

## REPORT FROM GRAD REP ON THE CHA

By Robert Dennis

The Canadian Historical Association (CHA), under the leadership of Dr. Sarah Carter's Advocacy Portfolio, has been eager to help Library and Archives Canada (LAC) shorten the time needed to review requests made either formally under Access to Information and Privacy legislation (ATIP) or informally in keeping with the spirit of the legislation. Currently, researchers have to wait more than a year, on average, for material to be made available after submitting their requests, due in large part to a lack of human and financial resources. This long wait affects graduate students by delaying completion of degrees as well as faculty members whose research grants may expire before access is granted. It also has a profound disciplinary effect: shaping the nature and scope of historical inquiry based on what archival material is available. The CHA and other interested parties have brought these concerns to the attention of the LAC, and the institution has promised an improvement to wait times for access to material.

In light of this assurance, the LAC has reviewed its internal processes in an attempt to find workable solutions. The mandate of the LAC's Review of Access to Government Information Services is to address the backlog situation by proposing systemic, innovative and durable answers that are in line with the ATI legislation, appropriate for the needs of client researchers, and the nature of the age of the records. The lines of inquiry include: evaluating user finding aids, access practices in other jurisdictions, statistical profiling, types of access, systems of triage, interaction with other departments, internal procedures, acquisition of government records and accession, future of information management across government, human resources, and risk management. To inform this investigation, the LAC struck three committees: a senior advisory board, an interdepartmental committee, and a user advisory group. The Canadian Historical Association served on the user advisory group, which brought together a small number of representatives from key parties, who use Library and Archives Canada, for a series of meetings at the end of 2004.



The initial meeting focused on the great demands placed on the LAC. In 2003/2004, the institution responded to 94,032 reference inquiries. Among the ATIP requests, the most sought after records are from Indian Affairs, National Defence, and the Department of Foreign Affairs and International Trade. Eighty-five percent of all requests from academics were made on an informal basis. In order to deal with these vast numbers, the LAC introduced certain measures. First, a triage system came into effect in July 2004. This process expedited urgent requests for medical or employment purposes. As well less sensitive material like migratory patterns of Grizzly bears in Banff National Park, and low-volume requests were dealt with. Secondly, the LAC has attempted to reduce the number of departmental consultations not required by law. Finally, it remains focused on streamlining access

procedures. Even before the LAC task force began its work, these short-term actions have helped speed up wait times for documents.

The second meeting focused on how researchers can help this process: if those making requests have a sounder understanding of their investigation only pertinent information will be required. The LAC can help in this pursuit by providing more precise coding on the contents on boxes. When ATIP requests are necessary, in conjunction with staff, researchers ought to evaluate whether formal or informal routes best serve their needs. Both individuals and organizations can make formal requests provided they qualify for the right to access – being in the country is a notable condition – and provided the requests are made in writing, and provided that the application fee is paid. The law requires of LAC a response within thirty days. However, acknowledgement of the request meets this standard, and actually getting the material may take much longer. If requests are denied applicants can challenge the ruling by contacting the Information Commissioner. Informal requests can be made by anyone living anywhere via personal visit, telephone, or writing. There are no timelines governing informal requests; and material is often made

available more quickly this way; yet, researchers do not have any legal recourse should their application be denied.

Throughout the ATIP review, both parties will be responsible for maintaining regular communication: on the status the request by the LAC, and the continuing need for the required documents by the user. Advisory Group participants argued that planning was a key for both academics and graduate students. Whether the request is made formally or informally, researchers need reasonable timelines, particularly with a large volume of files, in order to plan trips to Ottawa to conduct their work.

The final meeting reviewed some of the questions and concerns raised by participants, and it set forth the challenges from the LAC point of view, in incorporating them into the framework of the final report. Key measures for future exami-

nation include updating the LAC website since it is the first point of contact for many researchers, including access coding at the file level, increasing the use of block review, and exploring the feasibility of departmental researcher agreements. Amending the legislation, the significant adjustment caused by merging the National Archives and National Library into one institution, and a greater need for financial and human resources are at the heart of the ATIP backlog. The Task Force's Final Report, to be tabled later this year, will certainly help, but cannot of itself resolve the request backlog issue.