

HOW FREEDOM OF INFORMATION REQUESTS CAN IMPACT ON YOUR LIFE

While this article from the Canadian Association of Journalists' *Media Magazine* dates back to 2001 – it is being used in this teachers' guide because it vividly outlines how a determined reporter can use freedom of information requests to uncover a story that can have an impact on literally multiple thousands of people. In this case, the FOI requests led to *The Toronto Star's* Dirty Dining series.

A personal bout with food poisoning gave Robert Cribb the motivation he needed to ask tough questions about the cleanliness of Toronto's restaurants.

It began innocently enough.

I had dinner in a downtown Toronto eatery that seemed entirely pleasant. The utensils were clean, the bathroom area spotless and while the chicken was a bit over seasoned, it was not altogether unpleasant.

Until later. I got sick. Really sick. The kind of sick that makes you kneel and seek mercy from a higher power.

And that got me thinking about what goes on behind the kitchen doors in our restaurants.

We've all heard the stories of saliva-seasoned salads and bacteria-laced hands preparing our food. But there are standards in place these days, right? We pay health inspectors to protect us from such nausea-

inducing hazards, don't we?

So, I asked Toronto Public Health, the municipal agency responsible for food safety in Toronto, for a copy of the most recent inspection report on Chez Disgusting where I was sickened.

They said no.

I asked someone else in the department, nicely.

Again, I was told such information is not released to the public. I could file a Freedom of Information (FOI) request, pay my money and wait, they said.

But they weren't handing it over.

I made all the standard arguments about how such a policy undermines the public's right to know. I gently pointed out that the information is collected and filed by public servants paid by me to act in my best interests. I concluded by strongly suggesting that the information rightfully belongs to the public.

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Their answer remained a firm and unequivocal "Sorry, no."

The blood boiled.

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It started with outright denials which turned into fee estimates of nearly \$20,000, several formal written requests, long delays, missed deadlines, numerous negotiation sessions and a six-month wait. Then, when health officials simply ran out of excuses, a brown envelope showed up on my desk with two computer disks inside containing every critical violation in Toronto food establishments for the previous two years.

It formed the basis of what would become a year-long series of stories detailing major problems with food safety and cleanliness in city food establishments that ran under the label “Dirty Dining.”

The public reaction was enormous, triggering sweeping changes in the food inspection system in Toronto and beyond, including the country’s first public disclosure system for restaurants.

The data required extensive cleaning once imported into Microsoft Access format. From there, I analyzed the records by area of the city, kind of establishment (restaurant, cafeteria, convenience store, etc.) and the nature of infractions, to turn up trends, hypotheses and repeat offenders.

But while the data provided a sweeping view of what were clearly serious public health risks,

there was no clear picture of what exactly inspectors were seeing inside individual kitchens. And for impact, I needed to be able to help readers see what inspectors see.

For that, I needed copies of the actual hand-written inspection reports that detail the specific violations. I filed a second round of FOI requests for inspection records on 30 restaurants in the city that were representative of those that

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appeared in the violation database. They were chosen to include various areas of the city, kinds of establishments (high, medium and low end) and a wide sampling of infraction types.

Those reports provided the portraits of dirty restaurants that illustrated the data findings. They

revealed a catalogue of horrors: filthy kitchens, food poisonings, vermin infestations and restaurants that repeatedly violated health regulations yet had never been charged or closed down.

In addition, the access requests turned up background documents on the inspection system filled with rich detail on shrinking budgets and staff that helped to explain the lack of enforcement and follow-up which the series documents. Meanwhile, extensive Internet research provided context on disclosure policies in other cities across North America and experts on the subject.

The initial two-day series documented a food safety system that routinely turned a blind eye to critical food safety problems, had never closed a restaurant in the past two years and fined only 11 establishments. It also outlined a recipe for fixing the system drawn from the experiences of some U.S. cities.

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Toronto mayor, Mel Lastman, immediately ordered a four-month inspection crackdown on the restaurant industry, which led to 60 restaurant closings and more than 100 charges laid. It was the



highest rate of enforcement in the city's history.

Meanwhile, the city's public health department began releasing the name of any restaurant charged or fined to the public, through media releases and on a website created after publication of the series. As well, the city no longer demands a Freedom of Information request in order to release inspection reports to the public.

In the wake of recommendations made in *The Star's Dirty Dining* series, the city has now adopted a new disclosure policy that posts the results of inspections in the front windows of restaurants across the city. The inspection signs – a

first in Canada – began appearing in restaurant entrances in January (2001). The information is also being made available on the Internet and through a new telephone hotline.

Another key recommendation in *The Star's* series, mandatory training for food handlers, was also adopted. Toronto will become the first city in Canada to enforce mandatory food-handler training in all restaurants beginning in 2002. The Ontario Ministry of Health is expected to follow suit province-wide.

News of Toronto's restaurant inspection shakeup went across the region and the country, and other cities, including others in southern

Ontario, Vancouver and Ottawa, are reviewing their systems.

All that from a bad chicken dinner.

Robert Cribb is an investigative reporter with The Toronto Star

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After reading the article, answer the following questions:

A What are the key facts reported in this article?

B If freedom of information laws didn't exist, which of these facts might not be known?

C What effect might the disclosures made possible by the freedom of information requests have had on your own life?

D Did reading the story change your view about the significance of freedom of information?
