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Wait Up To Five Months For Documents, Records Reveal

Canadians can wait nearly half a year to see public documents held by federal agencies, records show. Documents detailing typical delays in *Access to Information* requests vary widely by government office, and average five months at agencies like Canada Post and the Department of Foreign Affairs.

“We used to be a world leader in *Access to Information*,” said MP Charlie Angus, New Democrat ethics critic who requested the data. “Now there are tin-pot dictatorships that are more impressive than us. I think we’re really in a dark chapter in terms of Canada’s obligations under *Access to Information*.”

Disclosure of the wait times follow a Federal Court ruling that okayed a three-year delay by the Department of National Defence in releasing public information on a military contract. The ruling is currently being appealed by the [Office of the Information Commissioner](#).

“People are becoming more and more concerned because the abuses are becoming more and more obvious,” said Angus, MP for Timmins-James Bay, Ont. “The fact is all manner of information that Canadians should have access to is being put into a black hole.”

Of departments that process more than a hundred requests a year for information from marine regulations to pension complaints, delays in releasing documents to the public in the last two years averaged as high as:

- 169 days at Canada Post;
- 160 days at Foreign Affairs;
- 152 days at Industry Canada;
- 149 days at Transport Canada;
- 144 days at the RCMP.

Agencies with the quickest processing of public requests for information were:

- 33 days at Citizenship & Immigration;
- 36 days at Canada Mortgage & Housing Corp.;

- 38 days at Canadian Food Inspection Agency;
- 40 days at Canadian Broadcasting Corporation;
- 41 days at Environment Canada.

Under the Act departments must acknowledge requests within 30 days, then serve notice of extensions if the information runs to a large number of pages. In the defence case, the department granted itself an extra 1,110-day deadline over a request for data involving a contract to Smith Consulting Group for the sale of military surplus to Uruguay.

The Information Commissioner sued the defence department in Federal Court, arguing the three-year delay amounted to “deemed refusal” to release the information. However in a March 3 ruling Justice Catherine Kane, former government counsel, said the court had “no jurisdiction” in how long was too long to release a document: “There is no definition of ‘timely’ in the Act.” The documents in the Uruguay case ran to 2,400 pages.

“We’re now told a delay of 600 days or 900 days or more is reasonable,” said Angus. “That’s not reasonable. The delay of information is the delay of justice for Canadians. What’s happened is we had a very unfortunate court ruling and it’s given a sense to political staffers that they can stonewall and nobody’s going to stop them.”

Other delays in releasing data by agency averaged 137 days at Parks Canada followed by the Department of Public Works (105 days); VIA Rail (94 days); Canadian Nuclear Safety Commission (87 days); Canada Revenue (79 days); Fisheries & Oceans (78 days); National Capital Commission (74 days); Department of Justice (71 days); Department of Public Safety (70 days); Department of Natural Resources (69 days); Privy Council Office (65 days); Bank of Canada (61 days); National Energy Board (55 days); Department of Finance (53 days); Correctional Service of Canada (53 days); Department of Aboriginal Affairs (50 days); Health Canada (50 days); Veterans Affairs (46 days); Canada Border Services Agency (45 days); Department of Agriculture (44 days); and Statistics Canada (43 days).

The Department of Canadian Heritage and Treasury Board did not release figures on their average wait times in releasing documents.

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By Tom Korsi  
