

Bill C-377 in the Press

Gus Van Harten | Thu Apr 26 2012

Harper Tories waging unfair information war

The Stephen Harper government has a strange approach to openness.

For years, the government has dragged its heels in reporting about its use of public money. Now it is poised to put stringent reporting requirements on organizations that spend private funds, especially labour unions.

Bill C-377 is a private member's bill that the government has allowed to pass second reading. It proposes to amend the Income Tax Act by subjecting all labour organizations in Canada to onerous accounting requirements. At significant cost to taxpayers, it would load red tape on the government's political targets.

If Bill C-377 comes into law, we will be able to search online for whether one or another union leader has a company car, for example. But we will be no closer to knowing the true cost of the F-35s or, for that matter, the cost of administering the new red tape.

The last election was called after the government was found in contempt of Parliament for "not supplying sufficient documentation on the estimated costs of corporate tax cuts, proposed crime legislation and the F-35 fighter jet procurement." Parliament requested the information as part of its role to approve the use of public money. Thanks to Auditor-General Michael Ferguson, we have a better idea about what the government was hiding about the cost of the F-35s. But what else is still hidden and at what cost?

We might ask the public servants about the cost of government programs, but they would have a hard time answering. For years, the government has blocked its employees from speaking publicly about what they do. For instance, government scientists cannot tell the Canadian public about the research that they do and we fund. According to *Nature*, a leading science journal, its reporters "have experienced directly the cumbersome approval process that stalls or prevents meaningful contact with Canada's publicly funded scientists." Cases range from suppressed research on the ozone layer to a study on salmon stocks.

Why would the government not want us to read about publicly funded scientific research in *Nature*?

The government is also notorious for dragging its heels on information disclosure. In a report last year, Canadian Journalists for Free Expression gave it the lowest possible grade on access-to-information.

Yet just this week, Conservative members of a House of Commons committee proposed to tighten access-to-information rules on another political target: the CBC.

This follows a flood of access-to-information requests, dating from 2007, by Sun Media against the CBC. The CBC has litigated the requests in the courts, as is its right, and Sun Media has criticized the CBC for not being open. Better not mention, then, that Sun Media, as a private media organization, is not subject to access-to-information rules.

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Presumably, disclosure rules should be more stringent for the CBC and the government because they spend public money. If so, why is the government subjecting privately funded organizations to public reporting requirements in Bill C-377?

Among other things, Bill C-377 obliges unions to make public the salaries and benefits of every officer, employee, and contractor of the organization. What other organizations that spend private money are subject to this intrusive requirement? The bill also requires unions to give item-by-item reports of spending on conferences, training, legal representation, administration, and other activities. If a union breaches the rules, it will be liable to a fine of \$1,000 per day.

Most remarkably, Bill C-377 provides that this mandatory reporting by unions "shall be made available to the public by the minister." Usually, taxpayer information is kept private, partly to prevent its misuse by politicians. Bill C-377 appears designed for precisely the opposite. Indeed, the bill goes even further by requiring that the unions' information be published on a government website "in a format that allows for word searches to be performed." This is very strange to see in proposed legislation.

Overall, Bill C-377 seems to be part of a public-relations campaign by the government against privately funded unions. Union members will have to spend their money producing over-the-top accounting reports. Taxpayers will have to pay a lot of accountants to review and audit them.

And if unions can be subjected to these reporting rules, why not other organizations that run afoul of the government? Why not a church, a symphony, a soccer club, a small business?

The government's priority should be to ensure its accountability to taxpayers for its use of public money. Instead, the government has refused to give information to Parliament, has frustrated access-to-information requests, and has blocked scientists from telling us about their research.

Now, with a majority in Parliament, the government seems intent on using public money to wage information war on privately funded organizations that it dislikes. This twists public accountability into a political weapon.

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