

**First Session - Fortieth Legislature**  
of the  
**Legislative Assembly of Manitoba**  
**DEBATES**  
and  
**PROCEEDINGS**

**Official Report**  
**(Hansard)**

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**MANITOBA LEGISLATIVE ASSEMBLY**  
**Fortieth Legislature**

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## LEGISLATIVE ASSEMBLY OF MANITOBA

Thursday, May 31, 2012

*The House met at 10 a.m.*

**Mr. Speaker:** O Eternal and Almighty God, from Whom all power and wisdom come, we are assembled here before Thee to frame such laws as may tend to the welfare and prosperity of our province. Grant, O merciful God, we pray Thee, that we may desire only that which is in accordance with Thy will, that we may seek it with wisdom, and know it with certainty and accomplish it perfectly for the glory and honour of Thy name and for the welfare of all our people. Amen.

Good morning, everyone. Please be seated.

## ORDERS OF THE DAY

## PRIVATE MEMBERS' BUSINESS

## SECOND READINGS—PUBLIC BILLS

**Mrs. Mavis Taillieu (Official Opposition House Leader):** I wonder if there's will of the House to proceed to Bill 214.

**Mr. Speaker:** Is there leave of the House to proceed directly to Bill 214? [*Agreed*]

**Bill 214—The Freedom of Information and Protection of Privacy Amendment Act**

**Mr. Speaker:** We'll now call Bill 214.

**Mrs. Mavis Taillieu (Morris):** I move, seconded by the member for Morden-Winkler (Mr. Friesen), that Bill 214, The Freedom of Information and Protection of Privacy Amendment Act, be now read a second time and be referred to a committee of this House.

*Motion presented.*

**Mrs. Taillieu:** I am pleased to introduce this bill and speak to it on second reading today. I'll just explain a little bit about what this bill does. It changes the process by which an access to information request is handled under The Freedom of Information and Protection of Privacy Act.

Now, currently what occurs, Mr. Speaker, as members of this House I'm sure know, is when a request is made for a freedom of information a form is filled out and it is sent to the particular public body or department that information is being sought under. But what this bill does, it improves the transparency and accountability of those requests by making it so

that any request is delivered to the Ombudsman first and then the Ombudsman delivers it to the particular privacy access person within the department that—where information is being sought, and then the public body must provide a copy of the response to the Ombudsman. And in the event that the access is denied, then the Ombudsman has the ability, then, to treat that as a complaint or rule on it immediately to say, well, this is proper. This request should have been denied, or we think maybe this is a request that reasonably should not have been denied, and either send it back to the department to fulfill the request, or if that isn't going to happen and the public body decides that they wouldn't want to do that, then the Ombudsman would refer that to the privacy adjudicator for review, Mr. Speaker.

But I think what actually we want to accomplish with this bill is to just instill a further confidence in the freedom of information requests. And the people that use freedom of information would be people like opposition parties, people like media, private citizens just seeking information from the government, and we want them to be able to get accurate and truthful information without any interference or hindrance, Mr. Speaker. And I think that this bill will provide that accountability framework that would provide some comfort to people accessing information that their information requests are actually being looked at seriously.

Now, I know that in many departments the persons that are signing the access and—I'll say the persons designated as the access of privacy supervisor or officer within a department—sometimes these people are also either assistant deputy ministers or deputy ministers or in fairly high positions within a department. And when we seek information from a department, what happens—and I'm not saying that this would occur in every case, Mr. Speaker—but I think there could be opportunity for moral hazard here. And what by—and what I mean by moral hazard is when a request is made in—to a department for information about the department or information that refers to either the minister of the department or people within that realm, that a person working in that department may feel obligated to provide some kind of protection for their superiors or for their minister because that's part of the job that they do. So on the other hand they are requested as the privacy

and access co-ordinator to actually provide the access to that information. So that's what I mean by opportunity here for moral hazard where a person is put in a position where they're torn both ways, so to speak, (a) do I provide the information that's been asked of me as the access and privacy co-ordinator or officer or as an ADM or DM of a department, it's more my responsibility within this department.

So this, I think, would give a lot of comfort to people put in that position, civil servants put in that position, where if it goes—if the request is coming through the Ombudsman's office and they deliver their results back to the Ombudsman's office that would provide a good framework for which they could all work with and feel free of this—the opportunity, I guess, for moral hazard in these cases, Mr. Speaker. Because what we do see sometimes is there's a lack of transparency and accountability in the requests that go in.

Now, let me just preface that by saying I'm not referring to systematic and vexatious requests, because I know that at times that occurs. I don't think anybody on this side of the House is responsible for that, but I know that at some times there are people that are looking for information and may put in a vast number of requests a variety of different ways, and that's quite vexatious. I understand that and I'm not talking about those types of requests, but I'm talking about requests that, really, people are asking for information.

And there have been incidences where we feel that there has been a very broad interpretation or a very narrow interpretation, I guess, when we're asking for a freedom of information request, and I'll just give you a few examples of that, Mr. Speaker. If we put in a request and the wording—say if we're looking for a document and one word of the title of the document is wrong, we could get denied that information by saying that document does not exist.

\* (10:10)

Where the intent is there, the access and privacy co-ordinator within a department would understand the intent of the request but could—could—say that that document doesn't exist because it's not exactly the wording of the title of the document, Mr. Speaker, and we did see that occur—or a very similar to that occur with the freedom of information request that went to the Manitoba Liquor Control Commission.

Also, Mr. Speaker, we have seen reports that have been sent to us and then a year later we'll get a correction and say, oh, we sent you a freedom of information last year and this is the information that was provided. But now, a year later, we get another—a correction notice saying, well, that wasn't the correct information. And again, that's very difficult to deal with when you get information and you look at it one year and then a year later it comes back, and with a different information on it.

And I—you know, I—as I said, I was talking earlier about morals—moral hazard, about people within departments who may be signing these documents, Mr. Speaker, and I have a very good example of that with a freedom of information request that did go into the Department of Immigration and Multiculturalism, and this was—came back to us. I mean, the information was granted, but interestingly the access and privacy officer was the same person—the assistant deputy minister of the department. So when you have a—in immigration issues that we've been having with the politicization of that department with the Assistant Deputy Minister Mr. Ben Rempel acting on behalf of the government, and, then—now we find out he actually is the access and privacy co-ordinator for that department; it doesn't give us very good confidence in information that we could get, and that's why I'm saying that moral hazard does come into play when information requests are sent into departments.

So I think this goes a long way towards transparency and accountability in the process, and I think a lot of civil servants would welcome this, would find it very useful, so that they know they're reporting their information to the Ombudsman and they have no fear of repercussions from their superiors should they be giving out information from the department. And again, as I said, this provides a very good backup with the Ombudsman looking at anything that's been denied and he or she could act upon that, Mr. Speaker.

I think this is a very good bill about accountability and transparency. I think members opposite should take a very good look at this. I think it's a very good bill for the civil servants—comfort that they would get from this. I look forward to the debate on this, and look forward to support on the bill and moving it into committee.

Thank you very much, Mr. Speaker.

**Hon. Flor Marcelino (Minister of Culture, Heritage and Tourism):** Thank you, Mr. Speaker, and I also thank my colleagues, the member from Morris and the member from Morden-Winkler, for bringing to this House, Bill 214.

Mr. Speaker, Manitobans want us to try and balance the two purposes of The Freedom of Information and Protection of Privacy Act, FIPPA, by providing information to the public and protecting personal privacy. This Manitoba government is committed to the values of openness, accountability and transparency. On September 27, 2010, the Premier (Mr. Selinger) and member from St. Boniface sent a memo to all ministers and deputy ministers underlining, open quotation mark, the importance of providing information to the public in ways that reflect our shared values of openness and accountability and are responsive to the needs of Manitobans, closed quotation mark.

Mr. Speaker, the Information and Privacy Policy Secretariat, IPPS, is responsible for the central administration and co-ordination of FIPPA, which promotes public access information held by government, its agencies and public bodies. IPPS falls under my ministerial responsibilities, and I am proud of our record on access to information. Manitoba has consistently done well on the annual Canadian Newspapers Association audit on freedom of information across Canada. In its most recent report—that was last year, 2011—Manitoba was ranked the most open province.

Yesterday, the Manitoba Ombudsman has released an investigation report under The Freedom of Information and Protection of Privacy Act about a complaint made about a decision to disregard access applications under section 13 of FIPPA. One of the purposes of FIPPA is to allow any person a right of access to records held by public bodies subject to limited and specific exceptions to disclosure. The act imposes duties on public bodies in responding to access applications, including a time limit of 30 days for responding in writing to every application received. Amendments to section 13 of FIPPA, which came into effect on January 1st, 2011, balances the—balanced the right of access with the responsible exercise of that right. Subsection 13(1) allows a public body to disregard an application in specific circumstances permitted by law.

In this case, an applicant submitted 161 access applications to a municipality on one day. The municipality relied on certain clauses in section—

subsection 13(1) of FIPPA to disregard the applicant's requests. As a result, the applicant made a complaint to the Ombudsman. This complaint represents the first time that the Ombudsman has investigated and made findings about a decision to disregard requests.

Under FIPPA, each department is responsible for handling requests. Departments work hard to fulfill their duty to assist applicants, respond in a timely manner and provide clear explanations of decisions. And I would like to add, Mr. Speaker, that here in Manitoba, when a public body receives an access request, it does not charge for any search or preparation work that can be completed within two hours. We are one of only four provinces in Canada which practises that. Alberta charges \$25 to apply for the cost of the search. Now, let's see how much those two hours would cost if one were making a request in Alberta. It costs \$25 to apply, and let's say for simplicity that each hour of the search costs \$25. So for a search that would take two hours to prepare, the cost in Alberta would be around \$75, whereas in Manitoba there is no charge.

Even if we don't go into figuring out the cost per hour, I think it is an important point to make that in Manitoba it cost nothing to make a FIPPA application. I think that highlights one of the core values of the FIPPA here in Manitoba, which is openness.

In cases of a large request, a public body may consider charging a fee; however, all public bodies are encouraged to work with applicants to see if their request can be clarified to reduce or eliminate the need to charge fees. Also, an applicant who receives a fee estimate can apply for a fee waiver, and still, if an applicant does not agree with the decision, they can make a complaint to the Ombudsman's office. Now, if this was in Alberta, besides paying your \$25 application fee, you're expected to pay in full for your record before it will be provided to you, and if the total cost of processing your request is more than \$150, you're asked to pay a 50 per cent deposit.

\* (10:20)

Mr. Speaker, the Information and Privacy Policy Secretariat monitors recommendations made by the Ombudsman to support their implementation. The Information and Privacy Policy Secretariat works with executive and government departments to improve the processing of access to information requests and holds regular meetings and training events with FIPPA co-ordinators and officers.

My department continues to research and explore additional opportunities for increased proactive disclosure. The Manitoba government proactively releases ministers' expenses on an annual basis through departmental websites. Ministers' out-of-province travel expenses are released on a quarterly basis. Additional examples of proactive disclosure in Manitoba include the online release of orders-in-council, *Hansard*—the daily record of the proceedings of the Legislative Assembly—bills, legislation, news releases, and the access to information weekly listing, detailing the access to information requests received by government departments. I think we can all agree that making what proceeds in this House readily available to the people of Manitoba makes us all better representatives of our communities.

Mr. Speaker, the freedom of information and privacy act promotes public access to the information held by government, its agencies and public bodies. We provide a large amount of information to citizens through other important channels, including the phone, the Internet, and in person. We will continue to look for new opportunities to improve transparency and increase the amount of information to citizens. In 2011 government departments and agencies responded to 2,119 access requests. That's up 1,566 requests, or 283 per cent since 2000, when only 553 requests were filed.

Also, Mr. Speaker, Manitobans access information from the Province all of the time. In the 2010-2011 fiscal year, more than 62.8 million files were downloaded from government websites during 10.6 million visits to government websites. Nearly 80,000 inquiries went directly to Manitoba Government Inquiry.

Mr. Speaker, our department is committed to FIPPA and has worked closely with government offices and agencies to promote the administration of the act, and Manitoba government has been encouraging departments to think of ways they can make more relevant and timely information easy to find, and eliminate the need to go through the formal FIPPA process.

About the Ombudsman's decision to disregard access requests, I think, Mr. Speaker, it strikes the right balance in supporting an individual's right of access while meeting the public's expectation for the careful management of government resources. I think that highlights another—

**Mr. Speaker:** Order, please. Order, please. The honourable minister's time has expired.

**Mr. Cameron Friesen (Morden-Winkler):** Mr. Speaker, it's my pleasure this morning to rise and speak on Bill 214, which is The Freedom of Information and Protection of Privacy Amendment Act, and I thank the member for Morris (Mrs. Taillieu) for introducing this important bill.

And, as I said, it's—I'm pleased to be able to speak to this issue this morning, and I—I'm—it's been interesting to already hear the presentations that have been made. We know that this bill is designed to improve transparency and accountability in the process, and it goes to maintaining the integrity of our democratic political institutions.

*Mr. Rob Altemeyer, Acting Speaker, in the Chair*

It's an important bill and one that I think would bring a necessary correction. The member opposite spoke about the need for balance, and I, on that point, I agree with the member, and I would suggest that it's important at this juncture in the interest of balance to make changes, to look hard at the system that's currently in place and ask questions as to whether it is functioning the way it was intended to. And if that is not the case, what would represent a reasonable adjustment to bring it back on track? And I believe it's exactly Bill 214 that would bring a reasonable adjustment, an important overhaul in the apparatus to providing information to Manitobans.

And as the—as my colleague has already mentioned, this bill changes—it changes the process by which an access to information request is handled under The Freedom of Information and Protection of Privacy Act, and what it would do is it would improve confidence in the actual process.

Who is it that files a FIPPA request? Who is it that requests the information? It's opposition parties. It's media sources. It's private individuals. It's third-party groups. And it's imperative to have access to the information in the interest of keeping government accountable.

And, Mr. Speaker, basically, this bill would change the process in order to make a request deliverable to the Ombudsman, who would then deliver it to the public body; and second, it would require that the public body provide a copy of its response to the Ombudsman, and if the access isn't provided, the Ombudsman must treat the matter as a complaint; and then third, it provides a mechanism by which the Ombudsman can recommend action

when the public body refuses to take action, that the Ombudsman can ask the Information and Privacy Adjudicator to review the matter. And I would suggest this morning that these are reasonable suggestions and they are important ones that would improve the system that's currently in place.

With respect to complaints, basically, it's the case that when requests are made, an agency of government is required to provide the information within a specified time period, and that time period is 30 days. And it's the case that it—that certain departments can be notoriously slow in providing information, and that is a concern to all people. As a matter of fact, just recently, it was published that one department was responding to FIPPA requests within the prescribed time frame only 30 per cent of the time.

And that isn't acceptable, Mr. Speaker, not only to us as an opposition party, but it shouldn't be acceptable to Manitobans.

So we know that departments can respond slowly. We know that departments can refuse to provide access to a record at times. At other times, they can refuse to confirm or deny existence of a record, and all of these are troublesome. But we also know that, in certain cases, a department can charge an exorbitant amount or—and I can provide a recent example of exactly where this took place with respect to Infrastructure and Transportation.

And the members of this House will recall that not too long ago, the *Winnipeg Free Press* was notified that a response to a simple FIPPA request they made was going to cost them \$1.9 million to disclose. Mr. Speaker, that's not reasonable. As a matter of fact, that sends a huge message to groups that there isn't a willingness to comply. There is an actual intent to not comply.

And, of course, in this particular situation, as we understand, when the issue was revealed to the public and when there was media attention brought to bear on the situation, well, at that point in time, the government withdrew its request for the \$1.9-million fee that it said would be necessary to satisfy the request for information. And I recall that the minister stood in his place and he was pleased to report that now, actually, his department could provide the information for free. And, Mr. Speaker, that's just one example of the kind of thing that can take place.

\* (10:30)

You know, when I look at the actual freedom of information and protection of privacy act, the very first purpose of the act is stated as: to allow any person a right of access to records in the custody or under the control of public bodies, subject to the limited and specific exceptions set out in this act. And we have to ask, is that actually being accomplished? Are people able to get access to records? And so, this legislation, you know, the legislation itself aims to disclose information. So we have to ask ourselves, are we able to get the information that's being requested?

As my colleague has suggested, the—a potential conflict of interest arises when an individual is compelled to supply information that could have a negative consequence on their organization or on their department. And, as we know from this session and previous, this government has a poor record of responding to requests this way. And so we have to ask the question, who is actually handling these requests within a department or within an organization?

And, as my colleagues mentioned, within department there's a privacy officer, and that privacy officer is charged with the responsibility of responding to these requests. Now, I want to make clear this morning that within departments we have people who are conscientiously looking at these FIPPA requests, and they are researching and getting the information and they're presenting it. And I've been impressed, as a new member of this Legislative Assembly, with the quality of their work. But the privacy officer is the one who's charged with the responsibility of issuing—of managing that request. And I would suggest that, in cases, that privacy officer is acting as a screen or a filter, and that is not beneficial to the well-being of our democracy, and it certainly doesn't improve the process by which information comes available.

Those privacy officers could be assistant deputy ministers, or other high-ranking positions within a department, and if they are working to not allow that information to come forward, that's not in the best interest of Manitobans. As a matter of fact, I would suggest, exactly as my colleague has, that's there's the opportunity for moral hazard here; whereby, on one hand, that privacy officer is weighing their obligation as set out in the freedom of information and privacy protection act, and, on the other hand, they're thinking about the implications of providing that information on their department, on their minister, and it puts them in a difficult position. And

so, matters with distinctly political implications are subject to being stifled, and there's a gatekeeper approach.

It's because of that, Mr. Speaker, that I believe that balance is necessary. It's necessary to restore balance, and that's exactly what this bill would do. It would call on government to overhaul the apparatus. It prescribes an important remedy whereby that privacy officer would not be put in the place where they would have to choose between responding to the request and protecting the interest of their bosses. There wouldn't be any fear of reprisals in this case.

So, Mr. Speaker, this bill sets a higher standard. I believe it's in the best interest of Manitobans. I believe that it's in the best interest of taxpayers and all citizens, and that this bill is necessary to—in order to keep governments accountable. Thank you.

**Hon. Kerri Irvin-Ross (Minister of Housing and Community Development):** It's a pleasure to stand up and put some words on the record regarding the freedom of information and protection privacy process that we have here in Manitoba, one that has been acknowledged as being open and transparent, responsive to requests, meeting the demands. And, as you heard the Minister of Culture and Heritage and Tourism speak, the demands are great.

I had the privilege of being the legislative assistant for the minister of Culture, Heritage and Tourism and Sport in 2003 to approximately 2006. And during that period, I had the privilege of travelling around the province and talking to Manitobans about how they felt about our FIPPA process, the legislation—how it was working. And we had open dialogue with Manitobans in Thompson, Brandon, and Winnipeg. And we also had a white paper which was distributed and people could submit their responses to us as well.

What we heard is that the process was accessible, that there was interest in improvements to the legislation, and I'm very proud to say that those improvements were made and proclaimed last year, which strengthened our FIPPA legislation and provided better access to our government information.

And what the new law accomplished was it created a privacy adjudicator with the power to make binding orders and a new independent officer of the Assembly. It changed how long Cabinet documents are sealed from 30 years to 20 years. It required that ministerial expenses be tabled and posted online

annually, protecting negotiations between band councils and the Province. This is similar protection that is already in place for information related to other governments: municipal, provincial and federal.

The information in the Privacy Policy Secretariat is working with Civil Legal Services to create resources that will help government staff and local public bodies who work with FIPPA understand the changes to the act. We listened to Manitobans; we made those changes to ensure that we continue to be transparent, open and accessible.

We had—in 2011 there was a report, the annual Canadian Newspapers Association audit on freedom of information across Canada, and it's—in its most recent 2011 report Manitoba was ranked the most open province. Manitoba was one of only four—Manitoba was only one of four provinces that did not assess a fee to respond to requests.

We have FIPPA co-ordinators and officers in each of our departments that work with the applicant and try and get the information that is necessary. But it's a balancing act for our government. We're trying to balance providing information to the public, but also protecting personal privacy. And I know that the members across the way are interested in protection of personal privacy. And we need to make sure that as we proceed and administer the process of FIPPA that we are working with the applicants, we are providing them with the information.

We know that in 2011 the departments and agencies responded to over 2,000 requests. That's up from 15,000 requests since 2000 when only 553 requests were filed. In the 2010 and 2011 fiscal year more than 62.8 million files were downloaded from government websites during 10.6 million visits to government websites. Nearly 80,000 inquiries went directly to Manitoban government inquiry.

We're encouraging departments to think of ways that they can make more relevant and timely information easy to find and eliminate having to go through the FIPPA process, but yet again, making sure that we are balancing the freedom of information and protecting privacy.

We'll continue to listen to Manitobans as we proceeded. I am proud of the work that the departments are doing to ensure that information is accessible to all Manitobans, and I'm sure we'll continue to move forward.

Thank you.



**Mr. Ian Wishart (Portage la Prairie):** It is a pleasure to rise and put a few words on the record in regards to Bill 214, introduced by my honourable colleague from Morris, The Freedom of Information and Protection of Privacy Amendment Act.

Now, this is certainly something that is a basic principle of democracy. There is certainly a need to balance the need for information from public benefit with the need for privacy issues. And I think that this bill provides a tool to help do that. I do recognize that the—my colleague across the way made comments about the changes that have happened recently, and that was a step in the right direction, I suspect, but I would encourage them to support this bill so that they would move a little further in that direction.

Manitobans deserve to feel confident that their FIPPA process provides them with accurate and truthful information and does it in a timely manner and is not subject to any editing or political spin in the process. This bill will certainly take a step to remove that risk and remove some of the potential moral hazard or political interference that could exist today in the FIPPA process.

\*(10:40)

There are many groups that like to use the FIPPA process to get information; opposition parties are one of the obvious ones, but lobby groups, such as the one I had the pleasure of representing before I entered this honourable House, also use them quite frequently and do find the process as it existed not only slow and time-consuming, but extremely expensive. And many of the lobby groups do not have very much for resources in terms of finding this information. And yet, they need this kind of information to function in a credible manner and to give the government of the day, whoever that might be, good advice. You need good information to give good advice. So certainly, in some regards, the government is actually its own worst enemy. It does not allow them the opportunity to get good information out there to the groups that could provide them—have the insights to provide them with good information.

This lack of transparency, of course, crosses many departments, some far more open than others. But often the ones that were looking for the most detailed information are the ones that are the slowest to provide information and, often, in unrealistic costs. The example's already been given about the Department of Infrastructure trying to hide—

underwrite huge bill to a media outlet, a \$1.9-million bill, which was the equivalent of putting someone's career on providing that information. So it would take 30 years of staff time to dig out that information at that value. That's an—a fee that is unrealistic and, of course, if you're in a position like the media outlet is to make a little bit out of that, then very soon you can get that waived. I suppose, looking back, maybe we should have done more of that, brought out what the fees were and maybe we would have been able to operate at much lower costs had we been able to convince the government to waive these fees far more often.

We've also seen the example as it relates to the Jets tickets, because 'freedom' of information requests went forward to MPI and anything that we got was related to the board of directors' use of the tickets, was buried under employee recognition. Well, that's not really what I—I recognize that they are employees of the corporation, but the request was fairly specific as to board members, and that has been buried.

Now, that may work in terms of the media and it may work in terms of this House, but I know that Revenue Canada, who looks at this as a taxable benefit whenever anyone is given tickets by a corporation that they work for, probably isn't going to accept that as an argument. And I suspect that there's a lot of scrambling going on now, the re-filing of T4s from the previous year because people actually didn't get accurate information.

**An Honourable Member:** You got to go back three years.

**Mr. Wishart:** I know. Of course, we didn't have the Jets three years ago, so it would only have to go back one year.

Department of Health is also been known to give out wrong information and then not correct it for many, many months afterwards. And the quality of the information, actually, I think, has a direct bearing on whether people have much level of confidence at all in whether this whole process is working. So certainly that is something that we need to be very, very concerned about.

Now, the conflict of interest process that I mentioned earlier is fairly frequent for the privacy officer in any particular department to be the one with the most political connections and most political experience. And, of course, very often that means that they're there to protect the interests of not only the department, but that specific minister. And that is

not always in the public pros—public's interest. Certainly we expect to see an independent person do that, and we have expressed in the past some concerns about how independent the bureaucracy is anymore. And I think this just provides an additional area of risk in terms of getting a good job done all across the board.

Be—to be clear, I know that many civil servants who are assembling the information are working very diligently, very hard, and trying to keep it in line with the timelines. But the whole process seems to break down once they have done their work and pass it on to their so-called political masters to see what goes forward and what gets not released. And, in many cases, you get a document with an awful lot of it blacked out, usually the most relevant sections. Then you wonder, really, why you have spent the time and effort as an individual or as a group or as a member of this House to put these things forward, because they do not necessarily provide you with the information you sought.

We heard also, a little earlier, the comment about having the wording absolutely, exactly right. It's to the point of absurd. Really, if you don't have quite the right wording you will get a rejection. Such a document does not exist, when you know full well that the content that you're looking for does exist in some department, perhaps with one word or the other changed, not necessarily in a rational, common-sense terminology, so you have to dig even further and it takes even longer to get to the bottom of the question you're looking for.

Certainly, it's valuable, too, to have a backup mechanism to ensure—because I know I've filed many that have been rejected over the years. It's a learning process for those of us that started in another area of doing this; you get a lot of rejections before you tend to find out exactly how to word things and exactly how the process has gone. And it certainly would've been a very useful process, to have someone in the Ombudsman's office to speak to, have someone there that can actually help you alleviate the process, and make sure you're getting what you wanted in a timely manner.

So I guess in summary, Mr. Speaker, I am pleased to support this bill. I would certainly encourage the government of the day to look very hard at this because I actually think by blocking the—access to the—to quality information, you are interfering with your own ability to govern. I think it's to an advantage; I know that often you are

probably buried in requests that are not always of the most positive, constructive nature, but there are a good number that come forward that are with the right intent, trying to get the right information so that they'll be—those people or those groups will be in a position to give you good, quality advice based on sound information.

Thank you for the opportunity to speak on this, Mr. Speaker.

**Mr. Dave Gaudreau (St. Norbert):** Mr. Deputy Speaker, I'm pleased to rise today and speak a little bit about 214. I just have some questions for the member who's—from Morris who's proposing this. She's saying that there's a change in process, and I'm curious as to why because the—we're rated No. 1 right now in the freedom of information in this—in the country.

So, you know, with 62.8 million files being downloaded, 10.6 million visits to the government website, 80,000 requests from information being given and 2,119 access to information—freedom to information asks, it seems to me that we are being very transparent in all of this.

The member suggested that we need to instill confidence. I think that we have done that by achieving a balance, that we've instilled confidence with people, that the process works well and properly and has protocols, and is protected so that people's information is not given out without the proper channels being followed.

The member from Morden—sorry, from Portage la Prairie suggested that, you know, we're looking at streamlining it a bit. But I think that if you streamline it too much—and the wording he was mentioning is something that is of concern to him, that if the words aren't exactly right. Well, if the words aren't exactly right, you could be giving out information that isn't meant for that person and then opening up the province to a lawsuit and liability because we're giving out information. Because if they don't supply the right wording and the right information exactly right then we might—then the department might say, oh, it looks like this one and give it out to the members opposite or to somebody else and open up the department and the province to a liability, and I'm sure that the members opposite wouldn't want the province to be opened up to that kind of liability.

So, you know, the staff is required to protect information, you know, that's part of what happens and the independence of the Ombudsman—if we

made them the head person on this, it jeopardizes the independence. Right now, the Ombudsman is totally separated from this process. If we had the Ombudsman take over this process, then who would the appeal go to in the event that something was—that somebody didn't get the information they wanted or they weren't happy with the information? They would have to appeal to the person who actually denied them in the first place? It—the system works as set out because it's laid out properly. There's an appeal mechanism, and we've rated No. 1 in the country. I don't know what more we could ask for. You know, being No. 1 to me would seem like we're the best. So why would we want to change it and possibly open up the government to a possible lawsuit?

The member from Morris herself says that there's systematic and vexatious claims that can be made. Well, right now there's a way to handle that. The department can say it's vexatious and there's, you know, 161 claims made by the same person in a day and that can be handled, then that person has the right to appeal to the ombudsperson or the Ombudsman if they decide to.

\* (10:50)

If we go the other way, those vexatious claims, they could tie up the Ombudsman for years and, you know, I mean, I think it's kind of interesting that the members opposite, you know, they criticize us about our budget and they criticize the fact that departments have the staff that they do—even though we have a lot of vacancies right now and that we're looking at budgets, you know, and being very careful with our staffing complement. And then they're saying, well, it takes time. It—you know, these claims are only being processed at a certain amount of time and we wish we could get the information faster.

I'd like to know the solution, because they're saying it should be faster; we should have more of it. Well, to do that you need more people to process the claims, as we've seen, 253 per cent—or 283 per cent, sorry—increase since the year 2000 in claims. And I don't think it's going to go down any time soon, the members opposite seem to be very busy writing their requests. So if it doesn't go down and it goes up, and yet we're not hiring more people, how are we supposed to handle these claims? So it's a very interesting balance, and I'm asking the members opposite, I guess, what the balance would be for them? Would they like to see us hire more staff? And, I guess we'll have a vote on that and then see if

they support that issue that we should be actually hiring more staff because, if I recall, they voted against our budgets and they voted against all the staff that we've, you know, that we've been doing and all the processes that we have in place.

So the member from Morris admitted that her information was granted in the case that she was looking for against the Immigration Department. I'd like to know—once again, if that information was granted the system seems to be working. If you're—if they're granted the information, then there seems to be no problem. I think that removing the steps that we have now and trying to put all the pressure into the Ombudsman's office is the wrong move for this. You know, I've—would the member opposite like to see more vexatious claims going through, overwhelm the department with thousands more claims causing the government to have to hire more people, more staff to process these claims? Because I'm sure we would hear from members opposite that, you know, the claims that come forward in the event that we do do this process and get rid of that and allow all these vexatious claims would create more of a backlog. So I'm sure that they would be complaining that we have a backlog. So I don't understand quite the thought process on it.

The member from Morden-Winkler was saying that we need to adjust the system to make it function better. But as I said, there's 2,119 requests made, 62.8 million files downloaded, 10.6 million visits to the website and 80 million requests directly to the government for information. Seems to me that people don't have a problem. Considering Manitoba's population is 1.5 million, you're looking at, you know, a lot of information requests—80 million requests to the government direct. That's a lot of requests per Manitoban. So I think that people are getting the information that they require. Seems like there's no problem with the flow of information, Mr. Speaker.

The members opposite want the deep cuts, as I was speaking, to the public service, yet faster turnarounds. I think that it's interesting when—I guess, when you're in opposition, it's easy to say that, you know, you're not doing this right. Hire more people. But then you hire more people and that's too much money. It's very interesting that they can do that. You know, but being in opposition, I guess, affords them that thing.

Seems like they have been very busy, Mr. Speaker, with all the requests for information, and

from the sounds of it, the members opposite have admitted that they have been able to get the information as requested. So, once again, I'm not quite sure what the problem would be if they're getting the information and the information's flowing properly, then it seems like we don't have an issue.

You know, the member from Morden-Winkler was saying about having independence and saying that moral hazards are brought up when you have the system, but I think a moral hazard would be brought up if we created an Ombudsman who was also to rule on his own ruling. I think that's a moral hazard for that ombudsperson. And I think that it's—I think that the danger there is that we don't create an independent body and we should have an independent body to look at claims that are denied because maybe there is a reason. Maybe, as the members opposite said, that there's some wording that has to be adjusted, and then they go on from there. But I definitely don't think that we should just open it wide up to include one word and have that word open up all of the claims involved, because there's a lot of personal information out there and us as a government are entrusted in keeping that information. And I think that it's very important that we keep that information unless it's properly asked for and goes through the proper channels.

You know, the claims from the members opposite saying lack of transparency, I think that that, Mr. Speaker, is kind of a funny claim by them. I mean, we don't have lack of transparency. If anything we have more transparency than ever. In 1999 we made claims for freedom of information acts and, you know, they denied them for people on surgical waiting lists, saying that the information did not exist. So, you know, what's transparency?

You know, and then the member opposite spoke about hiding this in a—the department and stuff and hiding it in a huge bill. I think that if anybody knows about huge bills, it would be the member opposite, because in Ottawa they just did the same thing—hiding the EI changes in a huge bill that took a forklift to carry it to the Hill, Mr. Speaker. I think that, you know, if we're going to talk about hiding bills, you know, that's what we're—that's what we should be talking about is the giant changes that are going to affect every Manitoban in the end in a system that we pay for into the EI system.

*Mr. Speaker in the Chair*

You know, and the member opposite suggested that employees shouldn't get recognition. I think that

in a private company, employees are awarded recognition; private employers, I know many of them have Jets tickets and other tickets to events that they award their employees. Why should employees, you know, working in a store somewhere not be rewarded for their good, solid behaviour and their attendance and, you know, their performance in the workplace? I think that there's no difference from a private company to a public company. And I really find it frustrating from the members talking about transparency and the lack of transparency. We tabled our list. We tabled our list from everybody from A to Z from whatever company, from whatever thing, on our side of the House, who gave and got Jets ticket from whatever way it was. The members opposite have yet to table their list—a full list from all of the companies involved. So we're talking about transparency; I think it's funny that the members opposite want to talk about transparency.

You know, I think that on the right to know—and you know that we have the best system in the country—we shouldn't change it, because it's been rated the best system. There are, you know, maybe some things that we can work on in the system, but overall it works. It has an appeals process. And I don't understand why the members opposite would see fit that we would change something that works so well.

So with that, I'd like to thank you, Mr. Speaker.

**Mr. Jim Maloway (Elmwood):** I'm very pleased to get my—I don't think I'm going to get my 10 minutes this morning on this issue, but I understand we're having a resolution coming up at 11 o'clock. so I'll be able to finish my speech during the portion of the resolution.

I thought the previous opposition member made some comments when he was speaking to the bill that I did want to make comments on his comments. And that is, he was suggesting somehow that the bureaucracy was not, you know, independent. There was a question about independence of—in the bureaucracy.

And I want to point out to him that it was the Gary Doer government in 1999 that was the very first government in history—some of us didn't agree with it—that, actually, didn't fire anybody. You know, in the past when governments changed in this province, like a lot of other provinces, you had, you know, hundreds and hundreds of civil servants were summarily fired, replaced. Boards and commissions were totally replaced when governments changed.

But the government of Gary Doer was the very first government that didn't fire anybody out of the boards and commissions; he simply let their terms expire. They let their terms expire, it took a whole three-year cycle to replace the members of the board. We—Gary Doer government didn't do what Sterling Lyon did and summarily fire hundreds and hundreds of people. We simply let the civil servants stay there, and they would be, you know, replaced as their terms came up and as they retired.

So, I think the member was being a little bit unfair on that point. For example, political parties have appointed returning officers since the beginning of time. It was the NDP government under Gary Doer that gave up that right, and gave the right to appoint returning officers to the elections commission. So, you know, the member shouldn't somehow suggest that things are the same as they were in—under previous Conservative governments, and there have been a lot of other big improvements since the NDP have been in government.

And it's been recognized, by the way, that our record on access to information has been recognized, by the Canadian Newspapers Association audit on freedom of information, across Canada; in its most report, Mr. Speaker, they state that Manitoba was ranked the most open province in the country. So I guess the members opposite, you know, haven't got around to reading that particular report.

**Mr. Speaker:** Order, please. Order, please.

When this matter is again before the House, the honourable member for Elmwood will have seven minutes remaining.

### RESOLUTIONS

**Mr. Speaker:** It's now time for a private member's resolution, being it's 11 a.m., and the resolution before us this morning is the one brought forward by the member for Morris (Mrs. Taillieu) titled Freedom of Information Request Fairness.

\* (11:00)

**Mrs. Mavis Taillieu (Official Opposition House Leader):** House business, Mr. Speaker.

### House Business

**Mr. Speaker:** On House business.

**Mrs. Taillieu:** Yes, on House business, Mr. Speaker.

In accordance with rule 31(9), I would like to announce that the private member's resolution that

will be considered next Thursday is the resolution on Manitoba Hydro Financial Stability Review, brought forward by the honourable member for Midland (Mr. Pedersen).

**Mr. Speaker:** It has been announced that, in accordance with rule 31(9), that the private member's resolution that will be considered next Thursday is the resolution on Manitoba Hydro Financial Stability Review, brought forward by the honourable member for Midland.

\* \* \*

**Mr. Speaker:** Now it's time for resolution, brought forward by the honourable member for Morris, titled Freedom of Information Request Fairness.

### Res. 9—Freedom of Information Request Fairness

**Mrs. Mavis Taillieu (Morris):** I move, seconded by the member for Spruce Woods (Mr. Cullen):

WHEREAS the citizens of Manitoba have a right of access to records held by public bodies under The Freedom of Information and Protection of Privacy Act; and

WHEREAS the provincial government's poor record in complying with time requirements has created barriers in accessing information; and

WHEREAS the provincial government hides behind unreasonable fee requests when it does not want to share information; and

WHEREAS in April 2012, the *Winnipeg Free Press* requested access to records from the provincial government and was assessed a fee estimate of \$1,881,669 for access to that information; and

WHEREAS the provincial government suggested that it would take staff approximately 63,000 hours of work to produce that requested information; and

WHEREAS in the face of negative publicity, the provincial government decided to waive the nearly \$1.9-million fee for access to that information; and

WHEREAS the citizens of Manitoba have raised concerns about the provincial government's conduct in providing access to information under The Freedom of Information and Protection of Privacy Act; and

WHEREAS the citizens of Manitoba have a right to expect transparency and accountability from their provincial government.

THEREFORE BE IT RESOLVED that the Legislative Assembly of Manitoba urge the provincial government to improve response times and the adequacy of records prepared when fulfilling requests for information under The Freedom of Information and Protection of Privacy Act; and

BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba urge the provincial government to adopt consistent and fair practices and provide all records requested under The Freedom of Information and Protection of Privacy Act free of charge.

**Mr. Speaker:** It's been moved by the honourable member for Morris, seconded by the honourable member for Spruce Woods:

WHEREAS the—dispense?

**Some Honourable Members:** Dispense.

**Mr. Speaker:** Dispense.

**Mrs. Taillieu:** I think this is another very important resolution, because as I've heard members talk in this House, they—I—clearly, they do not understand the concept of why this legislation was brought in under Conservative government and, clearly, what has happened over the time of the NDP, Mr. Speaker.

When this legislation was brought in, Mr. Speaker, it was to provide access. It was to be open and accountable. It wasn't to hide information and force people from the public to put in requests to get information. The whole idea behind freedom of information was to be open and accountable and accessible and instill some confidence with the government. That's why the Conservatives brought in freedom of information in the first place.

So I find it very strange when members talk about how good they are in complying with FOI responses, because if there was accountability there wouldn't be all these requests for freedom of information; the information would be out there already. It's because this government is so secretive about hiding all the information that there's a request—there's more and more and more requests for information. And when they say, oh, when you get a request that supposedly is going to cost \$1.9 million and take 63,000 hours of work time, Mr. Speaker, my goodness. If this information is there, why aren't they putting it in available places where people can find it so they don't have to do all this?

The whole idea is: provide the information, be open and accountable, do not hide the information.

And then you don't have the requests and then you don't have to think about putting more people, as somebody suggested, to do the work, because there wouldn't be the work, Mr. Speaker; it wouldn't be necessary. It's just unbelievable when you can see a request go in for almost \$1.9-million fee to provide that information and then, miraculously, after getting negative publicity about that, they provide it for free. So obviously the information was there and it didn't take 63,000 work hours to do it. It was there. They were trying to squelch the information; they did not want that information to go out.

And we've seen this in other instances as well, Mr. Speaker, where we've put in requests for information and it comes back with exorbitant fee charged to get the information. That is absolutely ridiculous. On further inspection we find, oh, well, maybe we could give you some of it, oh, change the wording. Exactly what I was speaking to previously, is specific wording can change and they can hide behind that. They can hide behind the specific wording to say, that doesn't exist. Whereas, in fact, they know the intent of it; they know the intent, so they know that the information is there, they know what information they've been asked for and they hide behind excuses to not provide it.

There's a lot of citizens concerned about getting information. The government admits it themselves about how much information people have been trying to access from them. They admit all of those numbers—they said today, a—thousands of documents having to be accessed. If they were open and accountable in the first place, they wouldn't have to do that. They wouldn't have to seek freedom of information to go and get the information; it would be provided openly to them, Mr. Speaker. And that was the intent under this legislation, that that's what would happen.

Now, thousands upon thousands of freedom of information requests go in and are denied—first of all, I'll say, delayed. Let me say, delayed, because there is a requirement to provide the information within 30 days. How often do we get an information request back in 30 days? Well, not very often, Mr. Speaker. Not very often. That is delayed. And there's a reason for delay in many cases, because there's a reason why we ask for information for a specific time and there's a reason why the government wants to delay that information, because they want to get past a certain day—date. So we understand what they're doing; we understand exactly. There is a delay and there should be more openness.

First of all, as I say, there shouldn't be these—this demand and this pent-up demand, I suppose, to get information from this government—it should be available. But when it is requested from the government, it shouldn't be hidden; it should be provided within the 30 days.

And then the other—next thing that comes along is, well, we could provide it for you, but it's going to cost you all this money. Well, of course, when you talk to people in the public and they are required to pay \$1,000 to get information, which is public information—the people of this province deserve that information, why should they have to pay for that information? And then miraculously, if there's negative publicity about that, oh, well, maybe we can provide it, and maybe we can provide it within the week, Mr. Speaker. Not 33,000 hours of work, not 10 hours of work, but, simply, within the required two hours of work, which is a—under which, within two hours, it is given freely.

And the members opposite want to crow about how good they are about providing the information. Well, it's so—again, this shouldn't have to be in the position where requests come in. It should be have done in this right openly in the first place, Mr. Speaker, which was the intent of the legislation.

But even some information that has been provided to us, in 2011, only one public body—one public body—reviewed by the Ombudsman, scored 100 per cent on performance. Only one in this whole province, Mr. Speaker, and there's literally hundreds of public bodies and departments within the government that requests are filed with.

\* (11:10)

Another example: Manitoba Hydro scored 41 per cent—41 per cent—in overall FIPPA response or overall FIPPA performance, and 18 per cent in timeliness—18 per cent. That illustrates my point, where a lot of these requests that go in and are to provided—to be provided back within 30 days, are not provided back within the reasonable time frame that has been set out in legislation. When you put a 30-day limit into the legislation and then you consistently—consistently—go over that, Mr. Speaker, there speaks to something wrong with what is going on in government, where they're not following their own legislative guidelines.

But as I said, the access to this information is a public right, and I have always been an advocate in this Chamber of protection of personal information

and I respect that. But I feel that what members opposite are hiding behind in their departments is a very broad brush with the word "privacy." Because when you use that term "privacy" everybody goes, oh, can't give information, it's private. And I understand that, if it's private personal information, but what this government is doing is hiding behind a broad umbrella word called "privacy" and not making the appropriate interpretations of what the legislation says. That is a very big issue with this, Mr. Speaker, not understanding their own legislation and what the wording actually means, and then trying to hide behind it.

Certainly, providing access to information in a timely manner and free of charge—why should people have to pay for this information? Well, perhaps the roadblock's put in place by the government are there to actually charge people for the information to raise money. Is that the intent? Put a roadblock in, don't give the information, but we could provide it for you if you paid for it. Is that the way they're trying to raise money? That's absolutely absurd, Mr. Speaker, especially when they can turn right around and provide information when they get a negative response.

A \$1.9-million fee for access to information, 33,000 hours of time, and then, miraculously, overnight, it changes. They provide it for free and they provide it within a reasonable time period. That just speaks for itself about the will—the will—of the government—the will of the government is to hide and charge instead of being open, transparent and accountable, and that's what this resolution does. I hope the members will support it.

Thank you very much.

**Hon. Flor Marcelino (Minister of Culture, Heritage and Tourism):** I thank the member for Morris for bringing the private members' bill.

I would like to take this opportunity to provide some clarification on fees related to processing applications for access to information under The Freedom of Information and Protection of Privacy Act.

There have been a number of issues related to fees that may be assessed when processing applications for access under FIPPA. When a public body receives an access request it does not charge for any search or preparation work that can be completed within two hours. For larger requests a public body may consider charging a fee. All public

bodies are encouraged to work with applicants to see if the requests can be clarified to reduce or eliminate the need to charge fees. An applicant who receives a fee estimate can apply for a fee waiver. If an applicant does not agree with the decision, they can make a complaint to the Ombudsman's office. We believe this strikes the right balance in supporting an individual's right of access while meeting the public's expectation for the careful management of government resources.

Mr. Speaker, the FIPPA regulation provides that when search and preparation fees will exceed two hours, a fee of \$15 for each half hour in excess of the two hours may be assessed.

And as I mentioned earlier, in Alberta, right away, if you file for—if you request for a search, FIPPA, right away, even without the clock ticking, you pay \$25.

When providing an applicant with copies here in Manitoba, copying fees of 20 cents for each photocopied or computer-printed page, 50 cents for each from a microprinter, and the actual costs for any other method may be assessed. An applicant is not required to pay for copies of his or her own personal information when the total fee is less than \$10. When computer programming or data processing is required, the FIPPA regulation sets the fee at \$10 per 15 minutes. When the public body determines that an applicant is required to pay fees for processing an access request, the applicant must be provided with an estimate of the total fee.

Mr. Speaker, due to FIPPA's requirement for public bodies to make every reasonable effort to assist an applicant, it may be beneficial for the public body to have discussions with applicants to clarify, modify or narrow the scope of their requests, thereby reducing or eliminating the assessment of fees.

Under FIPPA, the applicant has a right to request that the head of a public body waive all or part of fees payable. The head of a public body may waive fees if satisfied that the payment would impose an unreasonable financial hardship on the applicant, the request relates to the applicant's own personal information, or if the record relates to a matter of public interest concerning public health or safety of the environment. If an applicant feels that any decision relating to fees is unreasonable, they have the right to complain to the Manitoba Ombudsman.

Mr. Speaker, my department is committed to the freedom of information and privacy protection act

and has worked closely with government offices and agencies to promote the administration of the act through training sessions for co-ordinators from the government departments and various public bodies. The Manitoba government has been encouraging departments to think of ways they can make more relevant and timely information easy to find and eliminate the need to go through the formal FIPPA process.

One of the purposes of FIPPA is to allow any person a right of access to records held by public bodies, subject to limited and specific exceptions to disclosure. The act imposes duties on public bodies in responding to access applications including a time limit of 30 days for responding in writing to every application received.

And, Mr. Speaker, I think my colleagues would like to continue with his interrupted discourse, so I give the time to them at this time.

**Mr. Cliff Cullen (Spruce Woods):** Well, Mr. Speaker, and good morning, and it's certainly a pleasure to rise today to speak to this important resolution.

And I do want to thank the member for Morris (Mrs. Taillieu) for bringing forward this resolution. Obviously, freedom of information and government information, it's a very important topic. And I noticed in the member for Morris, in her discussion this morning, she raised a very—a good point. And we know her passion about privacy and information and public information as well. And she raised a very good point in terms of the difference between privacy information in terms of personal information.

\* (11:20)

We know the member has brought forward legislation on the idea of private information and the importance that we should hold in terms of protecting and guarding information in regard to private individuals. And it's a very important topic. And, unfortunately, sometimes the government likes to hide behind the notion of that privacy on information, and really we're talking about two separate things. Obviously, we're talking about private information and—on individuals, their responsibility and their rights to have that information be kept private.

This resolution talks about public information. It talks about operations within government and it talks about the responsibility of the government to disclose information to the public. And we, as



legislators and as government, we're operating on behalf of the taxpayers of the province and then taxpayers of the province have the right to know how we're spending their money, and it's very important.

Obviously, our role as opposition is to hold the government of the day to account, and we have, you know, certainly a limited number of tools at our disposal to question the government and to hold them accountable. And, clearly, one of the tools we have is the ability to seek information from the government through the freedom of information process. And the reason the member brought this resolution forward, she has noticed—and I think we on this side of the House have certainly noticed, I would say, a lack of—I don't know if it's ability, but maybe it's just the inaction of the government bringing forward the information that we request in a timely and an outright manner. And, clearly, they can put roadblocks in place in terms of fees which make it cumbersome for people to access information and, certainly, us as opposition members.

And we saw this just not too long ago with some information that was requested of the government. The government came back and said because of the time involved in that, processing it would cost \$1.9 million to disclose and gather that information. Well, Mr. Speaker, obviously the public was quite excited about that and the *Free Press* was when they learned of that quote. So once it became public the government of the day decided to back off and actually provide that information free of charge.

So, you know, quite frankly, Mr. Speaker, there is the wherewithal within government to be accountable and to provide this information to the public as required because the government is acting on behalf of the taxpayers of the province.

So, Mr. Speaker, the—this resolution raises two important issues relative to The Freedom of Information and Protection of Privacy Act, and the first one is asking the government to improve response times and the adequacy of records prepared when fulfilling requests for information. And the second point of that resolution, which is also very important, is to adopt consistent and fair practices and provide all records requested under The Freedom of Information and Protection of Privacy Act free of charge. So those are the two points that are being raised today in this particular resolution.

Now, it's clear that government should be transparent and they should be accountable to the taxpayers of the province, and we just don't see that

happening here in terms of this particular government. You know, we've seen them break promises time after time. You know, we go back to the 1999 election when the premier of the day said, you know, for \$15 million and six months we're going to fix hallway medicine. Well, can you imagine that? Nothing could be further from the truth. Here we are now, we have seniors travelling in the backs of ambulances from hospital to hospital, and they're not even being addressed. So, Mr. Speaker, that was quite a lie.

And, Mr. Speaker, you know, we hear just before the last election last fall, we had the Premier (Mr. Selinger) come out, and he said, you know, we're not going to raise any taxes. We're going to balance the budget, but we're not going to raise any taxes. Well, here we are six months later, and what do we have? We don't have a balanced budget, but we've got \$184 million in new taxes, let alone all the fees and the other levies that the government has announced, you know, another, oh, several hundred million dollars in new fees that they found.

So, you know, we have reason to doubt what this government is going to tell us as opposition and what they're telling the taxpayers of the province. That's why we need effective mechanisms in place that we can actually find out what the government is doing behind closed doors. And I think, you know, this particular resolution speaks to that very point.

You know, Mr. Speaker, we were in Estimates with the Minister of Innovation, Energy and Mines (Mr. Chomiak) just yesterday and, you know, when you go through the Estimates book and you look at his department, the largest branch in his department is the Business Transformation and Technology department. And in that particular department there's 218.72 full-time equivalent positions in there. That's the—certainly, that's about two-thirds of that entire department. That entire department is made up of people in the technology side of it.

And these are the people that are responsible for creating and managing the technical side and the computer side of government. So there's certainly a lot of people in there that should be working on designing great programs for the province.

So these—you know, these programs—and I know the minister said, we've done a lot of work since 1999 on the technology side, so we're assuming that, you know, they should have the tools at their disposal to quickly come up with the request that are being made.

In fact, I'll read from the Estimates book the responsibility of that department. It says: Business Transformation and Technology provides leadership for service delivery activities, operational transformation activities and the SAP implementation across the government of Manitoba, ensuring the best possible use of the province's existing information and communications technology, resources, systems, platforms, applications and skills, while finding new ways to meet service challenges, plan for the future needs and respond to economic opportunities.

So, Mr. Speaker, you know, we have a branch there of over 200 people that design to build systems that we can access information. And hopefully the government will heed the resolution that we've brought forward today.

And, certainly, you know, when you look at governments, I think the public is viewing governments with a—you know, an interesting attitude. And I think, more and more these days, that they don't see governments operating in a transparent and an accountable fashion. I think anything the government can do to enhance the accountability portion and the transparency portion of government would be a benefit.

You know, talking about the department of Energy and Mines, we note that in regard to FIPPA requests to that department, only 30 per cent of the time did that department actually meet the time frame prescribed in the legislation.

So, Mr. Speaker, you know, there's one department alone that, in fact, which probably should be one of the best departments for responding to requests because they have the—you know, the technology people there that should be able to find out the answers to these kind of questions. That particular department alone, was only 30 per cent of the time responding on time.

So clearly, Mr. Speaker, there's room for improvement. And the other point of the resolution is the fact that this information should be provided to taxpayers for free—for no charge. Hopefully the province and the government would have the resources to address that.

So, I—and again, I want to compliment the minister for—pardon me, the member for Morris (Mrs. Taillieu) for bringing forward this important resolution, and I certainly look forward to members opposite and their reply. Thank you.

**Hon. Steve Ashton (Minister of Infrastructure and Transportation):** Well, thank you, Mr. Speaker. You know, I do want to thank the member opposite and members for participating in this debate. And I do note that the member for Spruce Woods (Mr. Cullen) is continuing the Conservative tradition of refighting the '99 election. And, as far as I'm concerned, if they want to keep refighting that election over and over again, that's fine.

But it does give me an opportunity, Mr. Speaker, to put in context—you know, Conservatives talk about freedom of information, because they actually were in government prior to 1999 and, let's put it this way, I mean, they were sort of the Darth Vaders of freedom of information. They—you know, I find it ironic when the member for Charleswood (Mrs. Driedger), who was part of that government, stands up and talks about anything related to a FIPPA from anything to do with Health, because it didn't apply prior to our coming into government.

\* (11:30)

They didn't provide that information. I don't think they even wanted to keep that information, for a good reason, you know, the mismanagement of the health-care system that was in place. But, now, you know, about the only thing we did know was how much Connie Curran was getting paid, and I do now, by the way, note that Connie Curran has now gone on to be featured—I think the Minister of Advanced Education (Ms. Selby)—it said on a show that profiles mansions, and I wonder how much of that mansion was paid for by the people of Manitoba.

So, you know, we did know, but, you know, and this is the same government. You want to talk about being up front, they funded a vote-splitting scam in the Interlake in 1995 and it took some pretty intrepid reporting by CBC and some significant questioning in the House before they even owned up to it. And, by the way, just for the record, that went right up to the chief of staff of the Conservative Party, and actually the Clerk of Executive Council. You know, this was how much they were concerned about freedom of information: They funded a covert election campaign.

It didn't work because the member for the Interlake then was re-elected and, you know, so I could run into numerous things that they did when they were in government. I can tell you the average time to get a response—and this was interesting, by the—well, yesterday, when the Health critic went after the Health Minister for the allocation in her

Estimates for her staff, who do a, I believe, a tremendous job in responding to individual Manitobans and many of the requests from—by members opposite. But I can tell you, I can go back into my files, it used to take upwards of 10 months to get a written response from the Health Minister from a concern involving a constituent. And I could tell you, Mr. Speaker, I often had cases where people were significantly ill, and I don't want to tell you what would happen in 10 months. But, you know, there were times where you were getting letters back by people who had basically passed away. That's how little concern members opposite were about freedom of information. Now, you know, now, they stand up and they bring forth this resolution and they're converts to, you know, to the cause of freedom of information. That's what they'd like to have you believe.

Now, I do want to say, by the way, that they clearly don't understand the legislation, and I appreciate our minister putting on the record how the legislation does work in practice. I also do note that our minister's put on the record, our Minister of Culture, has put on the record that Manitoba actually rates quite highly, compared to other jurisdiction in terms of freedom of information. And I do think the resolution shows the degree to which members opposite don't understand the legislation.

It notes, for example, this issue with the *Free Press* that occurred in April. Well, Mr. Speaker, you know that involved Emergency Measures and I can tell you the statement in here, by the way, that in the end the government decided to waive the fee for the access to information, that's not accurate. That's not accurate at all. What happened was, there was communication back to the reporter which was—you know, here's why the staff of the department, not the minister; believe you me, I didn't sit down and calculate all 1.88—\$1 million worth of the cost, the number of hours doing it. But they sat down; there were 73 EMO staff. The request had been for every email, every aspect of communication with then INAC, now AANDC, in the federal government. And, I can tell you, the staff wouldn't want to have been accused of having even one of those emails not forwarded through, so they calculated the true cost of that.

Now, what happened after that I indicated very clearly, that we were more than prepared to provide the kind of information and answer questions that the *Free Press* had requested. So what happened is they narrowed down exactly what they wanted; we

provided the information. And that's the way the freedom of information process works.

And I remind people, by the way, that the act is The Freedom of Information and Protection of Privacy Act. There are many situations, and I note the member, in addition to redebating the '99 election, was apparently sort of redebating some of the issues that happened in Estimates yesterday. That's fine; I mean, if that's what the member wants to do. But I do note that there are many times when we're dealing with commercial applications, that, indeed, we have to protect the privacy of those commercial applications. That is part of it, Mr. Speaker.

So there are many cases where there's an application made, there are concerns expressed back and forth. But, you know, I want to go further. I want to look at some of the other things we've done as a government, things that the members opposite didn't do. Right now, you can go online and you can find all sorts of information, including ministers' expenses, was not done before, Mr. Speaker. We now, as a Legislature, have done a lot more. We're moving ahead now in terms of full disclosure, and again I'd note that perhaps it—you know, it requires agreement by members of the Legislature generally, but, again, it's our government. We have the majority of the MLAs. We're going to have comprehensive information available to the public online.

I would say, if you compare Manitoba today in 2012 to any previous time—I'm going back to the 1990s that the members opposite want to debate all the time—we've come a long way. And I think in the day of the Internet, the day of, you know, where you can Google search pretty well anything, people do expect that. And that's, I think, part of what the problem here is with members opposite.

They see the issue of freedom of information as nothing more than a political football. I looked at this, and I read the article, and I was—you know, the resolution. I was looking for some positive sort of suggestion here on ways that they might improve it—you know, things they didn't do in the '90s. But it doesn't exist.

The only thing they're concerned about here is the occasional, you know, opportunity to raise an issue here in the House regarding a FIPPA request. Well, I do note, by the way, it was interesting yesterday that one of the members opposite—I think it was the Opposition House Leader—actually refused to table a FIPPA request she was using as the basis

of questions. You know, I know that the Opposition House Leader wasn't a Cabinet minister in the—

**Mr. Speaker:** Order. Order, please. Order, please.

**Mrs. Taillieu:** Yes, Mr. Speaker, on a point of order.

### Point of Order

**Mr. Speaker:** On a point of order.

**Mrs. Taillieu:** Mr. Speaker, the information, the request, was given to me from the department. So if they're trying to say they didn't have a copy of it, it would be like saying I wrote you a letter, and I don't have a copy of it, so I don't know what I said.

So there was no need to table the freedom of information request because they had a copy of it. They know they have a copy of it, Mr. Speaker. So the minister is putting false information on the record.

**Mr. Speaker:** The honourable Minister of Infrastructure and Transportation, on the same point of order.

**Mr. Ashton:** Well, Mr. Speaker, I was not going to stand up on what is clearly not a point of order.

But given the comments by the Opposition House Leader, I think the key thing here is it's common courtesy when people are quoting from documents and information to table it. And not only did I not put false information on the record, it was correct information, it doesn't make it a point of order, though. And I'm quite prepared to resume with debate on the real issues here once you've made the ruling.

**Mr. Speaker:** On the point of order raised by the honourable member for Morris, I must indicate to the House that it appears to be a dispute over the facts. So, therefore, I must respectfully rule that there is no point of order.

\* \* \*

**Mr. Speaker:** The honourable Minister of Infrastructure and Transportation to continue his remarks.

**Mr. Ashton:** Well, Mr. Speaker, and I do think—I want to thank for the Opposition House Leader for showing once again that the members 'oppit' are still stuck in the 1990s. You know, the kind of approach she's followed in terms of these issues really is very typical of what we saw with members opposite when they were in government. And I do want to stress,

and I'm very proud of the fact that this government has made significant advancements in terms of freedom of information.

And I want to put on the record that if you look at what we've done over the last number of years, the legislative changes we brought into place, the constant effort that we put into putting that into practice, including in this House, what it really is doing is going towards the full evolution of what is a unique element of our system, our parliamentary system.

And one thing, you know, that we do have in this province—it's because of our parliamentary system—is the degree to which we have accountability each and every day that we're in session. And whether it's in the question period, and I often enjoy hosting people from other countries, particularly our friends and neighbours, the—to the south. They're always amazed at the degree to which we have that accountability in the House every day that we sit. Estimates—the degree to which we can get into detailed questions, Mr. Speaker, in Estimates, even if opposition members don't want to table documents. That's fine, but we do get into extensive debate in Estimates. And I know my own Estimates, we provide information. And if we don't have that information at our fingertips, we do get back to members. That's one of the unique elements of the Manitoba approach.

And that's why I think members do a real disservice because, when they talk about—in this, you know, I would expect once that the members opposite would give some acknowledgement for some of the really positive things that have been happening in this province since 1999.

I know their calendar ends on that date back in 1999. I know they're still fighting that '99 election. Well, actually, they're still fighting the 2003 election. They're still fighting the 2007 election. And they're still fighting the 2011 election. You know, they just—they just don't get it, but Manitoba has moved on. And one of the areas we've moved on is in terms of freedom of information.

\* (11:40)

We bought—brought in significant protections for protection of privacy. And that's important in this day and age. That's the other side of the equation.

But we've made significant strides in terms of freedom of information, and I think you could ask any objective observer to look at the situation in

1999 before the election, in 1999 after the election; on pretty well every level, this government's record is 10 times better than the record of the members opposite. That's why I have no difficulty, Mr. Speaker, in speaking out, and I will vote against what is an inaccurate resolution and doesn't reflect the real positive changes we've made since 1999 as a government for freedom of information.

**Mr. Speaker:** Order, please. The honourable minister's time has expired.

**Mr. Wayne Ewasko (Lac du Bonnet):** I'd like to thank my colleague from Morris for bringing forward this resolution. It also—it is also my pleasure to put a few comments on the record in support of this resolution. I know that members across the way will, or should, support this resolution, because who would not be in favour of openness, transparency, accountability, and fairness?

This private member's resolution is about ensuring just that—transparency and accountability. It is about upholding our democratic political institutions. The member from Thompson just had mentioned that he was looking for the positives in the resolution, and so let me just read the part of the resolution that does state the positive piece that the member from Morris is trying to bring forward: BE IT FURTHER RESOLVED that the Legislative Assembly of Manitoba urge the provincial government to adopt consistent and fair practices and provide all records requested under The Freedom of Information and Protection of Privacy Act free of charge. *[interjection]* And they're going to vote against that, exactly. Thank you for bringing that up, colleague.

Indeed, the citizens of Manitoba have a right of access to information that any public body holds. The Freedom of Information and Protection of Privacy Act was implemented in order to create a mechanism to provide the access of information to the public. It's a shame, Mr. Speaker, that this mechanism is needed in the first place. The information should be accessible to the public. What are they hiding?

Despite having legislation that aims to disclose information, this government has a poor record of adhering to its principles. We have seen many freedom of information requests turned down without good reason. We have also seen 'exorbitant' charges being applied to requests that are not consistent with the actual amount of time that it would take to compile the requested information. As

stated from the member from Thompson, with the new age of googling for some information, we know that the introduction of a lot of the technology in this day and age has sped the process up. In addition, this government has not ensured that all freedom of information requests are responded to within the 30-day timeframe. The neglect that this government has shown with responding to freedom of information requests and—certainly creates a perception that this government does not care about transparency within its public bodies. No government should be able to hide behind imposing special fees or simply not answering freedom of information requests. The private member's resolution brought by the member from Morris is necessary to urge this government to overhaul its freedom of information process.

This NDP government, Mr. Speaker, has shown time and time again that it has a poor record of responding to the FIPPA requests. Delays with responding to freedom of information requests are unacceptable. Public bodies are allowed a full 30 days to respond to requests, which is adequate time to either provide the information or to request additional time to respond to the freedom of information request. Every department has a FIPPA co-ordinator, who is specifically assigned to ensure that responses to requests are delivered on time. However, this NDP government is clearly not ensuring that FIPPA co-ordinators are doing their jobs. It was recently published that the Department of Innovation, Energy and Mines responded to FIPPA requests within the prescribed timeframe only 30 per cent of the time. What is going on here?

The government's record of compliance with time requirements is simply unacceptable. According to a review conducted by Manitoba Ombudsman, we have also learned that some public bodies perform better than others. As stated previously from my—by my colleagues, Manitoba Hydro scored 41 per cent in overall FIPPA performance and 18 per cent in timeliness. In 2011, only one public body reviewed by the Manitoba Ombudsman scored 100 per cent on performance indicators. While public bodies can continue to neglect freedom of information requests, this government was not—has not provided any guidelines to speed up the response times. Under this government, transparency has taken a back seat.

As mentioned in the past, my colleague, the member from Agassiz, has emphasized that transparency and accountability are paramount when it comes to managing the Province's fairness—or

finances. I would add that transparency and accountability are paramount to managing all aspects of government. Understanding all aspects of government through information disclosures will only help to improve Manitoba as a province.

Given the 12 years of neglect that this government has shown with respect to The Freedom of Information and Protection of Privacy Act, it is about time that this government imposes higher expectations with turnaround time for FIPPA requests and ensures consistent and fair practices within all public bodies in dealing with requests.

Recently, the *Winnipeg Free Press* was notified that the response to a simple FIPPA request that may—that was made would cost \$1.9 million to disclose. We know that after two hours of work a public body can charge \$15 per hour to complete the work needed to respond to the information request. However, it is clear that this did not accurately reflect the amount of time that it would take to respond to this request.

As I previously stated, the member from Thompson mentioned that with today's technology and the use of Google drastically speeds up the amount of time it takes to get that information. So there is no excuse for these outrageous fees.

However, when this issue was revealed to the public and garnered media attention, the government withdrew its request for the \$1.9 million and said that it would actually provide this information for free. In this case, Mr. Speaker, the NDP government would be providing all information requested under The Freedom of Information and Protection of Privacy Act free of charge.

What has become clear is that the NDP government does not follow consistent and fair practices as it relates to the dissemination of information. This NDP government has created barriers in accessing information with its poor record and complying with time requirements and unreasonable fee requests.

As previously mentioned, Mr. Speaker, this private members' resolution is about ensuring transparency and accountability, something this NDP government has failed to do. This NDP government must improve response times, must improve the adequacy—accuracy of records prepared and must adopt consistent and fair practices; anything less, Mr. Speaker, would be truly shameful. At the very least, Manitobans have a right to expect transparency and accountability from their provincial government.

Thank you, Mr. Speaker.

**Mr. Jim Maloway (Elmwood):** Now that the member's managed to scare away the gallery, our audience is reduced somewhat here.

Anyway, I want to thank the member for his presentation today on the resolution, and I want to say that I think that it's fair for him and members of the opposition to be asking these questions. But, you know, the member for Thompson (Mr. Ashton) was very eloquent in his response to the resolution as well, and where he pointed out that when the Conservatives were in power that it took 10 months to get responses from ministers for constituents.

**An Honourable Member:** We were busy.

**Mr. Maloway:** And, you know, the member for Steinbach (Mr. Goertzen) said they were busy. But I have the same experience that the member for Thompson had. I recall asking questions in Estimates of Clayton Manness and Jim Ernst and many other Cabinet ministers in the Filmon government, and I don't think we got the responses even today. You know, if we did get responses from these ministers it was clearly after the session was over. They would—Clayton Manness would wait. We would ask questions in Estimates at them, say, the beginning of the Estimates process, and we would be looking for the responses at the end of session. There would—no—be no responses there. They would show up sometimes. It would just, sort of, drop them on you, three, four, five, six months later. In the middle of summer you would get responses. And, like I said, some responses we never got—we never got at all.

So, you know, the member wasn't around in those days so he's not aware of the way their previous governments acted, but he should take that into account when he's making his criticisms of the current government.

The fact is, Mr. Speaker, that we don't operate in a vacuum here. We have—if there was a huge problem with this particular area, we would be reading more stories, we would be getting more pressure from the media on this matter.

\* (11:50)

And the fact of the matter is that the annual Canadian Newspapers Association audit on freedom of information across Canada, in their last report—just last year, 2011—Manitoba was ranked the most open province in the country. So, you know, don't they read these reports? Manitoba's also one of only four

provinces that didn't assess a fee to respond to the requests. The minister has mentioned at least two or three times already this morning, informing these members, that, for example, in Alberta, there's a \$25 fee applied to the cost of the search, and so, you know, this is not the case. This is not the case in Manitoba at all. In other provinces, there is a cost.

The member for St. Norbert (Mr. Gaudreau) talked about how in 2010-2011, more than 62.8 million files were downloaded from government websites during 10.6 million visits to government websites. Nearly 80,000 inquiries went directly to Manitoba Government Inquiry. The fact of the matter is that, as the years progress, we are getting more requests for information, not less, Mr. Speaker, and as a matter of fact, I believe that in—departments and agencies responded to 2,119 access requests in 2011. And that is up by 1,566 requests, or 283 per cent since 2000. In the year 2000, there were only 553 requests filed.

Now, you know, maybe the member for Steinbach (Mr. Goertzen) is responsible for this 283 per cent increase. Maybe there's some conspiracy here. The member for Steinbach and the member for Morris (Mrs. Taillieu) are ramping up these FIPPA requests in an effort to increase the expenses of the government so then they can turn around and talk about how the deficit's out of control, that we've got to cut back.

You know, maybe if they were a little more reasonable in their FIPPA requests, they—well, they wouldn't have to be looking at all of the different changes to accommodate them that are costing a lot of money, and, certainly, there's a cost element the member talked about. The minister talked about the costs to the department. The previous member from the government who spoke on this matter talked about the cost to the government when these requests come in. If they are—if there are more requests, 283 per cent increase since 2000, you are not going to be able to deal with those requests with the same amount of staff you had before. You're going to have to increase your staff, and this is at a time when the government's trying to save money.

The government's not filling up all of the staff positions. And matter of fact, there's references here in Estimates in the last couple of days to just how many departments are going without staff. They're not hiring staff because they're concerned about cutting back to do something about balancing the budget.

So the—you know, the Conservatives are very interested in balancing the budget, you know, when it suits them, you know. They're—on the odd days, right. On the even days, they're here demanding more money for bridges, more money for highways, more money—I mean, constantly, and then the next day, they say, oh, well, you know, you're not balancing the budget. Well, maybe it's because we built your bridge, right? You know, the member, well, I'm sure he's here somewhere, but the member for Emerson (Mr. Graydon), I mean, he got a 20 million—was it a \$40-million bridge, \$20 million from the federal government, \$20 million from the Province, and he's still not happy.

He's talking to me about weight restrictions and stuff like this, but constantly, I—you know, he's only a couple of feet away from me. I hear him even now, but he's just—very unhappy person. And, of course, all of this is explained in their—just their lack of a good track record here. You know, no matter what they do, they end up not achieving success. You know, they try to get themselves an urban leader who could sort of fit in in the progressive side of the party and, well, that didn't work. So then they went and they got themselves another one like that, and well, that didn't work either. So now they're going to try to go get a replica of Sterling Lyon in here, thinking that's going to work, and they don't realize they're out of sync probably before they start on that one. They were probably right the first time, the first two times.

But in any event, Mr. Speaker, there is significant—significant—improvement since the last Conservative government was in power, and as a matter of fact, I don't think that the members here would even recognize what things were like before when they—when Gary Filmon was still here.

For example, last year, Mr. Speaker, this government proclaimed our strength in simple legislation to provide better access to government information, and the new law created a privacy adjudicator with the power to make binding authorities a new independent office in the Assembly. You'd think they would be happy with that. You know, there's no recognition that they are.

They changed how long Cabinet documents are sealed, from 30 years, in the past, to 20 years. They required that ministerial expenses be tabled. You know, that was never the practice in the past. Well, now you have ministerial expenses posted online annually. We're seeing that as a trend. We're seeing this in the City of Toronto; the city councillors there

have to post—they have to post their actual receipts for expenses.

And, you know, as much as that might be problematic, in some cases, the fact of the matter is it's probably good, because what it does is allows the members to govern themselves accordingly, thinking first before they buy things about what—how this would look in the press.

The Filmon government, years ago, I do recall, brought in a requirement that all civil servants that were earning more than \$50,000-a-year salary had to—they had to publish the list. And that was probably a good move at the time.

So any time we have more accountability, more transparency, where we require more and more bodies now to submit their expenses online, that actually helps the government in a way. That helps the government because it means that the ministers don't have to be worried about what's going on in some of these agencies and boards and in their departments, because they know that they're holding their civil servants, who are running these agencies, accountable by making them put up their receipts and so on—they're going to be a lot more careful.

You know that when the new government—the new federal government, in 2006, brought in new rules about how much federal Cabinet ministers could spend and civil servants could spend on meals and so on. There was—several restaurants in Ottawa closed down. Some of the more expensive ones closed down, because they weren't getting business anymore. Thank you, Mr. Speaker.

**Mr. Matt Wiebe (Concordia):** It's a real pleasure to be able to stand and put a few words on the record, and to be following the member for Elmwood (Mr. Maloway), the Minister of Transportation (Mr. Ashton) and these giants of this Legislature and these individuals who have such a knowledge, institutional knowledge, of some of the things that have happened here, and it's a history lesson.

You know, for all that's said about youth and new energy, I'm really appreciative of having these folks around who can educate us younger guys about what exactly happened in the 1990s and what happened with previous governments, and just the differences between how things were and how things are today.

And so, when we're talking about transparency, I think this is a great opportunity to highlight some of those differences.

Now, before I get to some of those differences, Mr. Speaker, I did want to just quickly commend the Department of Culture, Heritage and Tourism and the hard work that those folks do in that department when it comes to freedom of information requests.

We know that these are—these requests are, as the member for Elmwood mentioned, numerous and, in fact, growing. There's more and more requests for information and more pressure is being put on the limited resources in that department. And I want to commend the department and the folks that do that work and put aside some of the important things that they're doing to make sure that they can be accessible and that they can provide the information that's asked of them.

And I think that they do a very good job, again, with the limited resources that they are provided. You know, I think that they do a lot of really good work and I think we should commend them and we should recognize the civil servants that do that work.

You know, I think it's something, again, that—

**Mr. Speaker:** Order, please. Order, please.

When this matter is again before the House, the honourable member for Concordia will have eight minutes remaining.

The hour being 12 noon, this House is recessed until 1:30 p.m. this afternoon.



**LEGISLATIVE ASSEMBLY OF MANITOBA**

**Thursday, May 31, 2012**

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