

# Integrity and Accountability: Why It Matters



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The history of Canada is under siege. So, too, are citizens' fundamental rights in securing access to information and holding governments to account. These words might seem alarmist, but there is nothing exaggerated about the critical archival challenges Canada now faces.

The 2006 federal census suggests the scale of the issue. For the first time in Canadian history, participants were asked to indicate – by checking a box – whether their responses on the short form could be made public after ninety-two years. If respondents checked “no” or gave no answer, the form was not destroyed, but access to it in its name-specific format would be forever prohibited. Canadians completing the census had never responded to this “opt-in” question before. It was intended to provide “informed consent” for the eventual use of this personal information, but by the nature of the question, it is hard to believe that citizens understood the implications of their choice. Until 2006, there was no informed-consent clause. Instead, nominal census information has been made available after a minimum ninety-two-year waiting period without a single complaint to the Office of the Privacy Commissioner of Canada. The result of this new requirement is a deeply flawed record. Just under 50 percent of Canadians chose to keep their census information permanently inaccessible. The statistical integrity of the entire national census as a source of genealogical and historical information, of population trends and movements, and especially of facts about everyday Canadians, has been forever compromised. Future generations are the poorer for it, and their understanding of Canada, of its communities, of its people, and of their own families is irreparably diminished. Meanwhile, hundreds of thousands of Canadians think nothing of putting all kinds of personal information on Facebook and other social media – readily available today, never mind a ninety-two-year waiting period.

It is impossible today to know what might be historically important tomorrow. Can you imagine what records might not exist if parents of residential-school students, Japanese-Canadian evacuees, or Chinese head-tax payers had first been required to give their consent before their government forms

(with personal information) were transferred to Library and Archives Canada? Those citizens and their descendants would not have been able to learn what happened to their families, much less to document past wrongs and secure redress. And Canadians in general would have been left with an incomplete understanding about such events, thereby losing the opportunity to learn from past mistakes.

A further problem with the opt-in question is that it sets a terrible precedent, especially when the federal government shows little interest in collecting and preserving information. This issue is about census data, but what of other critically important case-file data tomorrow? Records documenting immigration, health, Aboriginal affairs, employment, environment, education, and settlement are fundamental to our understanding of the evolving interaction of citizens and the state. Opt-in and voluntary completion do not produce the kind of results essential for informed public policy decisions. As the national newspaper the *Globe and Mail* argued in a 2013 editorial, “The country needs more and not less significant and reliable information about [Canadian] lives and circumstances.”<sup>1</sup>

Government departments and agencies may produce and collect a wealth of information, but there is no guarantee that these records are complete today or will be accessible in the future, especially the vast majority that exist in born-digital formats. Without proper digital management of these records, including content-rich metadata to make them searchable and understandable, and without ongoing preservation to ensure their accessibility, these born-digital records are going to be lost or, at best, incomplete – unintelligible, inaccessible, or inauthentic. In fact, recent reports suggest that some government departments do not even know the extent or location of all their electronic records. They have lost control over records, a unique asset that belongs to the people of Canada, not the Government of Canada.

There is another big challenge in dealing with electronic records – namely, deciding today what to keep for tomorrow. Unlike analog records, which can sit for decades before being evaluated for possible archival retention, decisions about what digital records need to be kept and preserved must be made today because of their ephemeral nature. Perhaps author Joseph Boyden unintentionally captured this situation best in the closing lines of his novel *The Orenda*: “But hindsight is sometimes too easy, isn’t it? ... What’s happened in the past can’t stay in the past for the same reason the future is always a breath away ... The past and future are present.”<sup>2</sup>

- 1 *Globe and Mail*, Editorials, “Canada Needs a Proper Census, and It’s Not Irresponsible to Say So,” 26 June 2013, <http://www.theglobeandmail.com/globe-debate/editorials/canada-needs-a-proper-census-and-its-not-irresponsible-to-say-so/article12793625/>.
- 2 Joseph Boyden, *The Orenda* (Toronto: Hamish Hamilton, 2014), 487.

Archivists need to appraise the contexts of record creation and citizen-state interaction before records are created to ensure that digital-management needs are integrated into the requirements and costs of new administrative systems. If the integrity of government electronic records is in doubt, then there can be no accountability.

Canadians need open access to government records, subject to specific restrictions (including passage of time to protect privacy) to ensure transparency. That is how a democracy is supposed to work. Reliable recordkeeping systems and appropriate access to records are at the heart of government accountability. All governments use the rhetoric of transparency and accountability, but the reality is a political and a bureaucratic culture in which the default is secrecy.

Action is required. The 2004 amendments to the *Statistics Act* that provided for the opt-in question require a parliamentary review to determine the impact of this choice on the usefulness of the census. The 2016 federal census is just two years away. Time is running out for this review. Archivists and the research community need to be heard on this issue and either succeed in having the opt-in question eliminated or, at the very least, changed to an opt-out question.

Canada needs to revise and update the *Access to Information and Privacy Act* to take into account the new recordkeeping realities of the digital world. And we need a records management and archival and library infrastructure that can deal with both the challenges and opportunities of the digital world.

It's already getting late in the game. According to author Charles Foran, in an article in the *Literary Review of Canada*, "We are not staring out from the cliff edge of profound change so much as watching the ground crumble beneath us, a collapse suitably heedless, remorseless and fast."<sup>3</sup>

Two decades ago, former National Archivist Jean-Pierre Wallot suggested that we were creating a new "dark age," a reflection of at least a decade of similar warnings from the profession. Since then, we have lost critically valuable, born-digital documentary heritage. It is long past time to shine a bright light into that darkness, to build the necessary national infrastructures to get off that crumbling bridge and move with assurance from the age of analog to digital archives, and, in doing so, to ensure that citizens and researchers have access to reliable and meaningful documentary heritage. The alternative is a deepening dark age.

3 Charles Foran, "Out of Sync: Readers and Writers Strive Mightily to Imagine the Future," a review of Paul Socken, ed., *The Edge of the Precipice: Why Read Literature in the Digital Age?* in *Literary Review of Canada*, November 2013, accessed 14 August 2014, <http://reviewcanada.ca/magazine/2013/11/out-of-sync/>.