

Transparency Remains Low on Trudeau and Other Governments' Priorities by Ken Rubin, Hill Times, November 8, 2021, p. 7

Kickback: Continuing a culture of entitlement and secrecy that says “no” is a feature Justin Trudeau's government and other governments in Canada are not about to willingly change. Treasury Board President, Mona Fortier is now responsible for the access-to-information legislation, but access advocate Ken Rubin says no one expects this government to push for more transparency despite its promises.

Access to information at the beginning of Trudeau's third-term government still remains a hit-and-miss patchwork system of delays, denials and partial disclosures. Since late 2019, there hasn't been a stand-alone minister responsible for democratic institutions.

Post-election, there are just too many information gaps in the still unfolding pandemic health crisis. Nor are climate change advocates seeing a shift in fuller disclosures on carbon emissions.

Many unanswered questions in sexual assault cases at Department of National Defence only continue to aid the culture of secrecy and abuse of authority there with devastating impacts. Multi-billion dollar military procurements remain opaque and unaccountable.

Moreover, my requested PCO records to find out more on Prime Minister Trudeau's decision to drop his electoral reform promise are nowhere to be found. Investigations during the previous Trudeau government may occasionally have led to some results and resignations, but are rarely fully public or more fully explained. In one case, Heritage Canada totally exempted a third-party report on the toxic work environment at the Canadian History Museum under previous CEO Mark O'Neill. In another instance, PCO only released parts of its report on the toxic work environment found at Rideau Hall under former governor general Julie Payette.

There aren't great expectations for the new Treasury Board Minister, Mona Fortier, who is responsible for access-to-information legislation, to put solid reform of the Access to Information Act high on her agenda. She inherits her department's lack-lustre and unprogressive review of access-to-information legislation and a little-known “open government” team getting ready to roll out yet another “action” plan and “commitments” with no one paying much attention.

Many federal agencies continue to restrict their access-to-information services to electronic-only records, with access services still considered as not being “critical”. Lengthy waits continue going from months to years.

Over at Library and Archives Canada, access to unclassified records to researchers is now difficult since the archival reading room is only open by appointment three days a week and access to declassifying records has ground to a near stand-still.

Former PCO Clerk, Michael Wernick, in a pre-election Sept. 14 on-line debate on access to information reform, pointed to one problem not being solved: he said government record management systems are “underfunded and shambolic”. Wernick wishfully hoped that future governments would not “backslide” to even less controlled disclosures. But Wernick firmly reflected prevailing official beliefs that cabinet, ministerial, and policy options must remain beyond public access.

Expect more, not less, cover ups of important records. Ian Young, a South China Morning Post Vancouver reporter recently discovered this when he had to wait six years to get a 1996 CRA audit report on rich migrants gaming the Canadian home buying system to buy luxury homes. That audit's delayed release helped contribute to not having valuable data to combat rising housing prices in Vancouver.

Crucial records sought by the National Centre for Truth and Reconciliation related to residential schools have still not been received, including federal health records and data used for compensation claims, and provincial information on school attendance records and death certificates.

The pushback to further restrict right-to-know legislation is not just at the federal level.

In a preemptive strike, the majority-governing NDP British Columbia government has recently introduced amendments to its Freedom of Information and Protection of Privacy Act (Bill 22) that restrict and do not enhance FOI.

The bill takes the premier and executive council (cabinet) further outside the reach of the Act. At the same time, the government wants higher access fees, including proposing a \$25 application fee, while decreasing any chance of being able to get at or have metadata that is in the government's possession.

Opposition to this move has been mounted but regrettably, the trends are clear: more restrictions and less access and access service.

Trudeau's overhaul of his cabinet and pushing forward key files on pandemic health, climate change, day care, and indigenous reconciliation are directions he seeks towards his legacy. But like his counterparts, he won't be remembered for taking leadership on pushing for greater transparency for his own office and his ministers' offices.

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