible in the community or make a difference to what's happening virtually on people's doorsteps. In that way, it can increase trust because it has much more contact, whereas central government is much more remote.

I think, and this is just my opinion, that the evidence seems to point to the fact that very few people ever really do trust politicians, and I'm not sure if there's that much you can do to greatly increase levels of trust in politics. Unfortunately, I think politics is widely perceived as just that sort of game. It's made especially difficult in the U.K., of course, by the MPs' expenses controversy, which I'm sure you heard about, which seems to have poisoned all of the political system, and probably will do for some time to come.

Mrs. Patricia Davidson: So what do you see as the big advantages of open government and open data?

Mr. Ben Worthy: I think, as with FOI, it will make government more transparent and accountable. I think it does reduce some of the problems caused by old-style FOI, such as the resource costs. Again, I'd agree with John here that some of the really interesting things

we'll start to see will be when websites are developed and new applications are developed that allow people to do new things with the information.

I was speaking with one person in the U.K. who created a site called Openly Local, and you can track through 200 different local authorities' spending and find out which companies have been paid by how many local authorities. As this person pointed out, when you can find that 20 local authorities have paid a company, that's interesting, but when you can find that 200 have paid a particular company, then it becomes a different game altogether.

I think it may be in some of the spinoff innovations where we start to see really interesting things happen that could have all sorts of economic, political, and social impacts.

The Chair: Thank you very much, Ms. Davidson.

Mr. Worthy, in Canada everyone has total trust in politicians.

Voices: Oh, oh!

The Chair: That concludes the first round.

We're now going to go to the second round of five minutes each and we're going to start with you, Dr. Bennett.

Hon. Carolyn Bennett (St. Paul's, Lib.): Thank you very much.

As you know, we're a little behind here in Canada, and as we've done the hearings, one of the problems seems to be that there isn't an open government policy. And certainly the Prime Minister has never made a statement on this. So I would want you to tell us how important it was for Prime Minister Cameron to issue the public letter on June 1, and then tell us about actually making sure that all the departments, politicians, and public bodies knew this was an expectation.

Then I was wondering if you would also talk to me about the public sector transparency board and how important you think that is in terms of enforcing or accelerating the progress.

•(1625)

Mr. Ben Worthy: Perhaps I would talk about this very briefly and then I'd hand over to John again, as he can tell you from inside of government.

I think the importance of a prime minister or a president endorsing freedom of information can't really be overstated. Prime Minister Tony Blair was very tepid on FOI, and he was then followed by Gordon Brown, who made a number of public speeches in favour of it, followed by David Cameron, who has made public statements and speeches in favour of freedom of information.

Of course bureaucracies operate on signals, and these different signals send a kind of positive or negative message throughout the whole of the system about how seriously to treat the issue—how seriously to take it, what sorts of resources to put into it, and what the consequences could be if you don't, for example. These are all very mysterious and kind of difficult to measure, but they definitely exist.

Contrast this with the experience of Ireland, where previous Prime Minister Brian Cowen, who's just left, publicly described most freedom of information requests as a waste of time, and you can imagine what effect that had on hard-pressed FOI officers and people who were trying to decide how to prioritize it.

In terms of the transparency board, it looks to me like a very interesting group of people, and they seem to be doing a very interesting job in pushing forward with innovative ideas; and they've also been very open about how they go about doing it.

But I'd perhaps ask John to comment on this more.

Mr. John Sheridan: The commitment of the Prime Minister and officials from Number 10 is real. Those officials who are involved in transparency work know that our commitment is a day-in, day-out commitment by officials at Number 10, and a week-in, week-out commitment by officials at Number 10. If you want to introduce the kind of change that involves having the senior civil service have details about their salary published openly on the web, then you need a very strong political direction and push, because there are many points of inertia within the system.

I would say that if you look at that commitment from the Prime Minister and you look at how Number 10 has driven the agenda in the U.K. government and you look at what was being done, it all fits together. Officials right the way across departments know how important this is to the centre, to deliver on. In terms of the transparency board, they are very much part and parcel of that simple push, chaired by the Minister for the Cabinet Office, who is a very important minister and very influential. It's joining the dots between transparency, strategy, and delivery, and some of the practical problems we encounter, for example, with publishing salary data: when we do or don't redact the name of an official, when we do or don't redact details of a particular payment. And they're helping to provide that strategic direction in what is a new art. Technically and in policy terms, it's a new art.

The other important observation is the extent to which open data is helping to achieve or relieve the burdens of freedom of information, because if our payments information is just published as a matter of routine, if people's salary information, if they're senior, is published as a matter of routine, and if our contracts are published as a matter of routine, when someone makes a request for that information it's very easy to answer. It's on the web already. That's one of the efficiency drivers for open data as part of freedom of information. I think that's an important angle to capture.

• (1630)

The Chair: Thank you very much, Dr. Bennett.

We're now going to go back to Ms. Davidson from the governing Conservative Party. Ms. Davidson, five minutes.

Mrs. Patricia Davidson: Thank you, Mr. Chair. If I don't use all of my time I'll split it with Mr. Abbott.

Gentlemen, I'm just going to make a statement here and then ask a broad question, and I would like you both to answer it if you would, please.

In your remarks, Mr. Worthy, I'm reading here about the aims, the better decision-making. You were hoping that was going to be one of the aims of the FOI, to improve the quality of decision-making. It was also hoped that it would show the citizens how government works and how decisions are taken. Then you talk a bit about other countries' experiences and how some of those are a bit ambiguous. You talk about Australia. You talk about Canada. You also talk a little bit again about the United Kingdom, where the FOI is one part of a wider drive by government to disseminate more in higher-quality information. Then you go on to say that it's primarily through the media, though the Internet has been trumpeted as a new instrument.

How much do you rely on the media and how much do you rely on other methods such as social media or the Internet to get information relayed? Have there been any negative aspects to what's taken place in the U.K.?

Would both of you answer that, please?

Mr. Ben Worthy: I could begin with a few thoughts.

One of the interesting phenomena about FOI is that very few people actually use it; fewer than one in a thousand people make an FOI request. It's still a lot, but not a lot as a proportion of the population. Most people find out about freedom of information via the media, mainly via the mainstream media, whether that's in physical form or online.

In terms of people's sources for information, as far as I know, the majority of the population still use the mainstream media. However, more and more people are using blogs. One interesting thing about FOI is that it also gets onto blogs, and lots of journalists who use freedom of information, if they can't get their story in the press, will use blogs to publicize that information. There's also been some high-profile use of FOI by certain famous bloggers in the U.K., among whom one of the most famous is called Guido Fawkes. So there is an interaction between social media, for example, and freedom of information, and using that as an alternative source.

I suppose the negative effects are in a sense in the eyes of the beholder, really. One of the problems with discussing freedom of information is that I think there is a hidden bias in it when you speak with politicians and officials. To quote a very good U.S. study of transparency, to the politicians and officials freedom of information has led to “concentrated costs and dispersed benefits”. Politicians can very easily see the financial costs, but also the political costs. It's much more difficult for them to see the more long-term or more difficult-to-measure benefits, such as transparency. So there's a danger that you can actually see the costs much more easily than you can see the benefits, as it were. In a sense, the negative effects depend on from which viewpoint you're looking at it.

One of the often-repeated negative effects of FOI is that it actually leads to a change in how records are kept. It leads to the so-called “chilling effect”, which means either information isn't written down, or when it is written down it's written down in a very anodyne form. We found that how records have changed is due to so many other factors, that actually FOI has very little influence on this. So one of the significant negative effects we found didn't actually take place, although that didn't stop the Prime Minister, Tony Blair, from mentioning this in his autobiography.

Mrs. Patricia Davidson: Mr. Sheridan.

Mr. John Sheridan: The introduction of the Freedom of Information Act is one of the things that has contributed to a culture change among people working in government, and the introduction of social media tools, particularly things like Twitter and Facebook, has meant that increasing numbers of civil servants, particularly in the middle ranks, have made themselves available in the public domain and talked about their work. This, for some people, has exposed them to a degree of scrutiny, in some cases in the national media, that they wouldn't normally expect to have in their everyday lives. It's also meant that for people outside government they have completely different channels to be able to engage with government. So if somebody wants to engage with a particular official who they know is responsible for a particular thing, they can send them a message on Twitter and they can get a response on Twitter, which is I think a mark of how a culture of openness is becoming much more systemic than perhaps it was even five years ago. The use of social media tools is certainly underpinning that very much at the middle level of officials who are beginning to adopt and use these tools.

It was a big step forward for the government to establish, probably about 18 months ago, a clear set of policy guidelines about civil servants' participation in social media, what it's possible for people to do, where the lines are in relation to their civil service code. That certainly enabled an increasing number of civil servants to talk about their work more openly, using those channels as part of a wider cultural change that is happening. Maybe when the history books are written, people will look back and say it was the introduction of the Freedom of Information Act that really marked the starting point for that.

• (1635)

The Chair: Thank you very much, Ms. Davidson.

We're now going to go to Ève-Mary Thai Thi Lac from the Bloc Québécois, *cinq minutes*.

[*Translation*]

Mrs. Ève-Mary Thai Thi Lac (Saint-Hyacinthe—Bagot, BQ): Good afternoon. I will be asking my questions in French. Thank you both, Mr. Worthy and Mr. Sheridan, for making the long journey here to share your experiences with us.

Since my time is limited, I will put three questions to you in succession and then you can each take turns answering them.

I was delighted to hear that it is possible to have an open government, even with a coalition government. We mustn't forget that we currently have a minority government in Canada. The government often maintains that progress is impossible because opposition parties hold the majority of seats.

You have a coalition government. We came close to having one too at one point. It would appear that in spite of having a coalition government, you have managed to make the shift to open government. So then, I'm delighted to hear you say that.

What would you qualify as your biggest success, and conversely, your biggest shortcoming, as far as having an open government is concerned? In your opinion, how has open government proved most beneficial to Australia and the United States? What mechanisms has the United Kingdom yet to put in place? You say that Australia and the United States have adopted the best approach. What haven't you been able to put in place?

I would also like to hear your views on social media. You talked about the important role that social media play in the lives of public officials. Do these public officials blog and post comments on social media discussion sites? Do they do so anonymously? I want to be sure that, in the spirit of open government, when you say public officials interact using social media, they interact openly, using real websites. Thank you.

[*English*]

The Vice-Chair (Mrs. Patricia Davidson): Mr. Worthy, go ahead.

Mr. Ben Worthy: That's an extraordinarily difficult question to answer. I think if you asked people who worked in government, the greatest success for the Freedom of Information Act would be in promoting this more open culture John just spoke about and I spoke about earlier. Even departments that were historically rather closed, such as the Ministry of Defence, are now operating in a more open manner.

I think if you asked journalists or campaigners, they would probably tell you that the greatest success of the Freedom of Information Act—and it was only partly the Freedom of Information Act—was such things as the revelations about MPs' expenses in the U.K., where the Freedom of Information Act is one of the triggers for finding out what MPs had been spending their expense money on. It's also led to the publication of local senior officials' salaries. These are some of the ways in which it has achieved things.

The shortcomings would depend on your point of view. I think officials would point to people not using it within the spirit of the act. They would cite journalists using it to write negative stories by de-contextualizing the information at the local government level.

Similarly, in Canada, under your ATI, there's heavy use by business to gain commercial advantage, which is seen as a rather negative use and not really what the Freedom of Information Act was created for.

From a requester's point of view, they would probably find delay one of the most frustrating things, the fact that they have to wait so long for information.

Australia, and the U.S. to an even greater degree, have been reinvigorated in recent years by greater freedom of information. Australia under Kevin Rudd, and now it seems under the new Prime Minister, has moved quickly to greater openness. And in the U.S., President Obama's first two executive memoranda concerned open government and open data. I think the two countries have been reinvigorated. They have leaders who supported the principles, and they both took a real leap forward in merging freedom of information with open data, e-government, and all these other issues.

As to the social media, one of the fears with freedom of information is that it would mean that officials were no longer anonymous. But we didn't find that those fears came to pass at all. Officials are open and often quite available in the U.K. They didn't find freedom of information was revealing, particularly in giving out the officials' names or anything.

Picking up on this idea of using Twitter and other social media, one interesting example is that a local authority last week in the U.K. decided to Twitter for 24 hours to explain all the work that it did over the course of a single day. This is a wonderful example of transparency via social media. They were able to try to explain to the people exactly what they did during the course of a day, to help them understand.

• (1640)

The Vice-Chair (Mrs. Patricia Davidson): Thank you very much.

We will now move to Mr. Abbott, who is a member of the Conservative Party and the government party.

Hon. Jim Abbott (Kootenay—Columbia, CPC): Good evening, gentlemen.

To set the table here, a member of the opposition, Ms. Bennett, and I are going to be travelling with two senators to Wales next week, and we're going to be speaking with some of the legislators there.

How does your legislation that covers the national government cover something like the Welsh Parliament? Or is it a legislature? I can't remember which is the designation.

Mr. John Sheridan: We have two freedom of information acts. We have two ratings. We have a rating for England and Wales, and a separate rating for Scotland, and we have different regulators. We have an information commissioner for England and Wales, and an information commissioner for Scotland. That means that the Welsh Assembly government and the Welsh Assembly fall under the same

obligations as the U.K. government and the U.K. Parliament, as regards freedom of information. They have the same regulation—the same information commissioner—which is different from the situation in Scotland.

Hon. Jim Abbott: I'm just repeating to make sure that I'm clear: you have the same regulator between Westminster and Wales but not the same regulator as far as Scotland is concerned.

Mr. John Sheridan: That's right. It's the same framework.

Mr. Ben Worthy: If I could just add something, one of the interesting things about Wales was it tried to put itself at the top of the pack, as it were, when FOI was passed because it was decided that the cabinet, the Welsh Assembly, would publish its minutes six months after it met. So it did try to do a few things that put it ahead of, for example, the local authorities in Britain and the central government in Britain. But as John points out, it is the same regime.

• (1645)

Hon. Jim Abbott: I'm trying to drive to the issue of bilingualism, which is something we have to work with here in the Parliament of Canada and in our nation, being an officially bilingual country. Are there any practical issues on the Canadian or Welsh freedom of information laws that are impacted with their use of a second language?

Mr. Ben Worthy: Not that I know of. I presume that authorities are obliged to respond in either of the two languages, but I'll perhaps pass that over to John, if he knows.

Mr. John Sheridan: I know that there are particular obligations around publishing of information. The Welsh Language Act does mean that when information is published by the Welsh Assembly government, there needs to be dual-language versions, and that of course is a significant undertaking. As regards freedom of information, my expectation would be—but this is not my area of expertise—that the obligation is to make available the information in the form in which it was held.

Hon. Jim Abbott: We have a little bit more of a challenge here because of our parliamentary convention or practice or rules. For example, if information comes before this committee, in either of the official languages, but is not translated, then it cannot be used by the committee until it is in the translated form.

There's a bit of a question in my mind, which I've been raising through these hearings, as to which comes first. If information was held by the government in one of the languages, should it be available in both languages before it's released, or is it more urgent—particularly if it was a great volume of information—that it be released in whatever language it happens to be in?

Are either of you aware of this as being an issue in Wales?

Mr. Ben Worthy: I'm not aware of it being an issue in Wales. I've not heard of anything.

I would point to a rather different example. I know one country in which this has been raised as an issue was India over the Right to Information Act, where there was a large-scale study of its impact. Language there was a huge issue, because it seems that lots of officials were using English when perhaps they shouldn't have done. But I know of nothing in Wales.

Hon. Jim Abbott: They have quite a number of languages in India, of course.

Mr. Ben Worthy: Yes, of course.

Hon. Jim Abbott: We are looking forward to being in Wales. Do you have any weather tips for us?

Sorry, gentlemen, I'm just being facetious.

The Chair: Thank you very much, Mr. Abbott.

We are now going to go back to Mr. Siksay.

Mr. Bill Siksay: Thank you, Chair, and thank you, gentlemen.

I think one of you touched at one point on questions of the creation of records and whether freedom of information and proactive disclosure had any effect on government officials or public servants documenting their decision-making process or documenting their decisions. Have there been any issues or concerns about the creation of records or the duty to document? Is there a legislated obligation or anything like that in the U.K. on that side?

Mr. Ben Worthy: I could just say a few words about this.

First, it's terribly difficult to establish the impact of freedom of information or open data on records because so many things flow into what makes a record be a certain way or not. Of course there are so many influences. I know there have been a few rather high-profile cases in Canada about the issue of records destruction. We concluded from central government that there was no negative impact on record and there was a slight positive impact, because what it had done was actually professionalize, for example, e-mails and other communications that were perhaps a little bit sloppy when they shouldn't have been.

At local government level, we have actually found a few rather interesting incidents where freedom of information has led to people's recording things in a different way, probably in a more negative way with less information. But these seem to be rather isolated examples. It's not happening systematically, simply because people don't really have the time to think about FOI when they're making records. Officials across local and central government have said "Look, there is a professional code of conduct about this; I must have a record."

On a more day-to-day level, when we spoke to officials they felt they had to have a record because they would get in more trouble if they didn't have a record than if they did and the record got them into trouble. Really, a lot of them were more concerned about the consequences of not having a record. They did point to codes of conduct, for example, codes of professional ethics. It is extremely difficult to tell.

It's interesting. There may be two effects, one negative in certain cases, but also a slight positive effect in terms of cleaning up sloppy e-mails and sloppy documents that may say unprofessional things in them, for example.

• (1650)

Mr. Bill Siksay: On another topic, are there any international agreements or international bodies that have made statements on proactive disclosure or open government that have had an impact, with recommendations or suggested standards, on the conversation

in the U.K.? Are there international standards or international agreements that apply to the kind of work that's been done in the U.K. on freedom of information or data publishing?

Mr. Ben Worthy: I can pass it over to John for that one. I think he would probably know more than I about that. I'll say something after him, if that's okay.

Mr. John Sheridan: Could you clarify for me what sorts of things you would envisage?

I can certainly speak to data publishing, where this is an emerging art—for example, the involvement I have with the worldwide web consortium, which is the web standards body. That consortium has just chartered a group to look at government-linked data standards and approaches to try to develop some best practice. The area of open data is very fluid in terms of what's good practice and the level of maturity of the guidance and standards you can latch onto. If you were to compare it, for example, with something like website accessibility, where there have been standards in place for a long period of time, we're just beginning to establish what is best practice and what best practice looks like through standards organizations. And we're very much at the beginning of some of this activity around government link data, literally starting next month. So it's early days from an open data perspective.

Mr. Bill Siksay: Mr. Worthy, you had wanted to make a comment on that.

Mr. Ben Worthy: Yes.

Just to add one more thought, one particular kind of international institution to keep an eye on is the World Bank, which recently set itself some new standards in terms of openness. Now it seems to be very much an enthusiast for open data, for itself and also for the developed and particularly the developing world. They've long been an exponent of freedom of information as an anti-corruption tool but also as what they call a leverage right to help people gain certain socio-economic benefits. They've now increasingly come to look at open data as helping to serve those ends as well.

The Chair: Thank you very much, Mr. Siksay.

Madam Freeman, I understand you want a few minutes. Go ahead.

[Translation]

Mrs. Carole Freeman: One or two minutes isn't much time.

We here in Canada are envious of the population of the United Kingdom, Australia and the United States, because we do not have the same culture of openness. What we have is more of a culture of secrecy.

Summing up, you alluded to this culture of secrecy, Mr. Worthy and said that we should not be afraid of any obstacles that could arise. Could you talk about that a little more?

• (1655)

[English]

Mr. Ben Worthy: Yes....

[Translation]

Mrs. Carole Freeman: You can speak French.

[English]

Mr. Ben Worthy: The obstacles are numerous, and they can take the form of either political or physical obstacles, as it were. In terms of the political obstacles, persuading people within the bureaucracy who have secretive habits to operate in a more open way is the biggest. This is where the importance of leadership comes in, which is something John explained extremely well. You need someone with a strategic kind of viewpoint on this and also to forcefully say this is what you must do.

Of course, reversing habits is also difficult with regard to getting the mechanisms working again. If there's a great deal of delay, for example, in the system, and people are in the habit of letting freedom of information requests sit in their in-trays, it requires a kind of burst of energy to make the mechanisms work more quickly. It also relates to things like the appeal system and other parts of it, which all need to be made to work quicker.

The answer, of course, is the classic answer to everything in government, which is that it probably needs more resources as well.

[Translation]

Mrs. Carole Freeman: In your country, does each department evaluate managers to ascertain if they manage in a genuinely open manner?

Do you set clear objectives and draw up a firm action plan for achieving open government? Are managers held accountable?

[English]

Mr. Ben Worthy: John, would you like to answer?

Mr. John Sheridan: From an official's perspective, the thing you are potentially most mindful of is that if a requester isn't satisfied, there is a mechanism—they can go to the information commissioner—and there's a mechanism for resolving that, on a dispute basis. That's a world you don't want to be in.

When someone has made a request, you want to be able to answer the request, fulfill your obligation, and for that to be done. You want it off your desk, for the majority of things. Obviously there are things that are politically much more sensitive, and there could be some very different processes.

[Translation]

Mrs. Carole Freeman: That wasn't my question. I'm not sure who responded, Mr. Worthy or Mr. Sheridan.

I was asking whether departments conduct performance evaluations. Do you use specific criteria to evaluate the work of senior departmental officials? Must they satisfy specific performance objectives? Earlier, you spoke of lengthy delays by certain departments in processing access to information requests.

Are managers held accountable? Are they liable to fines, or some other form of sanction? Does their job description make it clear that this is part of their work and that this responsibility must be taken seriously?

[English]

Mr. Ben Worthy: There are a few ways in which it's measured. The Ministry of Justice publishes statistics, broken down by department, to say how many requests they've had—and what

percentage has been answered, what percentage is delayed, and what percentage has not been disclosed. That in itself acts as a kind of lead table for performance, and the media and others comment if a department isn't doing particularly well.

Recently, the new information commissioner in the U.K. has created a new list of bodies that he is watching. When a body performs particularly badly according to different criteria, such as delay, he puts them on the list for six months, and claims to be watching them for signs of improvement, and will keep them on a kind of “naughty list” until they do rectify their behaviour. There are elements of public accountability and also accountability by the regulator.

• (1700)

The Chair: Thank you, Mr. Worthy.

I want to get just how this policy of open government became institutionalized. I understand it came forward in the Cameron government. Was that part of the coalition agreement between the Conservative Party and Labour Party? Did it appear in the Speech from the Throne, or was it a platform? Can you give us a little bit of background on how it became institutionalized within the policy framework of the Government of Great Britain?

Mr. Ben Worthy: I'll pass it over to John to correct me, but before the election David Cameron had set himself out to be quite an enthusiast for open data and transparency. So enthusiasm for this issue predated the possibility of a coalition. In fact it was rather interesting that in the dying days of the Labour government, as the election got under way, both then Prime Minister Gordon Brown and David Cameron were marking themselves as enthusiasts for open data.

What's interesting—and one of the reasons why it's so important in the coalition—is that in the area of transparency or openness and how it flows into civil liberties, there is agreement between large parts of the Conservative Party and Liberal Democrats. This is part of an agenda they can kind of agree upon. So it was there before, but it has now become one of the linchpins around which the coalition government can be seen to agree and push forward an agenda on it.

I'll now pass over to John to give his perspective on that.

Mr. John Sheridan: There are specific commitments in the coalition agreement about transparency and data publishing that have given an enormous focus to the activity across departments, and they're basic to the agreement.

The Chair: Thank you very much, Mr. Sheridan and Mr. Worthy.

That concludes the questions from members of the committee. On behalf of all members of the committee, I want to thank you for appearing before the committee. I want to thank you for your insight and your advice.

Before we adjourn, I want to turn the floor back over to both of you if there are any closing comments you want to make to this committee on this issue.

I'll go to you first, Mr. Worthy.

Mr. Ben Worthy: I want to thank everybody for asking me. It's been very interesting speaking with you. Your questions have been really helpful in making me think about this issue more.

I'd go back to something that has come out of this discussion from both myself and the other witness. It's about how freedom of information and open data are increasingly merging. I think we'll see more interesting things happening around Internet-based applications, where people are doing new things with raw data.

The other thing I'd perhaps emphasize is about proactive disclosure. Sometimes there's a gap between the extent to which government thinks it knows what information people want and the actual information that people want. That can be a significant trip-up point when governments are putting out lots of information and it isn't quite the information people want.

Those are my final two thoughts. Thank you.

The Chair: Mr. Sheridan.

Mr. John Sheridan: I would leave you with the observation that what we're seeing here is a transformation driven by the Web, the way in which citizens, officials, and politicians are interacting with each other and using the Web, and a whole new set of possibilities that it is opening up.

What we see around open data, transparency, or freedom of information is part of the zeitgeist that is part of a much deeper shift that we see in society, driven by this extraordinary invention, the World Wide Web, how we're using it, and how it's become an integral part of so many institutions' lives.

From an official's perspective, it's a fantastic and amazing area to be able to work in, particularly the area of open data, as we create this new art of how we disseminate information and data using the Web and all of the wonderful things people will be able to do with that.

● (1705)

The Chair: Thank you very much, Mr. Sheridan and Mr. Worthy. Your evidence will certainly be very helpful to this committee as we move forward on this initiative.

Since there's nothing further before the committee, I will adjourn. Our next meeting is on Monday, March 21, at 3:30 p.m. I want to wish everyone a good break week.

The meeting is adjourned.

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