

Justin Trudeau: A sunny positive tone but is it a transparent one?; Testing Trudeau's Transparency Claims @ Ken Rubin Hill Times Nov 2/15

In his victory speech, Justin Trudeau said his majority government would have sunny ways, be positive and repeated that it would operate with openness and transparency.

Over thirty years ago, Pierre Trudeau brought in with great fanfare access to information legislation but with many secrecy exceptions and broad cabinet record exclusions.

So just what should we expect or want from Justin Trudeau and his government in the transparency and accountability fields?

Can his “positive” society slogan outdo his father's unfulfilled “just society” by coming in with a strong set of transparency and accountability initiatives that bring those first-generation access efforts to a new level?

As an information rights advocate who helped back then press Pierre Trudeau's government for greater openness and as a long-time critic of the obstacles that Trudeau senior and those governments following him placed in the way of that goal, how will Justin Trudeau stack up in his first crucial few months of government?

His first transparency test comes November 4 th when Trudeau brings together a cabinet. Yet it is doubtful that his selection process will be transparent or that the oath to be taken will change from one of cabinet secrecy to one of service and disclosure.

Following that cabinet swearing in ceremony, will Trudeau show the way by issuing a strong directive to his ministers and public employees to operate for pro-active disclosure and to unmuzzle them so they do not operate on the basis of conduct codes of silence, fear and secrecy?

Trudeau must also act quickly to introduce transparency legislation as majority governments become more defensive and secretive over time. So far though Trudeau has announced as his first legislative priorities a law to give income “relief” to middle class earners and an amended Anti-Terror Act Bill C 51.

But how different will his right-to-know bill be from his defeated 2014 private member bill C-613, that he called a Transparency Act? That bill was not at all a bold departure for disclosure and left most secrecy provisions in place. The Harper government defeated his bill as being too administratively problematic.

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One key transparency change to undertake, if Trudeau is serious, is to immediately end the central PMO information flow control and subject Prime Minister Office and Parliament to right to know legislation.

But will his initial actions in this area go far enough and truly restore Parliament and MPs' importance? Giving up a highly centralized messaging and control centre is crucial to a transparency transformation.

And in giving up some powers, will he give added clout to Parliament by making the Parliamentary Budget Officer and a new Parliamentary Legislative Officer independently able to assist MPs and the public distill both financial and legislative government initiatives?

While Trudeau said his government will introduce an independent oversight mechanism for Bill C 51 legislation, he has not indicated how far he will go in his overhaul.

Will Bill C 51 revisions, if forthcoming, work to end intrusive sharing of personal information and restrict security agencies' sweeping surveillance powers or let the public know much about security intelligence agency operations, costs and impact?

Coming up shortly is Trudeau's entry onto the world stage for a climate change and G20 and other international conferences.

This too will be a test of how open his positions and diplomatic efforts will be. Ditto for how he deals with military missions, including ending Canadian participation in bombing ISIL strongholds in Syria and Iraq. Likewise, he has to make clearer Canada's contributions to humanitarian disasters like help in the mass refugee migration crisis.

And will his commitment to regularly deal with provinces, territories and aboriginal partners be open and transparent?

Finally, will his new ways of delivering government services be done in a transparent way?

That includes how his government implements its program for spending billions of dollars on infrastructure, an accelerated program that could be mired in secrecy where the money trail is less than fully immediately transparent and accountable.

Canadians expectations for change may be high. But it would definitely help if Trudeau's new government effectively treats transparency and accountability positively every day.

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