

# Interview with Inger Hansen, Q.C. Information Commissioner of Canada

by Jette Ashlee

In 1950, Inger Hansen left her native Denmark for Canada. She worked at a number of jobs before entering the University Of British Columbia where she was awarded her LL.B. in 1960. Inger Hansen's career took her from such prosaic positions as farm maid and invoice clerk to practicing law in Vancouver. Her work in the Solicitor General's Department was followed by nearly fifteen years of holding some of the first ombudsman's posts in Canada: the first Penitentiary Ombudsman, the first Privacy Commissioner, and her current position as the first Information Commissioner of Canada. She is now the world's longest serving ombudsman.

In our interview we talked about her career, her early life in Denmark, her philosophy and the current state of the women's movement.

Inger Hansen answered my question regarding her decision to come to Canada with a twinkle in her eye: "It's a typical immigrant's story: a little of the 'ugly duckling' but a lot of adversity and happiness too." One immediately senses warmth and strength in this woman, an exclusive quality of those who have truly lived. Inger Hansen describes herself as an adventurer whose guiding forces have been "a flight from boredom and a strong sense of curiosity." Her childhood during World War II was marred by the suspension of civil liberties and the terror of military occupation. Soldiers with guns and grim faces replaced the kindly shopkeepers and citizens of Copenhagen almost overnight. "In a sense, I lost a normal childhood," as did so many children and young adults of the generation that ex-

perienced the German occupation of Denmark. "I became politically aware very quickly. Despite my youth, I became involved in the underground — on the fringes of battle. I was fourteen the first time I handled a gun, I did not use it, but I knew how and wanted to because I felt oppressed... You become conscious of civil liberties early when two Jewish girls are suddenly taken from your class and your teacher cautions you not to talk about them. They went underground and survived. I was between ten and fourteen years old during the occupation and will never forget the look of want, suffering and overall human deprivation that I saw so early in my life."

Prior to World War II, Denmark had established an excellent international record. They were first to abolish the slave trade, [one of the first] to introduce the franchise to both sexes, to suspend censorship, and to provide universal education, which culminated in high standards of literacy. Danish cooperative and trade-union movements, the folk high schools, gymnastics, innovation in agriculture and manufacturing were quiet models of international excellence. Danes opposed the Nazi occupation of their homeland by forming a strong resistance movement of freedom fighters. As often

as they could, they paralyzed German transportation and communication lines and transported Jewish people to neutral Sweden.

"Denmark was liberated on May 5, 1945: A feeling of great joy came over the people. I walked down to Vestre Faengsel and watched the release of Danish Resistance workers from prison. The same day I saw German soldiers, some as young as 14 and 15 years old, walking in disarray down Enghavevej. The Commando Post of the Resistance was installed in the basement of our apartment building where Nazi collaborators were interrogated. I saw them too. The night of the liberation, Copenhageners placed lighted candles in their windows to celebrate the end of forced darkness and curfews." The candles have become symbolic of the liberation in Denmark and can be seen every year on the 5th of May. The atrocities that Inger Hansen saw by the age of fourteen would never be erased from her mind and helped shape her social consciousness and life long concern with human rights. "Those of us who saw any of it will never be able to forget."

The reconstruction of Denmark and Europe was underway when Inger's father asked her what she wanted to do with her life. "I wondered why he asked me, be-

cause when I told him I didn't know but that I definitely wanted to go to university, he objected. I thought of being a poet or a geologist. The performing arts interested me; I had acted in school plays. The only thing I knew was that I didn't want to be an accountant or a dentist. Anyway, Daddy looked me straight in the eye, and said: "Well, you know, if you had



*Inger Hansen in Sweden, 1986.*

been a boy, I would gladly put you through university, but it is going to be a waste because you are going to get married." Inger did marry shortly after, "not for the sake of getting married, but we wanted to travel through Europe, and in 1948 neither of us would have been able to convince our parents we could do it without the proper ceremony."

Once the young couple was back in Denmark, Inger found work with an encyclopedia publisher and "suddenly realized life wasn't so bad — I had fun. I enjoyed learning, as they used to say at the publishing house, nothing about everything. But the restlessness was still there. About a year later, we contracted to work on a farm in Canada, somewhat under false pretenses, as farm-hand and maid. We were not happy — we didn't get enough to eat, which I know now was an exception in a land of plenty. Our room was a bed on the landing of the stairs with a curtain in front. We were scared, but after a month, we ran away. Later, the fear of being kicked out of the country abated, and with the help of friends, we went to the unemployment insurance office where we were told that Canada does not deport people for fleeing oppressive conditions." Inger found a job in Sudbury and worked there for two years before going back to Denmark to study at the university and apply for a divorce.

Inger Hansen returned to Canada in 1953. She arrived in Vancouver with the sum total of seventy-five dollars because there were currency restrictions in Denmark at the time. Inger worked at whatever job came her way before entering law school at the University of British Columbia in 1956. She says that to date, her experience includes about thirty jobs. "If I were to put them all down on a job application, I would have to admit that I was usually the lowest person on the totem pole. Too bad, I learned a few things about different businesses that became very handy in practicing law, it gives you an inkling of what the client is talking about."

Hansen's description of her life as a law student at the University of British Columbia is marked by a similar sense of fun mixed with seriousness. "There was no LSAT then, and I didn't top the class, I was not even in the first third. I was right smack in the bottom half the first year. I think there was less discrimination against

women in those years when I was a law student. I think this is because we weren't a large enough number to threaten the neighbourhood. We could be ignored."

One of Hansen's early legal successes was *Regina vs. Morris*, a legal case in which she applied for and obtained a writ of prohibition against a judge. As she tells it, "a brilliant client had suggested that [the judge] had no jurisdiction. Having lost later after an appeal by the Crown and gone back before the same judge and told him that I still objected to his jurisdiction, my client was convicted. I appealed, and this time, the Court of Appeal asked the Crown why the original judge ever started the hearing in the first place. It made me feel pretty good to win this case. I also learned that the City Prosecutor had sent a note around to his prosecutors attaching his decision to grant the original prohibition in the first place, and stating: "She's right!" When I was told this, I went down to see the City Prosecutor to ask him for a job. He pondered my question for a while, then stated, "this is interesting, but women don't prosecute, well, maybe in family court." Finally he said right to my face, and I admire him for that, "No woman can do that kind of work." I never made it, but three years later, Nancy Morrison, who later became a judge, finally persuaded him to hire her as a prosecutor."

Hansen practiced law in British Columbia as counsel in criminal matters until 1969 when she joined the Federal Department of Justice as legal officer in the Solicitor General's Department. She was involved in the revision of the *Juvenile Delinquent's Act* and issues concerning inmate's rights, and the Canadian Penitentiary Service, as well as serving as the Department's representative on the interdepartmental committee on the Status of Women. During this period Inger's work branched off into new political and legal developments for Canada.

Following a riot by inmates at Kingston Penitentiary, the Swackhamer Commission was struck. One of its recommendations was to establish visiting committees to deal with inmates' complaints. The Solicitor General, Warren Allmand, supported the idea, but wanted one correctional ombudsman for all of Canada, rather than several separate visiting committees. Inger was asked to do the background research and, as she admits now: "I was rather hostile to the idea because I thought,

that's what lawyers do, what do they need an ombudsman for? But I did the research anyway. Then, one day, I was having an argument with the Commissioner of Penitentiaries and his Deputy, when he said: "I hate it when you are right, maybe you should be the new ombudsman." I said, "Would you really hire a woman?" "Maybe" was his response. Some days later I got a call to come and see the Minister. I thought that the Minister had thought this was a terrible idea because he said, "Do you really think you can do it?" I said, "Yes, I would do it." I was suddenly on my own with a lot of new responsibilities in uncharted territory. Should I start in British Columbia or Quebec, I asked myself? I started in the Maritimes at the Dorchester Penitentiary."

The year was 1973. "At the penitentiary, I told the guard on duty that I would like to meet some of the inmates. He arranged a meeting between me and some of the inmates. I was sitting and talking with them in a small room when one of the inmates said that another inmate wanted to join us but could not come to us. The inmate knew, as did I, what he was doing. I said that I would try to see him, but he and the others doubted it as I would have to go through the "dome." No woman had ever been through the "dome," the centre hall of the penitentiary. That day I was escorted along the wall on the outside. I had a talk with security and this never happened again. From that day forward, I was never denied access anywhere in any penitentiary in Canada."

The penitentiary work required Inger to travel more than 50,000 miles a year in Canada. "I was at the receiving end of an enormous number of problems that were very important to every person I dealt with. I got to the stage where I felt burned out. Those were the years culminating in tragic events at the British Columbia Penitentiary when Andy Bruce, and others, held a number of hostages in the classification area. I was in Ottawa and had a ticket to travel to B.C. to see what I could do. But, at about five-thirty in the morning, Mr Warren Allman telephoned me to say it was all over and that Mary Steinhauer had been killed. I later visited Andy Bruce in hospital where he was unable to speak because of his injuries. I also gave evidence before the committee that inquired into the hostage incident; it was a tough time that underscored more than

ever the need for the mediation work inherent in an ombudsman's role"

"In 1973, when I was appointed Penitentiary Ombudsman, few women other than nurses worked in Canadian penitentiaries. After my appointment, curiously enough, features on correctional issues began to appear on the women's pages. There are now many women who work on the inside of penal institutions. The job was the greatest experience of my life. I learned more about human beings, and how legal rights are enforced, or not enforced when you are at the bottom, or, when you can't get a lawyer because the problem is too small. For instance, you can't expect a lawyer to deal with a two-day miscalculation of your sentence, that's when you need an ombudsman who can do it quickly and at no cost. There were many successes and changes after the office Penitentiary Ombudsman was established and I am proud to say that I was part of them."

Near the end of her term as Penitentiary Ombudsman, Inger was approached on behalf of the Minister of Justice, Ron Basford, who asked if she would accept the position of Privacy Commissioner. She asked how long she had to think about it. "Until tomorrow," was the reply. Twenty minutes later she said, "Yes."

In 1977, *The Canadian Human Rights Act* contained provisions for personal information rights. Inger was appointed a member of the Human Rights Commission with special responsibilities for complaints relating to privacy rights. Those rights entitled individuals to ensure that information concerning them would be correct and timely. The capacity to collect, store and link personal information by electronic means was almost unlimited while demands for access to personal information were becoming commonplace. "It was interesting work, I was breaking new ground, making statutory interpretations with no one to tell me whether I was right or wrong."

Inger continued her record of holding some of the first ombudsman offices in Canada. In 1983, two Acts of Parliament proclaimed the *Access to Information Act* and the *Privacy Act*. The *Access to Information Act* establishes the right to access information contained in federal government records. *The Privacy Act* gives Canadian citizens, permanent residents of Canada and inmates of federal penitentiaries

access to information about themselves. Inger Hansen became the first Information Commissioner in the same year the Act came into force. She was appointed for a seven-year term as an independent officer of Parliament and reports directly to the Senate and the House of Commons through their speakers. As information Commissioner, Inger deals with complaints from individuals who believe that the federal government has denied them the access rights set out in the *Access to Information Act*.

Hansen feels strongly that the concept of open government will not become a reality unless something is done to change attitudes: "Education is one way in which attitudes can be changed. It must be carried on soon and in a manner that reaches all levels of the government as well as the general public. Both the political and administrative arms of government must take part in explaining and listening. High-profile public discussions on the balance between freedom of information and privacy, between freedom of information and corporate interests, should take place. There must be public debate on when the right to know should override all other interests. The public deserves to know the basis for the arguments from governments that 'sources will dry up,' or 'the truth will not be told,' or 'good decisions cannot be made,' if there is too much freedom of information. The Information Commissioner cannot and should not be the only one to deal with those issues."

"While I am more convinced than ever that public awareness of the *Access to Information Act* is crucial to its usefulness, I am not sure that the Information Commissioner, as an independent neutral reviewer, is the appropriate person to conduct public education," says Inger. "Certainly the Commissioner should not be the only person. In my opinion, the Commissioner's public education endeavors carry with them the inherent risk of an allegation that the Commissioner is biased."

Inger Hansen regularly addresses domestic and international gatherings on human rights, the role of the Information Commissioner, the role of the ombudsman, privacy, freedom of information and women's rights. She taught a civil liberties course at the Law Department of Ottawa's Carleton University for three years and has given guest lectures at many

universities in Canada and abroad. She is the Chair of the Ombudsman Forum of the International Bar Association, a member of the Canadian Bar Association and of the Law Society of British Columbia.

I asked her what role she saw universities taking in furthering the idea of open government. She explained that students accept the concept of privacy and freedom of information as a citizen's right in modern democracies. "Once the state legislates openness, there is no turning back." If she were to teach courses on open government, she would teach the oral tradition that we know from history, as best exemplified by the Greek City States, and of course, the *Alting* — the Parliament of the Norse peoples — "because of my Scandinavian background. It was a true form of open government, no information is withheld when all citizens are directly involved in oral exchanges of question, answer, explanation and interpretation." From these early historical examples she would move onto the period of history in which few could read and write. "The literate have power, freedom, personal satisfaction, while the illiterate, in today's world, are barred from access to knowledge with the consequent loss of power, freedom and satisfaction." She would cover the Dark Ages, move through the Enlightenment, to the period of universal education and the role of the state as parent, or "Leviathan." The course would sum up with present day demands for access to information as a feature of Western democracies.

Hansen's pioneering work in establishing three first-time ombudsman offices that deal with rights to privacy and with access to information are complemented by the role she's played in furthering the equality of women. I put some questions to her about the situation of women, her life's philosophy and what her Danish heritage means to her.

Hansen expanded on a remark she had made seven years before: "The '80s is up for grabs for those of the 'female persuasion.' Instead of saying *give us equality*, I think the time has come to grab responsibility, because only when you can *take the responsibility*, you'll get it." I asked her if she had seen major changes in the seven years since she said that. "A lot more women are grabbing the brass ring with many more making solid inroads in fields traditionally held by men. We now

have more female cabinet ministers, heads of boards, deputy ministers, judges, visible media, interviewers and so on. The board rooms of the nation would seem to be the slowest area in opening doors to women. However, women who start their own businesses are doing very well. Yet, the battle of the sexes cannot be laid to rest; attitudes change slowly. Too many women do double duty by taking all the residual responsibility for the home and children, men will not correct that for women, we must do that for ourselves. It simply does not occur to a lot of men to pick up half the responsibility of our common lives."

Regarding the connection between her public functions and private life, Hansen says: "In my life, my work had been of utmost importance. I view my work as an artist may see his or her creation. I have thought about this a lot and for want of a better term, I sometimes call this the artistic approach to life. It has to do with the happiness derived from concentration, absorption in a subject, whether it be technical drawing, practicing a musical instrument, writing a speech.

My last question to our Information Commissioner was what her Danish heritage means to her. She says it has added richness to her life, a dimension that allows her to appreciate other languages and cultures and gives her an edge in entertaining — a reason to serve Danish food to her guests, and a ready-made excuse for making mistakes: "one can always plead ignorance of old or new country ways." On a more serious note, she says the experience of two cultures "lessens one's fear of the unknown."

This piece is a little of Inger Hansen, a Danish-Canadian woman who is a major figure in Canadian affairs and the world's longest serving ombudsman. Her experience of a life based on adventure, curiosity, tolerance and industry is an example to women everywhere.

*Jette Elsebeth Ashlee holds a Master of Letters from Cambridge University in the Social and Political Sciences. She earned her Bachelor of Arts Degree from Simon Fraser University and has attended the University of Copenhagen as a visiting graduate student. Her mother tongue is Danish, and she has conducted fieldwork in the Northwest Territories, Greenland and in Western Canada.*

# Women from SWEA — T.O. Organization Keeps Swedish Women Together

by Valerie Yates

"In a national sense, we're unique!" says Kristin Lyssand-Bloom, President of the Swedish Women's Education Association (SWEA). Swedish women in Toronto have formed Canada's largest and most active Scandinavian women's group. "No other group, Finnish, Danish or Norwegian, is comparable to SWEA," says Lyssand-Bloom. "SWEA fills a big gap," says member Irina Hedman, "all other Swedish organizations serve business interests, and not cultural interests."

The 200-member Toronto organization has enjoyed a great response over the last 5 years, and foresees future expansion across Canada. For now, Swedish women from as far away as Kingston and St. Catharines lend their efforts to SWEA's activities.

The Association, born in 1982 from the amalgamation of the Swedish Cultural Group, is but one chapter of SWEA International. This umbrella organization, with over 2,500 members and 15 chapters across the world, aims to maintain the Swedishness of new and existing members, promote these customs and traditions to the general public of countries where SWEA operates, and to build a network of Swedish women around the world. An important objective of the organization is to ease the adjustment of its members, particularly newcomers, to their new environment.

SWEA was first started in Los Angeles in 1979, by Agneta Nilsson. Nilsson, who received a medal for her efforts from the Swedish King in 1979, is spoken of fondly by SWEA Board members. She is described by Lyssand-Bloom as an "effervescent instigator without whom SWEA might never have started."

Under the guidelines and direction of SWEA International, the Toronto chapter of SWEA strives to retain Swedish traditions, both for their members and for Canadian society. The most popular of SWEA's annual activities is the Christ-

mas Fair at Harbourfront. This two-day event has received a great deal of public and media attention. Featured are a Swedish restaurant, numerous market stands, children's Christmas workshops, and traditional entertainment, such as folkdancing and music.

For the past two years, SWEA's Academic Action Committee, in cooperation with York University, has enabled Canadian and Swedish students to participate in an exchange program between York University and Umeå University in Sweden. A set percentage of SWEA Toronto's annual profit as well as various fundraising activities are earmarked for this scholarship fund. In addition, SWEA Toronto initiated the Swedish School, which enables children from 4-13 years old to learn and maintain their mother tongue.

Regular meetings featuring a wide range of interest groups ensure the cohesiveness of the association and encourage closer contacts and personal growth among members and their families. Folk-dancers, who have achieved near-professional status, weavers and cooks provide the focus for popular get-togethers. *SWEA-Bladet*, a monthly newsletter written by members in Swedish, is the organization's prime communication tool.

Reflecting a determination to keep close ties with Sweden, SWEA Toronto hosted a Royal Reception in honour of their Majesties, the King and Queen of Sweden, on the occasion of their state visit to Canada in March, 1988. The Royal Reception, board members agree, marks "a mile-stone" in SWEA's evolution.

While SWEA is a woman's organization, board members state it is not specifically "feminist" or exclusively woman-oriented, though individual members may well be feminists. "SWEA operates from a Swedish perspective through a female point of view, rather than through a feminist perspective." One board mem-