Access by Design

The 7 Fundamental Principles

Ann Cavoukian, Ph.D.
Information & Privacy Commissioner
Ontario, Canada

My concept of *Access by Design* (AbD) consists of fundamental principles that encourage public institutions to take a proactive approach to releasing information, making the disclosure of government-held information an automatic process where possible – access as the default.

Access by Design advances the view that government-held information should be made available to the public, and that any exceptions should be limited and specific.

While this is not a new idea, it certainly has taken on a new meaning since the advent of the Internet. The ubiquitous nature of the Web has driven dramatic new increases in public demand for government-held information, fostering civic participation and redefining the significance of freedom of information legislation. Further, advances in information communications technology have also driven an explosive growth in the collection and storage of information, with countless databases now holding vast amounts of data. Consequently, new challenges have arisen in balancing the need for access to information while ensuring its quality, and protecting individual privacy.

The principles of *Access by Design* may be applied to almost all types of government-held information, but the emphasis is on information that allows citizens to hold their government accountable. When information is freely available, the public may question the actions of their government and participate meaningfully in policy decisions. Transparency helps to create a culture of accountability.

Government transparency and access to information are vital ingredients for a free and functioning democratic society. Citizens must be ensured the right to government-held information in order to participate meaningfully in civil life – something which is not possible if government activities are hidden from public view.

The objectives of *Access by Design* – ensuring access, openness and transparency in order to foster a culture of accountability and improved service to the public – may be accomplished by practicing the following 7 Fundamental Principles *(see over page):*

The 7 Fundamental Principles

1. *Proactive,* not Reactive

Many public institutions are still reactive and wait until a request for information is received before deciding to release it; this can be a slow, cumbersome process, easily used as a mechanism to deny access to information. With *Access by Design*, government institutions can take a proactive approach to promote full transparency, while at the same time, achieving cost-savings by eliminating a costly and cumbersome disclosure process.

2. Access *Embedded* into Design

When access is embedded into the design of public programs from the outset, it delivers the maximum degree of access to government-held information by making proactive disclosure the default. The benefits are twofold: the public can access information more directly; and government institutions can save significant resources by making their information available on a routine basis – *by default*.

3. Openness and Transparency = *Accountability*

A transparent and open government is vital for a free and democratic society. The essential purpose of access to information legislation is to support the democratic process by ensuring that citizens have the information required to hold their governments accountable – which is not possible if government activities and documents are hidden from public view. When government proactively provides routine access to government-held information, it creates a "culture of accountability."

4. Fosters *Collaboration*

The Internet has given impetus to a new phenomenon where more and more community groups are coming together online with the power to engage government policy makers directly. Government institutions need to embrace this new culture by making data readily available to these groups as part of the social contract to serve their citizens. Further, there are new opportunities for the private sector to work collaboratively with government in utilizing public data, with many potential benefits for the economy as a whole.

5. Enhances *Efficient Government*

The demand for government services continually increases, while governments constantly face the need for cost reduction measures. By embracing *Access by Design*, public institutions can improve their information management practices by eliminating the inefficient process of "reactive" disclosure, and yet provide more streamlined access to public information. Further, citizen groups can also utilize public data to spot inefficiencies in, and improvements for, government services – increasing efficiency by reducing demand on government resources.

6. Makes Access Truly *Accessible*

Simply releasing more data is not enough. *Access by Design* also requires that public information be easily found, indexed and presented in user-friendly formats. There is little value in proactively disclosing public information if it is quietly placed online in obscure locations, using uncommon software which cannot be widely utilized. In addition, public institutions need to ensure that their IT systems are up-to-date and can meet increased public demand by extracting information quickly, in a cost-effective manner.

7. Increases *Quality* of Information

Information has been called the lifeblood of the 21st century economy. This is no less true when it comes to meaningful citizen participation in public life. Not only is it essential for government institutions to place public data on public databases, they must also ensure that the information is accurate, reliable and up-to-date. Quality control and assurance protocols are vital to ensure that public participation in the democratic process remains relevant and meaningful.

Published: April 2010
Information and Privacy Commissioner of Ontario
2 Bloor Street East, Suite 1400
Toronto, Ontario • CANADA • M4W 1A8
Telephone: 416-326-3333 • 1-800-387-0073
Email: info@ipc.on.ca
Website: www.ipc.on.ca