



Treasury Board of Canada
Secrétariat

Secrétariat du Conseil du Trésor
du Canada

Canada

Access to Information Review

Presentation to the National Claims Research Workshop

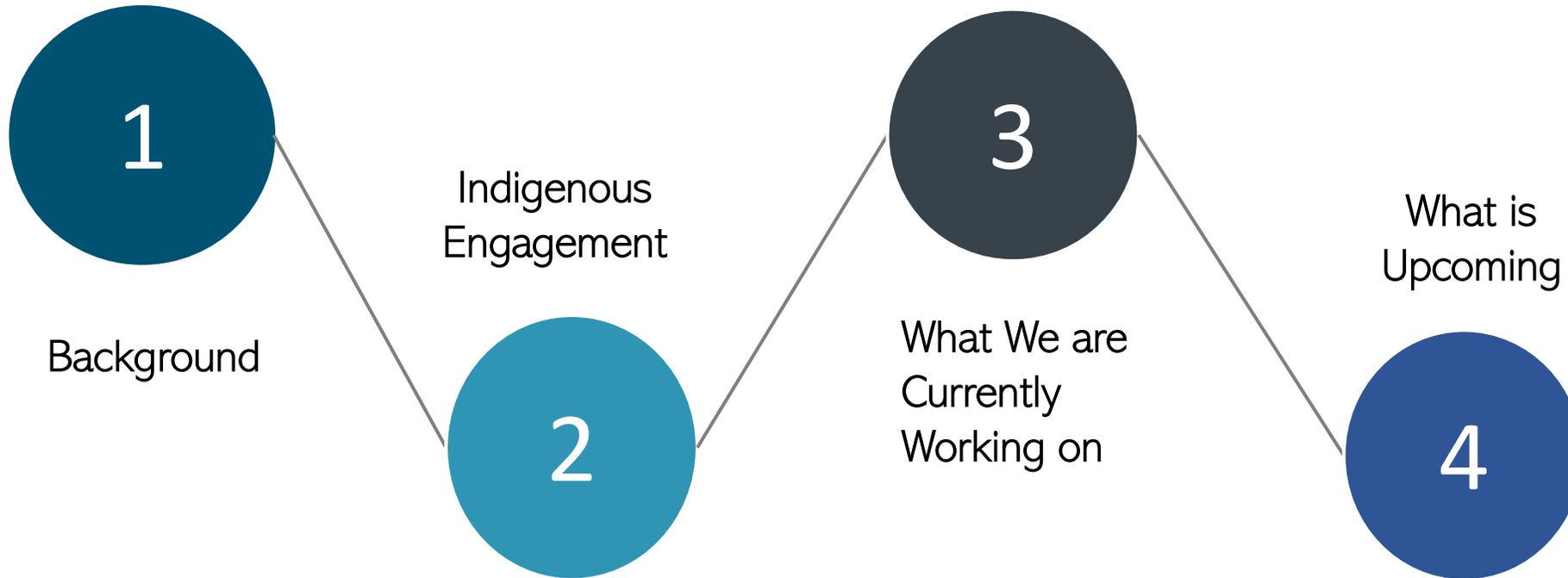
19 October 2022

Charles Taillefer

Executive Director, Access to Information Policy and Performance Division (AIPPD)

Office of the Chief Information Officer of Canada

Agenda



Background

Bill C-58 (2019)

Access to Information Review (2020 – Present)

Strengthening Relationships (Ongoing)

Bill C-58

- As noted by NCRD, Indigenous peoples did not feel that they were consulted enough, and the process was in opposition to Canada's commitment to a Nation-to-Nation relationship.
- Indigenous peoples have noted their issues with ATI were not considered in the development of the Bill.
- During the Bill C-58 process, we specifically committed to consulting with Indigenous peoples on addressing their unique issues and concerns with access to information.

ATI Review

- Public engagement concluded in August 2020. Indigenous engagement took place from Spring to Fall 2022.
- First full review of ATI committed to examining Indigenous peoples' ATI issues.
- TBS accepted written submissions and held bilateral meetings.
- TBS also leveraged the work and engagement led by Justice Canada related to Privacy Act modernization.

Ongoing

- How do we engage Indigenous groups and representatives on an ongoing basis to work through ATI areas of focus and advance the policy areas noted in the review work?

Indigenous Engagement

Following the launch of the Review in June 2020:

- The President of the Treasury Board invited the 5 National Indigenous Organizations (NIOs) to participate in the Review
- The ADM also invited the participation of 12 Indigenous Organizations (IOs) with technical expertise and interest in ATI
- The President of the Treasury Board also invited 36 Modern Treaty and Self-Government Holders (MTSGHs)

Cumulatively, TBS has:

- Received 8 formal submissions from Indigenous governing bodies and organizations
- Held bilateral meetings with 3 NIOs, 4 IOs, and 4 Indigenous governing bodies
- Observed 10 bilateral meetings with NIOs/IOs hosted by Justice Canada concerning the Modernization of the *Privacy Act*



What We Are Currently Working On

KEY ACTIVITIES

- Issued implementation guidance to help address challenges identified around inter-institutional consultations.
- Developing consistent, government-wide training tools to support the access to information and privacy communities.
- Spearheading declassification efforts with Public Safety Canada and other institutions to promote transparency and improve access to national security-related information

UPDATES TO THE AORS

- Over the summer, launched a new version of the [ATIP Online Request Service platform](#).
- Budget 2021 committed \$12.8M to support improvements
Enhancements:
 - Creation of secure user accounts where basic information can be saved for future use
 - Tracking of requests in real time.
 - The receipt of requested information via the platform.

UN Declaration Act

- Working to implement the *United Nations Declaration on the Rights of Indigenous Peoples Act* (UN Declaration Act) under the leadership of Justice Canada.
- Following interim process with stages of assessment of the UN Declaration Act in relation to Indigenous issues and federal legislative or regulatory initiatives,
- Focus on consulting and cooperation.

What is Upcoming

Indigenous What We Heard Report



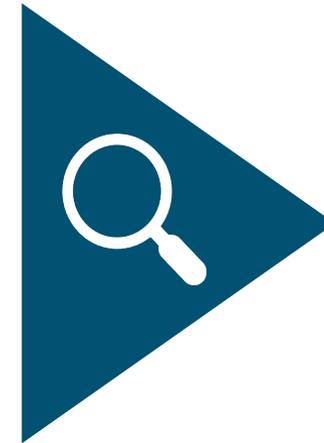
- Anticipated publication mid-December 2022.
- Highlights input from engagement processes and issues examinations.
- Issues raised to date include the Act's definition of Aboriginal government, Indigenous peoples' right of access, and data sovereignty.

The Final Report



- President to submit to Parliament in 2022.
- Overview of the current digital context of the ATIA regime.
- Provides potential initiatives to improve service to Canadians, enhance trust and transparency, and advance reconciliation.

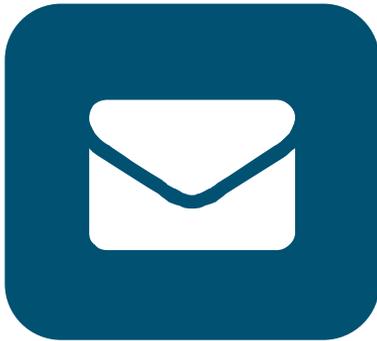
Findings



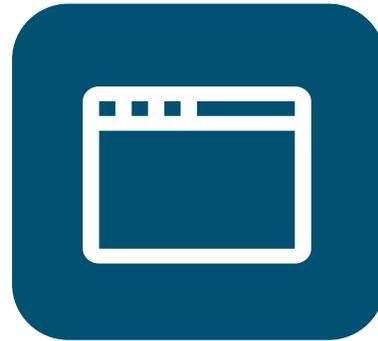
- Many issues boil down to the time for requests to be completed and amount of information disclosed.
- Improvements could focus on ATI business flow or tackle systemic issues.
- Opportunity to leverage work in open government.

Contact Us

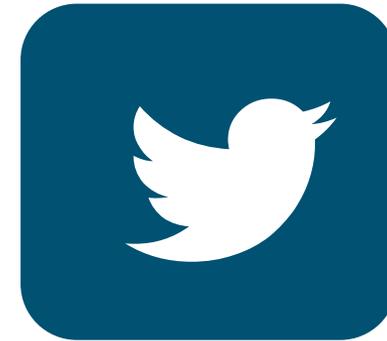
We look forward to hearing from you and continuing to work on improving access to information for Indigenous peoples together.



reviewingatia.revisionlai@tbs-sct.gc.ca



<https://atiareview.ca/indigenous-specific-submissions>



@TBSCanada / @SCT_Canada