

By [KEN RUBIN](#) Hill Times February 19, 2024 on-line

Poillievre's Transparency Promises Fall Short

Pierre Poillievre says he wants the federal information commissioner to take on Ottawa's 'gatekeepers.' But he's not offering to cut back on ATIP exemptions or exclusions. Nor is he promising changes to the many sentries whose special secrecy privileges prevent greater transparency and stymie good government.

Pierre Poillievre's recent "pledge" to create a new transparency era may seem exciting, but could go nowhere and falls short.

Poillievre suggests access-to-information responses under his government would mean quicker response times and more enforceable freedom-of-information orders. He wants a federal information commissioner to take on Ottawa's "gatekeepers."

But he does not offer any cutbacks on the many Access to Information Act exemptions and exclusions that these gatekeepers currently enforce and that delay responses. Nor is he promising changes to directly confront the many vested sentries whose special secrecy privileges prevent greater transparency, and that stymie good government.

His previous legislative work while in government as parliamentary secretary to the Treasury Board president produced the weakest whistleblowing protection act in the world, and not much more accountability under the Accountability Act.

With Treasury Board and special interests still controlling access-to-information management, gridlocks and denials continue to get worse.

And greater secrecy practices have been backed by the Supreme Court of Canada in its decisions upholding broad cabinet secrecy and agreeing to widening secret policy advice.

Breaking such a severe stranglehold on disclosure requires more than a limited patchwork fix-up.

Official inquiries—like the current one on foreign interference in Canadian elections—struggle to get government data released. Parliamentary committees, too, continue to be stymied, for instance, when trying to untangle government contractual arrangement and violations in the ArriveCan project.

Small recent steps—like setting up a government pay transparency website or further declassifying a decades-old report on Nazi war criminals who were let into Canada—have not signalled an eminent overhaul of disclosure practices.

So, you want to know about secret AI practices? That will be a 150-day time extension beyond the 30 days reply that's not likely to be honoured, with the probable outcome meaning excessively redacted records.

Meanwhile, the struggle to get access-to-information responses continues. That's if and when you get them, and they usually include deletions after months of delays.

Here are two examples of data uncovered in the public interest that are not what the government exactly wants published.

On the issue of government preparedness in emergencies, Agriculture Canada documents from 2019 indicate that Canada has no stockpiling of bottled water or food items in anticipation of growing emergencies from wildfires to potential earthquakes. Four years later, Agriculture Canada documents again show that it does not “have a stockpile of emergency food or water that could be rapidly deployed, nor the capacity or infrastructure to deliver and distribute such products. Therefore, AAFC is not in a position to provide immediate assistance to aid in a humanitarian response of this nature.”

This does not equate to real emergency preparedness.

A second example of unchanged practices is on the touchy subject of the RCMP’s use of a controversial neck-hold to subdue suspects, and on just how much police force is acceptable. Back in 2021, Public Safety Canada records revealed that the neck-hold was still being used. A June 15, 2020, a RCMP memo to Public Safety noted that, “There are instances in RCMP Police Defensive Tactics training whereby it is appropriate for an officer to use their knee and place it on a citizen’s upper body during an arrest.”

Recently-obtained Public Safety records again state that the use of the carotid restraint technique is still in place, though the RCMP Management Advisory Board urged caution, and to never use choke holds that cut off a person’s airways with potential lethal consequences.

In the United States, “I can’t breathe” were the last words uttered by Black men like Eric Garner, an unarmed man who was killed in 2014 after being put in a choke-hold by a New York police officer, and by George Floyd before he died in 2020 in Minneapolis in a similar law-enforcement encounter. The lethal use of this hold in Floyd’s case went viral worldwide. Deaths by such holds are still leading to widespread protest against police brutality and racial inequality.

Such sought-after records are crucial to holding the government accountable, but election promises of greater transparency alone will not fix getting greater access to many hidden government actions.

Governments have put open government in a penalty box, and are holding users hostage.

The pre-election promise by Poilievre’s Conservatives does not go far enough to score a winning stance that will bring transparency out of the sinkhole it’s in.

Political parties had better ramp up and give priority to their election game-plans to tackle excessive secrecy practices in Ottawa.

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