OFFICE OF THE
INFORMATION & PRIVACY
COMMISSIONER
for British Columbia

Protecting privacy. Promoting transparency.

"Assemblies in the Digital Age: New Information Opportunities"

Elizabeth Denham, Information and Privacy Commissioner for B.C.

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Thank you (introducer).

I'm delighted to be here this afternoon, and honoured to be speaking at my Alma Mater.

Standing here today, it doesn't feel like it was so long ago that I was a student here at UBC.

The year was 1981, and I was an undergraduate student of History, anxiously awaiting a letter from the newly-created Master of Archival Studies Program at SLAIS, advising me whether I was going to be accepted.

I had also applied to law school, and was facing a decision—pursue legal studies as my parents had intended, or follow my passion for working with original documents, manuscripts and records—a direct result of the inspirational history professors I studied under right here at UBC.

The 1970s were a heady time for history, Canadian studies, and the growth of museum and archival collections. There was money, academic and public interest. Archival science was an emerging profession and in North America, in its infancy as an academic study.

Turned out that I was accepted by the Law School, but decided to follow my passion—I had a sense of greater scope and a less conventional career in archival studies.

For about the next dozen years, I worked as City Archivist for the City of Richmond and the City of Calgary.

I made the move to FOI and information rights when Freedom of Information laws were first introduced in the Canadian provinces in the 1990s.

For some, working in FOI was akin to going over to the dark side. But in my view it was a natural move. Many of the ethical and policy issues archivists have always faced are very much at play in access and privacy work. And the proper management of information is a foundational matter for both professions.

My first job in access and privacy was at the Calgary Health Region. Health Authorities in Alberta were just coming under the Act, and the Region needed someone to plan and steer the organization's compliance.

Freedom of Information was the focus of that job. Requests were paper based, there were no internet technologies, and most official documents still existed primarily in paper form. Imagine!

I left the Health Region at the turn of the century, and for the next ten years, focused almost exclusively on privacy work—as a consultant, and then as a privacy regulator in Alberta and in Ottawa.

There were interesting times in my years with the federal Privacy Commissioner's office in Ottawa, and many challenges resolving privacy issues involving some of the world's online giants—mainly Google and Facebook, whose applications in some instances flouted Canadian privacy laws. [1]

But it is an honour and a pleasure to bring that experience back home.

I am now back in the thick of the access to information world, leading an office known for its significant body of jurisprudence on access to information. I have to say, it is an exciting and fascinating time to be back in the information game.

The open information and open data movement—fuelled by citizen demands for openness and transparency in government, and powered by online technologies—has fundamentally changed the information landscape.

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[1] "Report of Findings into the Complaint Filed by the Canadian Internet Policy and Public Interest Clinic (CIPPIC) against Facebook Inc. Under the *Personal Information Protection and Electronic Documents Act,*" Office of the Privacy Commissioner of Canada, July 16 2009; "Report of Findings Google Inc. WiFi Data Collection," Office of the Privacy Commissioner of Canada, June 6, 2011.

We have new voices at the access to information table, new channels for the dissemination of information, accelerated expectations for instant information and a call for data in the raw!

Citizens are digging into that data in earnest, and as they do, more and more organizations are willing to share it. The result is a significant culture shift in how we think about, and interact with, information and data.

The evidence is all around us. Citizens are mashing, hacking and recombining raw data to create new applications. Musicians are releasing the building blocks of their songs, empowering fans to create new ones. Artists are posting their work online, seeking the creative input of others. And academics are making their work available free of charge through online portals—like the cIRcle portal here at UBC.[2]

In the public sector, open information and open data are components of a larger movement often called "Gov 2.0." Gov 2.0 attempts to provide more effective ways to deliver relevant information to citizens—promises of openness, participation and collaboration.

Gov 2.0 includes integration of tools such as wikis, development of government specific social networking sites, use of blogs, RSS feeds—all of these tools are helping governments provide information in a way that is more immediate and useful to the people involved.

Gov 2.0, is all about public bodies adopting the PUSH method of information disclosure, supplementing but not substituting the need for the FOI process. It's about letting routine disclosure into the FOI game.

In the last two years, we've seen the open government movement gain real momentum.

In the international realm, governments of the United States, United Kingdom, France, Australia and New Zealand have launched ambitious programs.

Closer to home, open government is now one of the BC Government's top priorities. It was the Premier's Directive.

2011 saw the launch of two online portals, Open Information and Data BC, which provide citizens with access to clear information about government and access to more than 2,500 sets of raw data.

Through the Open Information portal, citizens can access government documents posted through routine disclosure or as a result of past FOI requests.[3]

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[2] Creative Commons Corporation. The Power of Open. http://www.thepowerofopen.org.
[3] Government of British Columbia. "Open Information: Government of B.C." http://www.openinfo.gov.bc.ca.

And through the Data BC portal, citizens can access geographic and geo-spatial data through GEOBC, class size, composition and student performance data from the Ministry of Education, birth and death statistics and chronic disease data from the Ministry of Health, and Public Accounts data including public sector compensation, travel expenses, and employment statistics.[4]

And just announced yesterday—the Province of BC is the first province in Canada to release its provincial budget as open data—with 62 machine-readable data sets.[5]

This is rich, complex data that could be the key to discovering new relationships, new variables and new solutions for issues facing our province today. Of course, no single mash-up is going to fix these problems. But there is potential for improved outcomes.

Local governments have also been active in open data.

The cities of Vancouver[6] and Nanaimo[7], for example, have released a wealth of data, from the location of streets, alleyways and intersections, to a catalogue of the city's trees, parks and greenways.

Through open data you can identify public art and public places, locate rapid transit, scour endless networks of city infrastructure like streetlights, water and sewage systems, access zoning and property information, and read detailed reports on council meetings and expenses.

As the level of government 'closest to the people,' municipalities are considered by some to be the natural or ideal place for the open data movement to thrive. I expect that we will see many more municipalities coming on board in the next two to three years.

But the movement for open data doesn't stop there. Advocates are constantly seeking fertile ground for new horizons and new growth—and there is no shortage of possibilities.

For example, there is a movement to take data portals from across jurisdictions and unify them into one big mega-portal for citizens.

In December 2011, the European Commission announced its proposal for an Open Data Strategy for Europe. If the Commission has its way, there will be Europe-wide open data portals and it will be mandatory for public agencies to provide data in commonly-used and machine-readable formats.[8]

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[4] Government of British Columbia. "Data BC" http://www.data.gov.bc.ca.
[5] Government of British Columbia "B.C. first to release provincial budget as Open Data," http://www2.news.gov.bc.ca/news_releases_2009-2013/2012LCITZ0007-000319.htm. Accessed Mar. 21, 2012.
[6] City of Vancouver. "Vancouver's Open Data Catalogue," http://data.vancouver.ca. Accessed Mar. 16, 2012.
[7] City of Nanaimo. "Open Data Catalogue: City of Nanaimo," http://data.nanaimo.ca. Accessed Mar. 16, 2012.
[8] European Commission. "Digital Agenda: Turning government data into gold," http://bit.ly/sovP3I Accessed Mar. 16, 2012.

Another area of real growth… is the opening up private sector datasets. There are some notable leaders in this sector, including the World Bank—which has released data sets on international development and governance, global finance and key socio-economic indicators like education and health[9]—and Enel, an Italian power company who recently released its first data sets on energy use and consumption, as well as details of the company's operations under a Creative Commons licence.[10]

There is also talk of how citizens can take a more active role in open data,[11] for example, by uploading geo-spatial data via GPS-equipped smart phones, or by filtering the government data stream to provide useful real-time information.[12]

These are all promising avenues for future growth. But we must remember that these are still early days. We have yet to see how this movement will play out. And there is always a fear that the movement for open government will lose momentum.

Indeed, governments often announce initiatives or issue directives, embracing the opportunities of technology… without thinking the whole thing through.

Our challenge is how we stoke the fires of Gov 2.0, while also recognizing that open information and open data must be implemented in a thoughtful and careful way. Because while we want to strike while the iron is hot, there are risks in moving too quickly.

Careful thought and planning must be put into the decisions to publish machine searchable data.

And it is critical that in the rush to provide online datasets, relevant to individuals and business, that privacy is protected.

This is no simple task. Governments may remove identifiers from data sets, but, given the power of analytics today, we are all making a mistake if we think we have privacy when we "scrub data".

Scrubbing data just isn't enough to keep our privacy interests protected. Examples of the failure of anonymization and the possibility of re-identification are common in the private sector—for example, AOL's release of anonymized search queries, and Netflix's release of a data base of movie recommendations. These were altruistic moves on behalf of the companies to provide useful data for researchers and the public, but regrettably resulted in identification of AOL and Netflix clients.[13]

[9] The World Bank. "Data: The World Bank," http://data.worldbank.org. Accessed Mar. 16, 2012.
[10] Reiggi, Luigi. "Open data to the next level: Why and how to involve the private sector," Regional Innovation Policies Blog, http://bit.ly/pU373i Accessed Mar. 16, 2012.
[11] Fekete, Jason. "Clement vows open govt' through smart phones, Twitter," PostMedia News, Jan. 3 2012.
[12] Library of Parliament. "Government 2.0 and Access to Information: 1. Recent developments in proactive disclosure and open data in Canada," Ottawa: Library of Parliament, 2010. pp. 3-4.
[13] Singer, Natasha. "When 2+2 equals a privacy question," New York Times. Oct. 17, 2009.

As Information and Privacy Commissioner, I have a clear responsibility to assist and advise as we work out these very important details.

My office will be conducting an audit of BC's open government initiative, one year after its official launch. We will be looking very closely at the type of data and information that's been posted online, whether there is a continuous stream of data being added, and whether personal information is being protected in this process.

I will continue to be a proponent of open government, but I will also be a strong voice for the protection of privacy as we go down this road.

We must also be careful to monitor the quality of information that is coming online.

Data is useless if it is not reliable, relevant and of a high-enough quality to be of any value … it is equally useless if data cannot be accessed, searched, or understood by the average person.

The question of how we manage, categorize and archive this data so that the growing stream of information is manageable and useful is a significant one—and it will fall to many of you to provide solutions that will work for organizations and citizens.

Librarians, archivists and information managers are well placed to be the critical voices and leaders of the open data movement—to professionalize open data by setting standards and promoting best practices, data integrity and data preservation.

You are also an important link to users.

I've talked about the role that Commissioners play, and about the role that information professionals play… but the most significant voice in the movement for open information is the voice of the individual citizen.

The people in this room can be the champions of open government, we can advocate for the proper handling of our information and data … but the call to action and the incentive to government must come from the average person.

They are the heart and soul of this movement. Their demands for more openness and transparency are the ones that will resonate. And their actions will be the test as to whether open information is truly a lasting cultural phenomenon.

I can't wait to see where we go next.

Thank you for your attention this morning.