

242 Havelock St.
Toronto, Ontario
M6H 3B9
June 15, 2005

Mayor David Miller
City Hall,
City of Toronto
June 15, 2005

Dear Mayor Miller,

I would like to advise you that the The Centre for Research into Local Space (CELOS) will make representations before the Office of the Information and Privacy Commissioner (IPC) on June 22, 2005 in response to our repeated unsuccessful attempts to obtain information relating to playground repair in Toronto.

You may be interested to know that a key issue in the enquiry is whether or not the City has conducted a reasonable search for requested records. The City has taken the position that its officials are not obligated to create records in response to requests. The attached summary of our requests and the responses from City officials may be of interest to you. Is the City's legal position that these records do not exist consistent with your stated position about the importance of an open and accessible City of Toronto?

Additionally, we note that the "Strong Toronto, Strong Ontario" consultations to be held, coincidentally, the same day of the IPC Inquiry seek public advice and suggestions in respect to the 2 following questions:

Q1. How can the Province and the City ensure a strong Toronto that is fiscally sustainable, autonomous, accountable and has the tools it needs to thrive?

Q2. What advice would you give to the City and the Province to ensure the success of Toronto's new powers?

The City's responses to many of CELOS' information requests suggest to us that, on the occasions the City staff chooses to fulfill its obligations under the Municipal Freedom of Information and Protection of Privacy Act, it does so in a purely technical, legalistic manner with no heed for the intent of the legislation.

In view of our experience, we would ask in response to Question 1 above, whether the reference to "strong Toronto" has any application to the people who live in the City, or

whether it refers, rather, to the further entrenchment of a bureaucracy which appears to have very little accountability to the people it is mandated to serve.

With respect to Question 2, we would suggest that the City begin to properly fulfill its existing obligations before it acquires any additional powers. As well, we would note that the “success of Toronto’s new powers” depend upon legislation which gives people who live in Toronto opportunities to hold City officials accountable for carrying out their duties in a way which pays heed and responds in a timely, responsive way to issues concerning the public interest.

We would be interested in any comments you may have.

Yours truly,

Jutta Mason
Centre for Local Research into Public Space

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Toronto, Ontario
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Councillor Joe Pantalone
City Hall,
City of Toronto

Dear Councillor Pantalone,

I would like to advise you that the The Centre for Research into Local Space (CELOS) will make representations before the Office of the Information and Privacy Commissioner (IPC) on June 22, 2005 in response to our repeated unsuccessful attempts to obtain information relating to playground repair in Toronto.

You may be interested to know that a key issue in the enquiry is whether or not the City has conducted a reasonable search for requested records. The City has taken the position that its officials are not obligated to create records in response to requests. The attached summary of our requests and the responses from City officials may be of interest to you in view of Maya Littman's earlier correspondence to you.

Is the City's legal position that these records do not exist consistent with your position of a constituent's right to information?

We would be interested in any comments you may have.

Yours truly,

Jutta Mason
Centre for Local Research into Public Space