

Potentially embarrassing information requests "amber-lighted" by bureaucrats

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Treasury Board Minister John Baird.

OTTAWA - The federal government is singling out the access to information requests of some Canadians for closer scrutiny and special treatment, despite Prime Minister Stephen Harper's sharp criticism of the practice when he was in opposition.

According to an e-mail dated June 12, by Citizenship and Immigration Canada access co-ordinator Heather Primeau, the government is "amber lighting" access requests that are considered to be more politically sensitive. "The amber light process is a heads up process to advise senior management of upcoming access to information releases that may attract media or political attention," says a note at the bottom of Primeau's e-mail in which she alerts a series of departmental officials to the upcoming release of an "amber lighted" access request.

The e-mail, which outlines five things being released that could result in questions to the government, was sent to 19 officials in the Citizenship and Immigration department. Among them was Brooke Pigott, a policy advisor in Citizenship and Immigration Minister Monte Solberg's office. Primeau's e-mail was received by researcher Ken Rubin as part of an access request to Citizenship and Immigration Canada on another subject.

Rubin, who writes about amber lighting in this week's Hill Times, speculated in an interview with CanWest News Service that the e-mail was included by accident in the package released to him. Although Rubin is a frequent user of the Access to Information Act on behalf of both media and private clients he said this is the first time he has personally received concrete proof some requests were being singled out for special treatment.

The existence of a highly sophisticated, government-wide system to flag politically sensitive access to information requests and guard itself against them was documented in 2003 by journalist Ann Rees as part of her Atkinson Fellowship project on Canada's access to information system. Rees's work also demonstrated that access requests that had been flagged took significantly longer to process and that requests by journalists were flagged far more frequently than those by other Canadians.

At the time, then Canadian Alliance leader Stephen Harper condemned the practice, saying it smacked of political interference in the Access to Information process. Now, the Conservatives deny amber lighting exists. Mike Van Soelen, director of communications for Treasury Board President John Baird, said while each department has its own procedures, there is no government-wide policy or procedure to submit media access requests to special scrutiny. "I can tell you that Treasury Board there is no rule by which media requests are submitted to any different review than any other ATI requests," Van Soelen responded.

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