

Canada's sordid approach to transparency needs to change

Data on everyday contracting is too often hidden, and only minimally posted on the open government portal or sufficiently posted in official public accounts.

BY [KEN RUBIN](#) | April 22, 2024 on-line; in print April 24, 2024

Transparency is reaching new lows with four instances of this dominating much of the air time recently.

One such instance has been the lack of adequate disclosures on the ballooning contracting in the ArriveCan case. Even the Auditor General of Canada, with special access to data, was not provided with adequate records or explanations. The findings to date show poor record keeping that could be a means of avoidance, concealing what transpired.

The degree of questionable and secretive bureaucratic and corporate contracting actions is not limited to the Canada Border Services Agency's handling of the ArriveCan contracting. Data on everyday contracting is too often hidden, and only minimally posted on the open government portal or sufficiently posted in official public accounts.

The House of Commons' Government Operations and Public Accounts committees have their work cut out for anyone to believe government procurement can operate in an accountable and credible manner free from corruption.

Another matter taking up much of Parliament's time is the issue of—and allegations about—foreign interference in recent Canadian elections.

It has led to the Public Inquiry into Foreign Interference being called, with that inquiry hearing testimonies and being presented with some redacted data on formerly secret briefings concerning potential foreign interference in the 2019 and 2021 elections.

What stands out is that Prime Minister Justin Trudeau told the inquiry he did not look at most of those written briefings on interference, and relied more on oral briefings from officials.

What the prime minister is encouraging and saying is that officials need not write down operational matters, or be more accountable on matters of national security. If his government wants those matters not to be recorded or known, so be it. If leaks happen because there is not an adequate recording and accountability system in place, so be it. But that approach isn't good enough when it comes to government accountability.

The CSIS director had to be called twice before the Foreign Interference Inquiry to clarify his agency's input. The impression left is that information isn't always accurate, or conveyed.

One reason the Access to Information Act was put in place was to manage leaks. But by keeping so much information on foreign interference secret and verbal, Canadians are not being provided with sufficient answers.

This Parliament has also had to further deal with what was behind the firing of two scientists who had been working at the National Microbiology Laboratory in Winnipeg. Again, data was leaked to the media, but much remains unknown.

Parliamentary committees had to go to extraordinary efforts to get at what was behind the firings. That included passing a motion finding the head of the Public Health Agency of Canada (PHAC) to be in contempt of Parliament, and bringing in three retired judges to vet the denied data.

In the end, a special committee of MPs noted the majority of PHAC records released appeared to be withheld to protect the agency from embarrassment over its poor security actions resulting in the sharing of—and funding of—pathogen data with Chinese authorities. That release of more information took more than three years to come about.

Whether lax security compromised the treatment and transfer of deadly infectious disease pathogens at any time that could have impacted Canadians' well-being is still not known, nor is whether there were more breaches and unauthorized transmission of confidential infectious disease data and pathogens to the Chinese. Simply indicating that security has been beefed up at the Winnipeg lab leaves much to be explained. More investigation and answers are needed.

While less prominent, the House of Commons National Defence Committee has been hearing how the Department of National Defence (DND)—recently awarded with an increase in its budget—is simply ignoring the basic ground rules of the Access to Information Act. That includes in many instances not acknowledging applications on a timely basis, not taking or honouring time extensions, and being caught out on falsely claiming records do not exist.

Having figures on the costs incurred on the controversial multi-billion-dollar Canadian Surface Combatant program—Canada's most expensive contracting program—be totally exempt remains beyond the pale.

The defence committee heard from Information Commissioner Caroline Maynard that DND has been ignoring her orders for better processing and release of departmental data, forcing her to go back to Federal Court.

Yet federal bureaucrats and the Prime Minister's Office expect their belated handling of these issues and release of associated documentation under pressure to be considered fair-minded.

This sordid state of affairs of avoiding transparency, adequate and timely record keeping, and accountability practices needs to change.

Ken Rubin is an Ottawa-based investigative researcher and public interest advocate reachable at kenrubin.ca