

Secrecy lives behind access to information law

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KEN RUBIN

When Pierre Trudeau's government began accepting requests under the Access to Information Act 30 years ago on July 1, 1983, media outlets had high expectations, despite the act's many exemptions.

But as governments grew defensive over requests for information (like prime minister Brian Mulroney's foreign travel expenses), the expected flood of useful information gradually dried up.

I helped fight for access to information legislation and began making requests after it came into force. There have been successes; one early foray resulted in the release of Atomic Energy Control Board meeting minutes that revealed many instances of faulty nuclear safety regulation.

But the legislation has been used by very few. Instead, the public is flooded with government handouts, advertising and contrived social media offerings dressed up as information.

For example, it took great persistence to obtain even a partial picture of how successive Canadian governments sided with the asbestos industry over the years to find overseas markets and fend off efforts

to ban asbestos as a hazardous product.

And today, I'm not sure I'd still be able to get records that revealed how food industry giants were able to influence government to increase the Canada Food Guide's suggested serving portions. Another request exposed how the Canadian Food Inspection Agency opposed tougher U.S. rules to prevent listeria via daily meat inspection visits and lobbied the United States to accept Canada's more lenient, less frequent visits and testing.

Recently, I was able to secure from Transport Canada several proposed options concerning the future of Via Rail. But after these were reported in the media and I filed a follow-up request, I was told that everything was secret and I never should have received the information in the first place.

The level of deceit in what government provides publicly and what's hidden has not improved under Stephen Harper.

Last October, for instance, the prime minister announced his government was providing \$20 million to Caribbean nations for disaster risk-reduction planning. But CIDA records obtained through an access request revealed that some of the

money would be used by those nations to plan for climate change. It would not look good for the Conservatives to publicly support meaningful climate change planning abroad while denying that any such planning is needed in Canada. So that information remained hidden until pried out through an access request.

It's equally embarrassing to compare the prime minister's 2008 apology for the aboriginal residential school system with his government's stalling and hiding of key records sought by the Truth and Reconciliation Commission, despite a recent court order to that effect.

Indeed, information obtained from Aboriginal Affairs and Northern Development Canada through an access request indicates that the RCMP, one of the more than 20 agencies holding such records, is likely going to withhold many of them, including its reviews of hundreds of sexual assault cases. The truth about these horrific events may never be known.

Restricting the flow of information on matters like the details of Senator Mike Duffy's expenses is just a continuation of the secrecy still possible under existing access legislation.

Where the Harper government differs from previous governments is in its insistence that it upholds higher standards of accountability and transparency. Yet its actions contradict this assertion and include such troubling trends as:

- › Placing information releases under tightly centralized PMO messaging.
- › Muzzling and censorship of dissenting information from government scientists and professionals.
- › Showing disdain for archival record preservation.
- › Growing disinterest in producing quality statistical data.
- › Increasingly giving much later and exemption-ridden access responses.

That's the problem. In the 30 years since it was introduced, federal access to information legislation has become the government's legal weapon of choice — for keeping secrets! It's now become one of the world's least impressive and most secretive acts, one badly in need of a complete overhaul.

Those who try to use the act to get at the truth face many barriers and must be resourceful. We can only keep fighting for the important public right to know.



Ken Rubin is an Ottawa-based investigative researcher and citizens' advocate whose FOI work can be found at kenrubin.ca.