

REFLECTIONS OF AN INFORMATION RIGHTS WARRIOR - Ken Rubin
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Extracts upon receiving a life time award in the field of information rights from the BC Freedom of Information and Privacy Association in Vancouver

Throughout three and a half decades, as an activist, a muckraker and a gadfly, I've been a community neighbourhood worker, a consumer advocate, an environmentalist, a community leader, a writer, and a researcher. The work I've done with others in access and privacy rights is an extension of that and not an end in itself. My work in privacy in the seventies and eighties helped spurn others to take up the torch. Freedom of information work from the sixties on is what most people identify me with.

Access to information in my hands is not just a weapon - it's a commitment, a living way of action. I've helped ensure that access has entered into our daily vocabulary and figures into information strategies.

It's truly amazing to see one's work on the PM's chef living on the Sussex Drive grounds rent-free become part of an Ottawa boat tour's colourful spiel or to know that Canadians are now a lot wiser about the food industry's politicking to get more servings included in Canada's Food Guide after I exposed their lobbying efforts.

I've assisted a wide variety of groups and individuals that includes the media, unions and public interest groups. For instance, I've helped environmentalists fighting quarries, confederation bridges, mega developments. I've even worked to get records connected to an airbus litigation case for a former Prime Minister whose access and privacy practices I decried. Still, much of my work and targets are self chosen driven by what I think needs looking at.

My critics are fond of saying that I waste many resources but duck when I show among other things that Ottawa was spending over \$30 million a year on military bands or was shortchanging those on disability assistance by millions of dollars. Even hardened bureaucrats sometimes grudgingly are thankful. In one case, I unearthed a study that identified toxic moulds in bathrooms as something to remedy immediately. What seems to drive Ottawa slightly mad is that I'm all over the map in my access forays and have no easily identifiable boss or editor to target. Then putting together a damage control strategy becomes more difficult.

Along the way, there have been tough issues and opponents. I think of the seven long years it took for me to get the Nationair post-accident safety report. This was a secret report on this very troubled airline whose plane crash in Saudi Arabia remains the worst aviation disaster to date in Canadian history. After a Federal Court of Appeal victory, the highlight of such a struggle was giving that report over to the victims families and the union representing airline stewardesses.

There's been my share of frustrations, too. It's madding to have Ottawa stall giving me a devastating Air Ontario audit only after the Dryden plane crash. It's outrageous to have the Atomic

Energy Control Limited not covered by Canada's Access Act dictate what environmental data can be released by line departments covered under the Act about its Candu China sale especially after the Canadian government kicked in a billion and a half dollar loan to the Chinese.

Now, I've got to admit I enjoy the work and find it fun even though much of the time it can be tedious and the information turned out can be deadly dull.

My quest for information rights has on one occasion taken me all the way to the Supreme Court of Canada. It's meant pursuing a record concealment penalty amendment in both the House of Commons and Senate. It's meant saying no at times to assisting those like the tobacco interests who has wanted to use my services. It's meant reaching out to ensure that major stories aren't all done out of Ottawa, but regionally, such as on serious gaps in earthquake plans for BC.

Should some bureaucrat want to be petty or devious, that only gets me going more. My non-existent job description calls for toughness but being civil, too - most of the time.

My work results in a daily barrage of records and denials and discussions with clients, bureaucrats, groups and members of the public. So it helps to take an unplanned break and come back West under such pleasant circumstances.

By example, I try to show others that you can daily test institutions however tough the going is. The former Information and Privacy Commissioner of Ontario was fond of telling me, half jokingly, that if I didn't exist, they'd have to invent me.

Seeing justice win is what keeps me going. It's rewarding being able to dig for needed information, for instance, for a BC women on her meme breast implant problems and getting records on behalf of the Health Canada scientist who was fired for speaking out on this unsafe medical device. These are the kind of things that put fire in my pen, belly, heart and soul.

Our identity, cause and circumstances cannot be left to others and fate. I want to continue to stimulate others to go out and dig around, question authority and act up front. Nothing will make me back down so when Ottawa gets overly power hungry and wants to trash both the access and privacy acts in its anti-terrorist legislation, I recently put aside everything else and made a parliamentary committee appearance and produced an op ed viewpoint column carried in the Ottawa Citizen.

This is no time to become consumed with fear and anxiety.

Our information rights are important and need constant attention. This award only spurns me to rev up using and pressing for more information rights. Together, we can demand and must call our institutions to account, acting openly and with integrity.