critical eye by the Committee. Among the documents reviewed by the Committee were government institution submissions on exemptions, a media study, a report by a committee of government institution lawyers on legal issues, a report by officials who work with both Acts and a report on exempt banks.

The Committee held public hearings in Ottawa in May and June 1986, during which 31 government institutions, groups and individuals were heard. (See Appendix C for a list of witnesses.) The Minister of Justice, the President of the Treasury Board, the Privacy Commissioner and the Information Commissioner, considered by the Committee to be the main actors within government in relation to access and privacy, appeared before us to lead off our public hearings. The Committee then heard from carefully selected government institutions, non-governmental organizations with relevant experience, users of both Acts, academics and others. They brought to the Committee their unique experiences as users and administrators of both Acts, addressing both practical problems and fundamental philosophical issues. Those who appeared before the Committee were forthright in addressing the issues of interest to us in conducting our comprehensive review of the Acts. Once the Committee had completed its public hearings, it reviewed the submissions made to it and the evidence it had received.

The Committee's approach to the comprehensive review of the *Access to Information Act* and the *Privacy Act* has been to consult widely, both formally and informally, with those who are experienced and knowledgeable in this area both inside and outside of government. We were concerned not just with what the law and regulations say, but also with how they actually function. We have examined both how government institutions have administered the Acts and how Canadians have exercised their rights under these new laws. Where we have concluded that things can be improved upon, we have, in this Report, said how this can be done in clear, precise, concrete ways.

The general principle underlying the Committee's Report is the conviction shared by all parliamentarians that Canadian democracy is strengthened by making government, its bureaucracy and its agencies accountable to the electorate and by protecting the rights of individuals against possible abuse.

The principles upon which the two Acts are based were clearly enunciated by the Honourable John Crosbie, then Minister of Justice, when he told the Committee in May, 1986:

> "— That government information should be available to the public;
>
> — that necessary exceptions to the right of access should be limited and specific;
>
> — that decisions on disclosure of government information should be reviewed independently of government;
>
> — that the collection, retention and disposal of personal information, as well as its use and disclosure should be regulated in such a way so as to protect the privacy of individuals."[2]

A Brief History

Although both the *Access to Information Act* and the *Privacy Act* were adopted by Parliament at the same time, their historical background is not identical. In addition, although there are many similarities between both Acts, there are also some differences.

The *Access to Information Act* has its genesis in the late 1960's and the 1970's. During that period of time, Gerald Baldwin Q.C. and Barry Mather, former members of the House of Commons, introduced a number of private member's Bills which were the direct forerunners of the present *Access to Information Act*. At the same time, political scientist Donald C. Rowat of Carleton University published a number of influential articles advocating more open government and freedom of