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GOVERNMENT INFORMATION: THE RIGHT TO INFORMATION AND THE PROTECTION OF PRIVACY IN CANADA

Klein and Kratchanov Release No. 4, July 2025

Government Information: The Right to Information and the Protection of Privacy in Canada, by Kris Klein and Denis Kratchanov, is the only publication of its kind dealing exclusively with access to information and privacy of personal information in the public sector in Canada. This is the second edition of Government Information.

The first edition was written by Colin McNairn and Christopher Woodbury and was maintained by them, through updating releases, for the period from 1989 through 2008.

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Highlights

This release features updates to Appendix IF (Issues in Focus); SLL (Selected Legal Literature); and WP (Words and Phrases).

• Issues in Focus — Are damages available to remedy a violation of an individual's privacy rights by a government actor? — Pecuniary compensation for violations of privacy rights by government and its agencies is an emerging area of law. There exists constitutional, statutory and common law constraints on the extent to which government is allowed to encroach on an individual's privacy. However, a failure on the part of government to remain within the defined statutory boundaries may not always be sanctioned by the award of damages.