The Government Information Landscape in Canada
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This paper provides an overview of the current situation of government information and government information professionals in Canada. It builds upon two key, recent papers: “Facing Change: A Perspective on Government Publications Services in Canadian Academic Libraries in the Internet Age” and “What the Heck is Happening up North? Canadian Federal Government Information, Circa 2014” (Smugler, 2013; Wakaruk, 2014). There are comparatively few recent published works that examine the issues surrounding access to government information in the Canadian context, especially in comparison to the United States context, for which a much larger body of work exists.

This paper outlines how changes to federal government policies in recent years have impacted access to government information and describes collaborative projects and advocacy efforts initiated by government information librarians across the country. It provides an overview of Canada’s federal Depository Services Program (DSP), legal deposit program and Library and Archives Canada (LAC), the national library. The focus is primarily on information and activities at the federal level and secondarily on the provincial and territorial levels. It also describes how government information librarians in Canada are collaborating on preservation projects to ensure that Canadian government information is preserved for future generations.

Canada is a bilingual country with two official languages: English and French. LAC serves as the national library and archives for the entire country, while Bibliothèque et Archives nationales du Québec (BAnQ) fulfils many of the same functions for Québec. The focus of this paper will be on the activities undertaken in English Canada.

Overview of the Depository Services Plan

Prior to 1927, there was neither a central system for libraries to receive federal government documents nor a reference guide or catalogue to find recently published Government of Canada (GoC) publications. Librarians had to write to departments to request copies of publications on an individual basis. Frustrated with the lack of a coordinated approach to collecting federal documents, Canadian librarians campaigned for an efficient and systematic way to freely distribute important official documents to larger libraries (Dolan, 1989, p. 55).

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2 Many of the government bodies, documents and websites referred to in this paper exist equally under English and French names or in English and French versions. Names, references and links are to the English forms, unless otherwise noted.
A group of concerned librarians met at the 1927 ALA Annual Conference in Toronto to discuss their difficulties in accessing and collecting government information (Dolan, 1989, p. 55). They pressed for change and advocated for a free distribution system modeled on the U.S. Federal Depository Library Program. The DSP was created by order in-council 1471 (P.C. 1471) on August 2, 1927 (Dolan, 1989, pp. 55-56). As Hardisty (1978) writes, “[P.C. 1471] appears to be the first official announcement of general free distribution, two types of distribution being indicated: automatic full distribution, and selective, on the basis of requests received from libraries and individuals” (p. 59).

It is important to understand some of the limitations of an order-in-council compared to other instruments. As Dolan (1989) explains,

> Several observations may be made regarding PC 1471. As an order-in-council it certainly had the force of law, but it was an executive instrument and as such did not pass through the legislative process like public bills introduced in the House of Commons. Furthermore, it was subject to change according to the wishes of Cabinet: its amendment did not require the full attention of all members of Parliament (p. 63).

This distinction becomes significant when considering some of the obstacles that the DSP faced in regard to departmental compliance.

To complement the new program, a catalogue of federal government titles was created to assist in documenting the publishing output of the Canadian government. The catalogues helped librarians identify titles of interest and allowed them to order titles in a centralized fashion. The first *Catalogue of Official Publications* appeared in April 1928 and went through several changes of title and publishing frequency before it ceased in 1992 as the *Government of Canada Publications: Quarterly Catalogue* (Public Works and Government Services Canada [PWGSC], 2013b, p. vi). Beginning in 1952, the government issued a *Daily Checklist* of materials available through the DSP, which became the *Weekly Checklist* in November 1978 (PWGSC, 2013c, p. ix). The *Weekly Checklist* was occasionally accompanied by *Supplementary Checklists* which, “list electronic publications acquired by the Depository Services Program after the print editions have been listed in the *Weekly Checklist*, or after it has been determined that a print edition is not available. *Supplementary Checklists* may also appear as topical bibliographies” (PWGSC, 2013a).

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3 Dolan provides an in-depth history and exploration of the DSP from its inception through 1989.

4 See catalogue record: http://publications.gc.ca/pub?id=9.508518&sl=0
The Weekly Checklist was replaced in April 2015 by the Weekly Acquisitions List (PWGSC, 2015b). No further instances of a Supplementary Checklist have appeared since 2015.

The DSP began its migration to the digital world in 1995, when it began building a collection of GoC electronic publications, which became the DSP E-Collection (PWGSC, 2014, What is the E-Collection?, para. 1). The Weekly Checklist also started to appear online and to include URLs in 1995 (PWGSC, 1995). New materials are added to the E-Collection on a regular basis and are discoverable through the Government of Canada Publications’ online catalogue. The Weekly Checklist and its successor Weekly Acquisitions List have provided links to files of MARC records for the materials they enumerate since 2006 (PWGSC, 2015a). Libraries upload these MARC records into their discovery systems, making the government material accessible and findable.

The End of the DSP

In 2006, the newly elected Conservative government of Stephen Harper presented an ambitious economic plan, Advantage Canada: Building a Strong Economy for Canadians, which emphasized eliminating Canada’s total government net debt in less than a generation (Canada. Dept. of Finance, 2006, p. 12). One of the principles outlined in Advantage Canada is “Focusing Government,” of which one element is “a new Expenditure Management System to ensure existing spending is effective, efficient, focused on areas of federal responsibility and provides value for money” (Canada. Department of Finance, 2006, p. 12). The government pursued its goals vigorously and in the years that followed, departments were required to assess their programs regularly and to identify areas where they could contain or eliminate ongoing costs. These reviews became a normal part of government operations and eventually came to be known as the Deficit Reduction Action Plan (DRAP).

The Treasury Board of Canada Secretariat (TBS) announced on July 5, 2013 that the government would transition almost exclusively to electronic publishing and that print materials would only be produced for selected programs such as health, safety and security (Treasury Board of Canada Secretariat [TBS], 2013b). As Wakaruk (2014) explains, “The Treasury Board of Canada Secretariat (TBS), akin to the Office of Management and Budget in the United States, leads the Government of Canada (GC) information management strategy. This includes the development of policies and directives, standards, guidelines, and tools that inform departmental policy implementation. (p. 15).
The DSP “announced its response to the Deficit Reduction Action Plan in April of 2012, informing its community of users that, as of April 2014, they would no longer produce, print, or warehouse hard copies of publications” (Wakaruk, 2014 p. 19). The appetite for electronic publications was increasing and by 2013, almost 92% of the publications listed in the Weekly Checklist were already available online (PWGSC, 2013d, p. xi).

At the time the DSP was dissolved, there were approximately 800 active depository libraries, both in Canada and in other countries (personal communication with PWGSC Client Services, January 25, 2018). Other DSP responsibilities that ceased included the warehousing of print copies for distribution, because it was no longer required, and centralized responsibility for Crown copyright and licensing, which was devolved to individual departments (Wakaruk, 2014, p. 16).

Two immediate consequences for libraries followed from the dissolution of the DSP. First, the government realized that depository libraries will no longer be able to comply with several terms of the Depository Library Agreement, signifying the DSP agreement will be null and void as of 2014 (Burns et al., 2013). Second, librarians realized that if the government’s IT infrastructure was to be the sole means of accessing the electronic materials, what guarantees were there that the materials would remain stable and viable over time? Government information librarians would have to start considering questions of the digital preservation of government publications in ways they had not before.

Changes to the Government's Web Infrastructure

The GoC had articulated a set of large, interdependent goals around improving its online presence, improving its use of social media and making its content “easy to find, clear, accurate and up-to-date” (TBS, 2012a). Part of these plans included reducing the number of federal government websites from 1,500 to six, and then ideally to one (TBS, 2012b, p. 8). Although the goals of simplification and streamlined access are laudable and forward-thinking, their implementation caused concern for people interested in the accessibility, stability and longevity of government information.

An internal GoC document explains that the President of the Treasury Board of Canada was instructed by Prime Minister Stephen Harper to develop a Web Renewal Action Plan (WRAP), deliverable by the end of 2012 (TBS, 2012b, p. 2). One of WRAP’s mandates was to “significantly reduce [the] number of GC websites and improve the effectiveness and efficiency of web publishing” (TBS, 2012b, p. 2). One of the techniques used to further the goals of WRAP was the effort to “reduce redundant, outdated and trivial [ROT] content” in order that GoC “websites should deliver easy-to-find, clear, accurate, up-to-date information to their visitors”
WRAP and ROT were intended to promote a healthy, normal content life-cycle for GoC web content. An analysis of the results, however, showed that they resulted in the disappearance of much valuable information.

The Canadian Library Association (CLA) wrote in its *Response to Canada’s Action Plan on Open Government: Consultation on Year 1 Progress* that, “the Web Renewal plan as it relates to federal publications, including websites, presents a number of concerns. Some details of the Web Renewal Action Plan are at odds with the overall aim of better access and openness envisioned by the CAPOG” (Canada’s Action Plan on Open Government) (2013, p. 1).

Wakaruk (2014) comments that “in most cases, subjective decisions about which web content was ROT(ten) were being made by program managers, not librarians or others concerned with issues of stewardship” (p. 18).

McNally, Wakaruk and Davoodi (2015) provide an excellent summary of the background and development of the ROT initiative in their 2015 presentation, “Rotten by Design: Shortened Expiry Dates for Government of Canada Web Content.” Through a series of Access to Information (ATI) requests, they found that ROT had grown out of earlier attempts to identify and remove what GoC departments considered to be outdated content. For example:

- Between 2006 and 2011, Fisheries and Oceans removed 40% of its web content (slide 11)
- Between Feb. 2008 and July 2009 the TBS removed 88,900 of 127,000 of its web pages (77%) (slide 11)
- The TBS has instructed departments to completely remove 50% of their departmental web content (slide 16)

Two concerns that many information professionals share are the lack of broadly-accepted or standardized metrics to determine when and why content is considered outdated; and the fact that, in most instances, there is no online archive of the removed content — it is simply deleted. As early as 2013, government information librarians had been told that “unofficial sources estimate that upwards of 60% of website content will be removed by July, 2013” (Burns et al., 2013, p. 1).

**Impact on Federal Libraries**

GoC efforts to reduce operating costs have had an enormous impact on departmental libraries. These libraries were greatly reduced in number and saw some of their major collections either discarded entirely or transferred to storage facilities that are not readily accessible to the public (Hill, 2014). Following the budget cuts in 2012, federal library closures were extensive and
included libraries from Public Service Commission, Citizenship and Immigration, Public Works and Government Services Canada, Transport Canada and Human Resources and Skills Development Canada. Canada Revenue Agency consolidated nine libraries into one; Parks Canada consolidated five regional libraries into one; Fisheries and Oceans Canada consolidated its library services into two principal and two subsidiary locations, and closed seven others; and Natural Resources Canada closed six of its 14 libraries (Canadian Association of Professional Academic Librarians, 2014; CLA, 2012; Hill, 2014).

Elgee et al. (2012) point out that “only LAC and CISTI, along with the Supreme Court Library and the Library of Parliament, have a legislative foundation for their existence” (p. 101). The practical consequence of the lack of legislative foundation was that some of the departmental libraries without this legislative foundation were seen as targets to reduce costs and could be eliminated or reduced under DRAP. As of early 2018, only 26 federal libraries remain in addition to the Library of Parliament (Canada, 2017).

Federal libraries not only house unique collections but also are responsible for specialized databases used by information professionals and the public to access content through searchable interfaces. Some current federal databases that are heavily used include the Government Electronic Directory; Canadian Geographical Names Database; GeoScan, a bibliographic database for scientific publications; Geogratis, which provides free topographic data; Health Canada’s Drug Product database that provides information on drugs approved for use in Canada; and Statistics Canada’s CANSIM, which provides key socio-economic data.

Another consequence of WRAP was the elimination of a substantial number of government databases. Wakaruk, McGoveran and Lake (2015) analyzed the changes in content available from publicly-accessible databases from the Immigration and Refugee Board of Canada, Health Canada and Industry Canada between 2005 and 2015. Their findings reveal that many databases disappeared and the content was not transferred elsewhere and that the number of departmental databases with unique content was greatly reduced. While it is likely that some of the databases in question contained out-dated or redundant information, the scale of the reductions remains disconcerting.

**Limitations of the DSP E-Collection**

Not all publications produced by GoC are contained within the DSP E-Collection, generally for one of three reasons. First, all documents to be deposited in the E-Collection must be in PDF format; second, the publication may be overlooked for inclusion, later becoming fugitive; third, GoC must be the copyright holder.
Despite these limitations, the E-Collection continues to grow. In August 2017, the results of the Publishing and Depository Services Directorate’s (PDSD) *Client Satisfaction Survey* indicated that the E-Collection contained “more than 355,000 bibliographic records, with over 235,000 downloadable electronic publications which can be accessed through the online catalogue via publications.gc.ca” (PWGSC, 2017, p. 5).

GoC has prioritized XHTML for its websites as part of the web accessibility standards built into the *Common Look and Feel Standards for the Internet 2.0* (CLF 2.0) (TBS, 2013a). CLF 2.0 incorporates the World Wide Web Consortium’s *Web Content Accessibility Guidelines 2.0* (World Wide Web Consortium, 2008). PDF is the preferred file format for the DSP E-Collection and this conflict can result in the exclusion of published GoC content in the form of spreadsheets, slide presentations, word processing documents, databases, digital maps and data files.

Departmental compliance in submissions has been a long-standing issue for the DSP and as early as 2005, DSP staff estimated that that anywhere from 40% to 80% of publications were not being deposited with the DSP (PWGS, 2005, p. 4). As Wakaruk (2014) explains, “Electronic publications exacerbated the problem because many departments were publishing PDFs without an ISBN or GoC catalogue number. Thus, there was no systematic way for the DSP or LAC to identify everything that was being published in electronic formats” (p. 16).

One of the reasons why compliance has been difficult is that the DSP, like most GoC departmental libraries, lacks any firm legislative foundation. Although P.C. 1471 created the DSP in 1927, later governments were able to modify the scope and mandate of the program without full legislative review; at best, only Cabinet approval was required (Dolan, 1989, p. 63). The existence of the U.S. FDLP is mandated by Title 44 of the U.S. Code, and although the FDLP has seen its share of trials and tribulations through it’s 150 year history, that legislative grounding has provided it with more authority and legitimacy than the DSP. As James Jacobs (2017) explains, “Chapter 19 of Title 44 is the very core of the FDLP. It not only defines the FDLP but it is the only legal guarantee that the government will provide its information for free to the General Public” (Free GovInfo blog post, Title 44 Reform). The DSP’s lack of authority has made it difficult to ensure that departments deposit all of the publications they are supposed to.

The original order-in-council, P.C. 1471, was later replaced by a series of Treasury Board (TB) Minutes and Policies. TB policies are communication policies for the GoC and TBS provides

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5 There is currently a new draft bill for Title 44 proposing revisions. See James Jacobs’ blog for an overview (https://freegovinfo.info/node/12546).
departments with advice on the interpretation of policies and oversees adherence to TB policies (Smith, 2009, p. 8). The TB Policy on Communication and Federal Identity came into effect on May 11, 2016 and replaced the former Communications Policy of the Government of Canada.

Part 3 of the Policy on Communication and Federal Identity states that, “the Government also ensures that its publications, including audio recordings and videos, are preserved as part of Canada’s documentary heritage and are easily accessible by using emerging technologies and traditional methods” (TBS, 2016b, sec. 3, Application).

The Procedures for Publishing support the Policy on Communication and Federal Identity. The DSP’s roles and responsibilities are outlined under Part 8, specifically 8.2, “Public Services and Procurement Canada,” which oversees the Publishing and Depository Services. The Procedures for electronic and print publications state:

- 8.2.1 producing a weekly checklist of new publications in electronic or tangible format, and making it available to the depository library network and to the public until March 31, 2014;
- 8.2.2 producing an online report of new publications that is updated regularly, effective April 1, 2014;
- 8.2.3 cataloguing all submitted publications in the Government of Canada’s central database;
- 8.2.4 issuing International Standard Book Number (ISBN) and Government of Canada catalogue numbers to departments;
- 8.2.5 developing and maintaining an online collection of electronic publications on the Government of Canada Publications at publications.gc.ca website;
- 8.2.6 printing, distributing, warehousing and commercializing the Canada Gazette Part I, II, and III and print publications on behalf of departments until March 31, 2014; (TBS, 2013c, sec. 8, Roles and responsibilities)

Procedures for Publishing apply to “all departments listed in Schedules I, I.1 and II of the Financial Administration Act, unless excluded by specific acts, regulations or orders in council” (TBS, 2013c, Application). The Procedures also provide exemptions for a short list of GoC offices. Part 6.4 of the Procedures directs agencies to maintain an index of all departmental publications in electronic or print format and to forward the index semi-annually to the Publishing and Depository Services Directorate (PDS) and to the Digital Legal Deposit Unit at LAC (TBS, 2013c, Requirements). This is the principal mechanism by which the DSP becomes aware of these publications so that they can be added to the E-Collection. Unfortunately, though, gaps in reporting continue to exist. Gay Lepky, former Manager of Documentation Services notes that:
There was no specific, in-depth study of the reason for departments’ lack of compliance with the DSP, but the reason usually offered was affordability. The Program’s check of one large [unnamed] department revealed both the resource argument and confusion within different parts of the organization. Nonetheless, there is also a need to educate departments about the DSP and its benefits and this requires more resources – at present the Program has three people chasing copies of publications and dealing with communications – and hopefully the Treasury Board will understand and respond to this need (PWGSC, 2005, Section B: Strategic updates, update on DSP activities section).

This somewhat loose constellation of electronic publishing guidelines, departmental tracking and reporting, cost containment and lack of legislative authority behind the DSP begins to explain the growth of “fugitive documents” from GoC. Compliance remains an issue today. According to the *Publishing and Depository Services Directorate (PDSD) Client Satisfaction Survey - Report*, compliance is still one of the most challenging issues facing the DSP:

Limited understanding and compliance among departments: Although mandated by Treasury Board requirements to provide all publications to PDSD, departments provide their publications at different rates, in different formats, and with imperfect understanding of new (web accessibility) standards and some do not comply with the requirement which requires PDSD to harvest publications. [...] As a result of the fast-paced changing Government of Canada landscape related to information management and more specifically publishing, government departments no longer have a clear understanding of their responsibilities associated with publishing and citizens have an imperfect awareness and understanding of the role played by each organization responsible for disseminating information.” (PWGSC, 2017, p. 15)

**Legal Deposit**

Legal deposit was created in 1953 when the National Library of Canada was created and is now governed by the *Library and Archives of Canada Act*. Unlike the DSP, which is administered by TBS policies, as described above, legal deposit is governed by a federal statute that legally empowers LAC to collect Canadian published materials. Sections 8.2 and 10 authorize LAC to collect government publications. All publishers who publish material in Canada must abide by legal deposit regulations and deposit two copies of their publications with LAC. These regulations apply to all material published in Canada, making LAC’s scope broader and theoretically more comprehensive than DSP’s. Authority for the types of categories included or excluded from legal deposit are determined by the *Legal Deposit of Publications Regulations*. 
Initially, legal deposit only applied to monographs but eventually expanded to include all other formats. As of January 1, 2007, legal deposit extended to digital publications and thus requires all Canadian publishers to deposit their e-publications with LAC (Library and Archives Canada [LAC], n.d.).

In the context of GoC materials, DSP assists LAC by acting as the principal liaison with federal departments. DSP generally obtains electronic publications first and then passes brief bibliographic information on to LAC for complete cataloguing. (personal communication, December 5, 2017).

Government materials that are required for deposit include books, serials, research and working papers made available to the public. Provincial and territorial government publications as well as unpublished documents, newsletters, bulletins, and alerts are excluded (LAC, 2017, Legal deposit exclusions). Sub-federal materials are not collected by any federal organization in a systematic way, which can contribute to them becoming “fugitive documents.”

**Legislative Libraries**

The Library of Parliament (LOP), which is attached to the Parliament of Canada, was formed in 1871. LOP provides support to Members of Parliament and Senators, including producing research publications on current topics, policy issues and legislation (Library of Parliament [LOP], 2018). LOP also maintains a number of specialized research tools, most prominently LEGISinfo and Parlinfo. LEGISinfo is a key means of tracking information on legislation before Parliament. Parlinfo presents “current and historical information about the institutions, people and events that have shaped Parliament since 1867” (LOP, 2008, p. 4).

Parliamentary publications were some of the first official publications to move entirely online. They are extremely important resources that document Canada’s history. As Beelen et al. (2017) state:

> Without doubt, the Official Report stands out as the most comprehensive and complete corpus for studying political speech and decision making in Canada. It spans more than one century, and touches upon a wide range of social, economic and political issues that moved Canadian public opinion at some point in time. As a crucial piece of heritage, its contents are relevant to myriad scholars such as legal historians, political scientists and critical linguists—to name only a few (p. 851).

*Canadian Parliamentary Historical Resources* (CPHR) is a searchable, open access database for the debates (“Hansard”) and the journals of the House of Commons and Senate. CPHR is a
collaboration between LOP and Canadiana.org, a coalition of organizations devoted to Canadian history and memory (http://parl.canadiana.ca/). CPHR covers from 1867 until 1994 for the House of Commons and until 1996 for Senate documents. After these dates, coverage is available on the LOP website.

**Lipad** is an open source dataset based on the the parliamentary debates since 1867 (“Hansard”) and is part of the *Digging into Linked Parliamentary Data (Dilipad)* project, an international collaboration between researchers at the University of Toronto, the University of Amsterdam and the Institute of Historical Research (University of London) (Beelen et al., 2017 p. 850). The *Lipad* dataset was derived from the PDFs created by Canadiana.org for the *Canadian Historical Debates* project. The PDFs were OCRed, parsed and annotated to produce a machine-readable resource. One of the key advantages of the *Lipad* dataset is the ability to search and filter accurately by politician, party and date. Other, earlier projects did not provide a solid textual corpus from which to work; they focused, instead, on page images. *Lipad* also contains very recent data, offering the user a unified platform, rather than having to find historical data in one place and current data in another.

Canada is made up of ten provinces and three territories, each having its own legislative body and accompanying library. Legislative libraries typically collect the official publications of their own province or territory comprehensively and those of other Canadian jurisdictions selectively. Their place in the Canadian government information landscape is critical, especially given that most provincial and territorial material is not collected by either the DSP or LAC. Provincial and territorial legislative libraries, combined with the academic and public libraries in their jurisdictions, thus accept considerable responsibility for preserving these publications.

Some provincial and territorial legislative libraries collect other provincial and territorial publications via exchange agreements; some selective federal documents are similarly collected. Not all provinces and territories have depository programs in place and the programs that do exist vary in their “design, administration and scope” (Lake, Campbell & McGovern, 2017). Alberta and Ontario, for example, maintain depository programs, while Manitoba ended its in 2010. Nunavut does not have a program, but, like the other legislative libraries, they actively collect all official publications from the Government of Nunavut.

Many of the libraries create monthly checklists listing the publications received by their legislative library. As with the DSP’s *Weekly Acquisitions List*, the provincial and territorial governments primarily publish digitally and the records in their monthly checklists generally include stable URLs for the documents. Publishing practices between the provinces and territories differ. Nunavut, for example, still produces print materials along with electronic versions, whereas most provinces have ceased publishing in print.
Like the DSP, many legislative libraries play an important role in preserving publications by downloading the electronic files onto their own secure servers. Changes in government, departmental and agency name changes, new content policies and fiscal situations have all resulted in publications being removed from the servers of the issuing agency. The work of the legislative libraries to prevent link rot and to provide stable platforms for these materials help to ensure that the publications are preserved. Legislative libraries generally provide access to these publications via their online catalogues, using PURLs or their digital repositories. Earliest dates for access to digital publications vary between jurisdictions, but 1995 is a common start date.

Many of the legislative libraries are either leading or are partners in historical digitization projects and providing online access to legislative materials such as bills, debates (Hansard), records of votes and proceedings, gazettes and regulations. One example is the collaboration between the Legislature and the Legislative Library of British Columbia and the University of British Columbia Library to provide digital access to the Sessional Papers of the province between 1876 and 1962 (https://open.library.ubc.ca/collections/bcsessional).

The Association of Parliamentary Libraries in Canada (APLIC) was founded in 1975 with the goal of improving parliamentary services, communication and cooperation between Canadian legislative libraries (Association of Parliamentary Libraries in Canada [APLIC], 2018b). APLIC’s Government and Legislative Libraries Online Publications Portal (GALLOP) indexes full-text and bibliographic content from the electronic government documents collections of 12 of the provinces and territories, plus the DSP E-Collection (APLIC, 2018a). As Lake, Campbell and McGoveran (2017) note, Nunavut, Prince Edward Island, the Yukon and the legal deposit electronic publications from Québec are excluded (slide 33).

Open Government Initiative

Canada joined the Open Government Partnership in 2012 and is a member of the Steering Committee for 2018-19 (TBS, 2017). The Directive on Open Government, under the responsibility of TBS, took effect October 9, 2014 and provides guidance on the ways in which federal departments and agencies can increase the availability of online information and data (TBS, 2014). The Directive defines open government as “a governing culture that holds that the public has the right to access the documents and proceedings of government to allow for greater openness, accountability, and engagement” (TBS, 2014. Appendix A. Definitions).

GoC developed and implemented the Open Government Licence - Canada (OGL-C) to support the Open Government Directive. To date, GoC has concentrated their open information efforts on data and working papers. There have been three reports since 2014 detailing GoC’s open
government initiatives, the most recent of which is the *Third Biennial Plan to the Open Government Policy* (2016-2018). The plan contains 22 commitments, including a continuing one to provide and preserve open information by creating government-wide platforms and tools to ensure the discoverability and accessibility of open government information (TBS, 2018).

One of these discoverability tools is the *Open Information Portal* (OIP), also known as the *Open Government Portal*, which debuted in November 2014. The *OIP* initially included all of the publications from the DSP’s and LAC’s collections of electronic government publications. These PDF publications had to be removed, however, due to Crown copyright restrictions, accessibility issues or lack of a version in one of the official languages. The portal was relaunched in the fall of 2016, this time containing only materials covered by OGL-C and appearing in both official languages (LAC, personal communication, December 05, 2017). Interestingly, it appears that the only GoC materials covered by OGL-C are those presented on the *Open Information Portal*. Releasing a comparatively small quantity of information under OGL-C while continuing to issue a much larger quantity under Crown copyright presents an apparent conflict with GoC’s stated aspirations of pursuing the goals of the Open Government Partnership.

**Crown Copyright**

Unlike in the United States, where official publications are not protected by copyright, GoC official publications continue to be protected by Crown copyright. As Monty (1996) states,

> In the U.S., the Constitution forbids the federal government to retain copyright - information theoretically flows from the people to the state and the people retain ownership of the information. In the British parliamentary tradition, representatives act on behalf of the Crown and the Crown retains copyright ownership. This is a fundamental philosophical difference. When applied to the information arena this difference makes the flow of information and its availability quite different (p. 492).

The whole question of Crown copyright in Canada has become something of a contentious issue in recent years. As Wakaruk (2014) notes, “In late 2010, the Crown Copyright Licensing Program (CCL) announced that (with some exceptions) the non-commercial reproduction and use of GoC publications and web content no longer required written consent” (p. 16). Although this is something of a step forward, some feel that it does not go far enough. Freund and How (2015) explain that

> Crown copyright, a special case of intellectual property rights in which the Crown holds the rights of materials created by government employees, set up an obvious conflict with
current notions of Open Government, and with democracy more generally, by placing restrictions on the reuse of government materials (p. 11).

A further complication to Crown copyright administration was introduced when centralized clearance via Publishing and Depository Services (PDS) ceased in 2013. Crown copyright clearance devolved to the individual federal departments, which has allowed for more inconsistencies (Dryden, 2017).

Preservation of Canadian Government Information

Collection development practices have changed over the past two decades for government information librarians, who often cannot readily rely on their content being provided by commercial or vendor platforms. The transitory nature of digital government information, changes in government policy, departmental name changes and the removal or alteration of content, underlines the importance of acting quickly to secure government information for future use.

Numerous organizations, academic, public, special and legislative libraries across Canada are engaged in web archiving and digitization activities. Due to the breadth of the topic, this paper will touch on some activities being undertaken by two of the main national organizations, LAC and Statistics Canada, and will discuss selected collaborative archiving and digitization projects undertaken by academic and legislative libraries.

Section 8(2) of the Library and Archives Canada Act gives LAC the authority to archive web content:

The Librarian and Archivist may take, at the times and in the manner that he or she considers appropriate, a representative sample of the documentary material of interest to Canada that is accessible to the public without restriction through the Internet or any similar medium (Library and Archives of Canada Act, 2004).

LAC has revitalized their web archiving efforts after ending their web harvesting programs in late 2007. Their collection development priorities include subdomain crawls of the GoC web presence, Canadian historical events, thematic collections and events-based harvesting. Some of their web archiving collections include Truth and Reconciliation websites of national importance, cultural and linguistic information about the First Nations and the Inuit peoples, the Olympics, Arctic Sovereignty, the Keystone Pipeline, the 100th anniversary of Canadian Confederation (“Canada 150”), the centenary of the First World War (2015-2018) and large-scale research collections such as the 2015 federal election. LAC also engages in
events-based harvesting and has archived sites ranging from the train disaster at Lac-Mégantic to the shooting incident at Parliament Hill and the Fort McMurray wildfires. LAC crawls the Prime Ministerial and the Privy Council domains proactively. Previously, LAC archived provincial and territorial government domains but due to policy changes in 2012-2013, no longer do so. Just as provincial and territorial publications are not collected in a systematic way by LAC, it remains the responsibility of each province and territory to preserve its own web content (LAC, personal communication, December 13, 2017).

LAC has increased their participation in national projects and is a member of Canada’s National Heritage Digitization Strategy. The strategy was created in 2016, with the goal of preserving Canada’s national heritage collections, including government records. LAC is home to a number of databases of digital materials, including the Royal Commission on Aboriginal Peoples and the Index to the Federal Royal Commissions on important topics of national interest.

The digital holdings of Statistics Canada (StatsCan), the country’s national statistical agency, currently exceed 1.4 petabytes (Michaud, 2015). StatsCan has been at the forefront of digitizing their publications for many years and all historical StatsCan publications have recently been digitized, compromising over 130,000 files. The work was completed in collaboration with Publications and Depository Services Directorate (PDSD). StatsCan is working with the the DSP to ensure that all of these files are available in the DSP E-Collection (PWGSC, 2016, para: Statistics Canada project). StatsCan consistently holds some of the most in-demand and accessed materials across the GoC. StatsCan has also digitized all of the Canada Yearbooks from 1867-1967.

Like the statistical agencies for many other countries, StatsCan participates in the open data movement and encourages open access to their datasets. StatsCan contributes over 75% of the non-geospatial content found in the OIP. (Statistics Canada [StatsCan], 2017b) In 2012, StatsCan opened one of their main databases, CANSIM, which houses socio-economic data tables and which is, along with the Census, one of the main StatsCan research tools.

After much discussion among Canada’s web archiving professionals, the Canadian Web Archiving Coalition (CWAC) was formed in November 2017 under the aegis of the Canadian Association of Research Libraries (CARL) Digital Preservation Working Group and the Advancing Research Committee. CWAC’s goal is to create a national community of practice around web archiving the content of memory institutions in Canada. It aims to be as open and inclusive as possible and will form working groups focused on the areas of collections, training and advocacy. On the inaugural call in January 2018, there was a wide variety of participants from academic and government libraries across Canada.
The Canadian Government Information - Digital Preservation Network (CGI-DPN) is a collaborative archiving project established in 2012 by Amanda Wakaruk, former Government Information Librarian and current Copyright Librarian at the University of Alberta. The CGI-DPN’s mission is to preserve digital collections of government content. (CGI-DPN, 2017).

After the demise of the print depository program in 2014, the country became dependent on the DSP E-Collection. Librarians became extremely concerned about the stability of federal government documents because there was no longer a network of copies to ensure the safety of the materials. To add to their concern, the agreement between the DSP and depository libraries was no longer in force, meaning that libraries were no longer required to keep their depository collections. In the age of increasing pressure to turn collections space over to new uses, this could mean the uncontrolled loss of our government collections.

Modelling itself on the U.S. Digital Federal Depository Library Program (FDLP), which uses LOCKSS to secure electronic materials from the US Government Printing Office Federal Department site (FDSys), CGI-DPN uses LOCKSS to distribute copies of replicated Canadian government information in secure dispersed locations.

Eleven Canadian academic libraries, plus Stanford University (where LOCKSS is based), constitute this coast-to-coast partnership. CGI-DPN collections include copies of the the DSP E-Collection, at-risk government websites (federal, provincial and territorial) and thematic collections. The collections are all available via the Canadian Government Information PLN Web Archive (https://archive-it.org/organizations/700).

The Internet Archive Canada Portal (IACP) has so far has digitized over 20,000 Canadian government documents for the Canadian Government Publications Portal, with help from Canadian government information librarians at academic and legislative libraries. The collection is accessible from https://archive.org/details/governmentpublications%26tab=about&tab=about

At the time of Smugler’s paper, a registry similar to the U.S. Digitization Projects Registry had not yet been created in Canada. Smugler (2013) comments, “The US Federal Depository Library Program maintains an outstanding directory listing of US Government publication digitization efforts through its Digitization Projects Registry. Unfortunately, a similar registry does not currently exist in Canada.” (p. 5). In 2015, the Registry of Canadian Government Information Digitization Projects (https://govreg.library.utoronto.ca/) was created at the University of Toronto with the goal of becoming a central access point for digitized Canadian government information. The registry helps prevent the duplication of digitization projects, helps keep the community up to date with current projects and helps to identify potential project partnerships (Wall, 2017). At the time of this writing, a total of 84 projects created by 21 institutions are
Margaret Wall, the registry’s project lead, comments that much of the registry’s success relies on the participation of communities. Wall states, “The vision for the Registry is that it will evolve to function as a central index of digitized Canadian government information. This is dependent on participation from the library community and government itself” (2017, p. 8). This project exemplifies the importance of collaboration in trying to preserve the enormous output of information that is created by governments.

Canada does not enjoy a large array of commercial products to support its government information. Des Libris, formerly called the Canadian Public Policy Collection, is a subscription database which itself includes two collections: the Canadian Electronic Library (CEL) and the Canadian Documents Collection. The CEL concentrates on electronic books published since 2005, while the Canadian Documents Collection includes various federal, provincial and municipal government documents, political party platforms, policy and discussion papers.

Canadian Research Index provides indexing of depository and non-depository materials from all levels of Canadian government. Documents described in Canadian Research Index are available on microfiche in MICROLOG. MICROLOG provides, “English and French publications from federal, provincial, and municipal government agencies and departments. It includes research, scientific, technical and annual reports, policy papers and statistical materials” (Proquest, MICROLOG). In recent years, many Canadian research libraries have cancelled their subscriptions to MICROLOG due to mounting costs and the perception that the materials are available freely online.

The Changing Role of the Government Information Professional

After reviewing some of the current projects and endeavors to preserve government information, one might wonder who is doing all of this work. When asked to write a paper for GIOPS on the landscape of government information in Canada, I thought it was important to survey the number of Canadian academic government librarian positions, especially since many of my colleagues have retired in recent years or transitioned into other positions.

I reviewed subject guides and librarian contact pages at the 29 research libraries that are members of the Canadian Association of Research Libraries (CARL) 6. I saw that government information librarians were responsible for anywhere from two to four additional subject areas, among them law, data, research data management, political science, open access, classical studies, history, sociology and criminology.

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6 CARL also includes two federal government libraries: LAC and the National Research Council (NRC).
Only five librarians appeared to solely be responsible for government information. I followed up with these five librarians via email to confirm if, in fact, government information was their sole responsibility. Four of the five people indicated that they were either involved in other subject areas or had been given responsibility and oversight for large departments, including User Experience and User Services, Acquisitions and Bibliographic Service and the library’s Research Data Centre. Only one librarian out of these 29 CARL institutions has government information as their sole focus.

Conclusion

Starting in late 2015, with the new Liberal government in place, Canada saw some improvements in access to government information. The long form Census was reinstated and received a 97.8% response rate, the highest rate in history (StatsCan, 2017a); Bill C-36, An Act to amend the Statistics Canada Act, was passed (received Royal Assent Dec. 12, 2017) and strengthens the independence and powers of the Chief Statistician; (Statistics Act, 2017); and LAC resumed its web archiving activities and is now leading the Canadian National Heritage Digitization Strategy.

In 2016, the Honorable Scott Brison, president of TBS, revealed previously undisclosed budget cuts under DRAP dating back to 2012 (Siekierski, 2016). In a letter to the Parliamentary Budget Officer, Brison writes:

> Our Government is committed to setting a higher bar for openness and transparency. We are guided by the principle that government data belongs to all Canadians. With that in mind, please find enclosed further program level details. As part of my mandate to improve the effectiveness of the public service, I am looking to improve the measurements of outcomes and service levels in government (TBS, 2016a).

The data provided in the Strategic and Operations Review document provide some idea of how drastic the cuts of 2012 were in federal departments, particularly in the areas of research and science. It is difficult to determine the extent to which these cuts affected government services as only the budget figures are listed7; the service impacts are not described as pointed out is (Siekierski, 2016)

Government information librarians across Canada remain dedicated to ensuring that Canadian government collections are preserved for future generations. More than ever, advocacy is a core

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7 Strategic and operating review
skill for librarians. Although the DSP print program has ended, librarians and the DSP continue to work together. The former DSP-Library Advisory Committee, established in 1981, has been renamed to the Depository Services Program Advisory Committee (DSP-AC) and has revised its terms of reference to reflect the changes to the program and to ensure that stakeholders still have the opportunity to provide input and advice to the DSP. The DSP and the library community remain committed to ensuring that a secure preservation network for federal documents continues to exist.

The results of the 2017 *Publishing and Depository Services Directorate (PDSD) Client Satisfaction Survey Report* indicate that PDSD services continue to be in demand and that government information continues to be seen as highly valuable for the public, information professionals and researchers. In 2016-17, the publications.gc.ca website saw approximately 150,000 visitors and 100,000 document downloads per month (PWGSC, 2017). As the PDSD report states, “Library professionals deem government publications ‘unique’, of particular resonance, part of an important historical record, and essential to government accountability, an engaged citizenry and the nation’s capacity to learn from the past” (PWGSC, 2017, p. 10).

The Canadian Library Association (CLA) disbanded in 2016, and along with it its Government Information Network (GIN) 8. CLA had been a strong voice for not only the federal depository program but also for all types of government information since 1946, encouraging the continued accessibility of government information through numerous advocacy campaigns. Without a strong advocate, government professionals more than ever need to advocate for access to and preservation of government materials.

2018 marks the 20th anniversary of British Columbia’s Government Information (GovInfo) Day; librarians in Ontario have held their own GovInfo Day since 2014. These annual events brings government information professionals together to discuss topics of interest ranging from information privacy, access to information, and issues pertaining to information from all levels of government. With the demise of the CLA-GIN, GovInfo Day has become a very popular event at which government information librarians can collaborate and learn from each other.

Canadian government information professionals have learned much from the swift changes in their environment over the past several years. We have become more collaborative and self-reliant and are forging new frameworks to help ensure that the people’s information is secure today and in the future.

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8 CLA has since been replaced by the Canadian Federation of Library Associations (CFLA).
References


