

## **Notable Canadian news stories based on ATIA requests**

*January 30, 2006 to March 20, 2010*

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The value of a strong *Access to Information Act* is better demonstrated than just asserted. To counter the frequent negative claims made by bureaucrats and politicians about the extent to which FOI laws are used, the following summaries of Canadian news stories is offered. As will be quickly seen, use of the legislation has led to stories on major issues as diverse as health, safety, government financial waste, public security, and environmental risks.

They all share two common features: all reveal issues vital to the public interest (*i.e.*, they are not simply about matters that the public “might find interesting”), and all were made possible through *ATIA* requests. They were published in just 2006-2010, and one could have cited thousands of such *ATIA* stories dating back to the law’s inception in 1983.

The examples cited here can serve as an antidote against despondency or cynicism regarding the weak *ATIA* system, for they show how journalists can sometimes overcome the barriers of bureaucratic and political resistance to produce valuable results. These could serve as an inspiration for journalism students and other writers, as what stories they could produce also.

It later occurred to me that some FOI reform advocates might hesitate to cite these at length because government supporters might use these to argue the opposite point of what was intended, by asserting: “See, the media got such a fine result using our existing Canadian *ATIA* law and practice, that fact only proves those work so well that they do not need improvements.” Yet I posted these summaries to plead for reform by this point: the media somehow obtained these results *in spite of* the existing defective law and practice, and not *because* of them. One might also contemplate the potential loss of such stories if the *ATIA* system erodes still further.

If the *ATI* practice followed the *Act* to the letter (as it should but is currently not), then the journalists might obtain twice as many such stories; moreover, if the *ATI Act* itself was amended up to world FOI legal standards *and* the new version was obeyed in actual practice, then the media might well obtain three times as many such results. If the question is posed, “Why should we care if we have good FOI laws?” - the answer is suggested in the texts below.

### **Health and Safety**

The Canadian government strongly opposed tougher U.S. rules to prevent listeria and lobbied the United States to accept Canada's more lenient standards, internal documents released through the *ATIA* reveal. Briefing notes prepared by the Canadian Food

Inspection Agency for an April 7, 2006, meeting with the board of directors of the Canadian Meat Council outline how both industry and the Canadian government were frustrated with the increased precautions the United States was demanding.

Specifically, Canada opposed daily inspection visits and the testing of finished products for *Listeria monocytogenes* (a bacterium that has led to the deaths of several Canadians this year). Further, the documents show the CFIA agreed to the meat packing and processing industry's request to end a 20-year-old practice of having inspectors issue reports and rankings on facilities. The Canadian Meat Council complained the reports were ending up in the hands of reporters through the *ATIA*, leading to bad coverage.

- From *Ottawa wanted U.S. to accept more lenient meat inspection regime*, by Bill Curry, The Globe and Mail. Aug. 29, 2008

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The Stephen Harper government was urged when it took office in 2006 by its own experts to embrace new targets to protect children from environmental threats, says a document obtained through the *Access to Information Act (ATIA)*.

‘While many of the tools may be in place to manage risks to child health, the federal government lacks a coherent and coordinated approach needed to address gaps in our information base,’ said a briefing note of May 2006. For example, one official said a suspected carcinogen banned in pesticides is still available in some bottles of shampoo used to treat lice, and the shampoo is mostly used by children.

- From *Tories ignored own advice to do more to protect children's health; In 2006, experts warned government it lacked coherent plan to reduce environmental risks to kids*, by Mike De Souza. The Vancouver Sun, March 24, 2008

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Canadian border guards may lack the necessary training to keep dangerous goods out of Canada that may be carrying mad cow, foot-and-mouth disease, and even avian flu, leading to potential outbreaks that could damage the country's tourism and agricultural industries. An internal risk assessment conducted by the Canadian Food Inspection Agency, obtained through the *ATIA*, also warns that border officials are too busy to properly screen international travellers entering the country for food, animal and plant materials that could contain pathogens that may infect Canada's animal population.

- From *Poor training raises outbreak risk, agency says*, by Carly Weeks. The Globe and Mail, Sept. 1, 2008

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Just before the start of 2007's scares over hazardous consumer products from China, Health Canada received a devastating analysis. A report it had commissioned from outside consultants warned that the country's main consumer-protection law, the 1969 *Hazardous Products Act*, was seriously outdated and woefully inadequate to safeguard the public from perils in everyday products. The report was obtained through the *ATIA* by Ottawa-based researcher Ken Rubin.

- From *Consumer-protection law defective, study finds*, by Martin Mittelstaedt. The Globe and Mail, April 2, 2008

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Ottawa's policing of the shellfish industry is so fraught with problems that the health of consumers is being put at risk, says a report released through the *ATIA*. 'Inconsistent implementation is posing a potential risk to the health and safety of Canadians,' says an independent study of July 2007 ordered by the Canadian Food Inspection Agency. The report warns that the federal program overseeing the shellfish industry is stretched to the limit, with not enough inspectors, research or money to guard against deadly toxins.

- From *Report warns of tainted shellfish; Health risk possible because industry lacks policing, report says*, by Dean Beeby, The Canadian Press. The Toronto Star, February 18, 2008

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Canada's nuclear regulator is changing the way it tracks lost, stolen and missing nuclear devices following an inquiry about inconsistent reporting from the International Atomic Energy Agency.

Internal emails disclosed under the *ATIA* show the Vienna-based agency contacted officials in Ottawa after a Canadian Press investigation raised serious questions in July about how closely the Canadian Nuclear Safety Commission monitors devices that could be used in a crude 'dirty bomb.' Commission records revealed that dozens of radioactive tools - from an industrial gauge in Red Deer, Alta., to a device used for molecular separation in Montreal - had gone missing in the last five years.

- From *Nuclear body to boost tracking of devices; Dozens of radioactive tools have gone missing*, by Jim Bronskill and Sue Bailey, The Canadian Press. The Toronto Star, January 7, 2008

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Abandoned explosives from bygone military training exercises could be scattered across more than two dozen native reserves in Canada, says a document released under the *ATIA*. A Defence Department list cites 25 reserves potentially laden with discarded explosives, ranging from Second World War-era bombs to anti-tank mortars and even torpedoes.

- From *Abandoned military bombs found on dozen of reserves*, by Steve Rennie. Kamloops Daily News, B.C., November 26, 2007

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Passengers who may have been exposed to infectious TB on at least 15 long-haul flights into and out of Canada were never notified because airlines failed to share information with federal health officials. A Public Health Agency of Canada report obtained under the *ATIA* says the unnamed airlines either refused or failed to provide manifests and other passenger details on more than a quarter of the flights it investigated for possible tuberculosis exposure between 2006 and 2007.

Following international guidelines, PHAC normally identifies passengers who sat in the five rows around an infectious patient. Letters are sent via local public health authorities to these "contacts" to recommend a follow-up skin test. Without passenger information, contacts weren't identified and no letters sent. The agency opted against other measures, such as going public with flight details. The report, which notes a dramatic increase in the number of such cases in Canada, raises questions about Ottawa's ability to manage, track and control the spread of TB and other types of contagion on airplanes.

- From *Public not told of TB exposure*. By Brodie Fenlon. The Globe and Mail, Nov. 24, 2008

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Nearly one-third of the children's jewelry items tested at the government's product safety laboratory last year were made of almost pure lead. Health Canada oversaw the targeted testing of 67 suspicious pieces and identified 39 with illegal levels of lead. The results, summarized in an internal report released to Canwest News Service under the *ATIA*, show most items contained lead levels nowhere near the legal limit, set at 0.6 per cent or 600 part per million.

Twenty of the metallic pieces were made of almost pure lead, with levels ranging from 80 per cent lead to 95 per cent lead. These levels, comparable to lead-acid car batteries, were found in such things as an apple-shaped pendant and a key-shaped pendant with a heart. Wearing jewelry made of lead is not a health risk, but lead poisoning can be fatal if children chew, suck or swallow it. In 2006, a Michigan boy died after ingesting a charm with parts almost pure lead.

- From *Dangerous lead levels found in kids' jewelry*. By Sarah Schmidt. Calgary Herald, Dec. 23, 2009

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An internationally renowned brand of baby bottle - Philip Avent's Avent Naturally - leached more than double the amount of a hormone-disrupting chemical linked to breast

and prostate cancer than a cheaper house brand, new Health Canada tests show. The tests involved government scientists filling two polycarbonate bottles containing bisphenol A with boiling water and heating them for six days. The Avent bottles containing BPA are no longer sold in Canada.

- From *Avent bottles contain more BPA: study*. By Sarah Schmidt. Leader Post, Regina, Sask., April 13, 2009

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An award-winning "BPA-free" baby bottle contained the highest traces of the toxic chemical when Health Canada tested for leaching into water, according to newly released test results. Dr. Brown's Natural Flow bottle, described as a product "parents can't live without" for the past five years by the influential magazine *American Baby*, showed trace amounts of 0.9 part per billion in the water after 238 hours at 60 C.

Bisphenol A is a hormone disrupter that can cause reproductive damage and lead to prostate and breast cancer in adulthood. The test results surprised Health Canada scientists involved, according to records released to under the *ATIA*. Yet one scientist, Pete Myers, said the trace levels found are "not very concerning" from a health perspective.

- From *Health Canada tests find bisphenol A in 'BPA-free' bottles; Trace levels found 'not very concerning'; makers question results of the study*. By Sarah Schmidt. The Ottawa Citizen, Aug. 8, 2009

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A complaint to Health Canada about a potentially fatal incident involving an infant sat "in limbo" for nearly six weeks in summer 2008, during which time a baby in the United States died in the same model of bassinet, internal government documents show. Health Canada blames "bad timing," including an inspector's vacation and an e-mail that got lost in cyberspace, for its failure to launch an immediate investigation.

Correspondence from the department's product safety branch obtained under the *ATIA* also shows media calls triggered a flurry of activity on the file one day after the U.S. Consumer Product Safety Commission issued a safety alert on Aug. 27 - six days after the strangulation death of a baby in Kansas.

- From *Bassinet complaint lost 'in limbo'; U.S. baby died in same model*. By Sarah Schmidt. Calgary Herald. Oct. 29, 2008

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When Health Canada wasn't satisfied with the way a Quebec company publicized its recall of baby slippers after a serious choking incident, a senior investigator in the

consumer-products branch made some pointed suggestions. The poster alerting customers about the defective product posted at stores was "too vague, given the risk," he told executives at Souris Mini, which sold the slippers. He also "suggested" the company post the recall information on its website "to reach as many people as possible."

Souris Mini didn't take the advice and followed its own strategy to reach out to customers, according to internal documents released under the *ATIA*. Other Health Canada documents about consumer complaints and voluntary product recalls appear to reveal the dynamic in this case is more the norm than the exception. And in the absence of legislation empowering Health Canada to initiate recalls and to roll them out as the federal government sees fit, companies call the shots from start to finish.

- From *Tougher recall laws sought*. By Sarah Schmidt. Canwest News Service, April 14, 2009

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Documents reveal Canada's National Microbiology Lab in Winnipeg - which contains some of the world's deadliest pathogens behind air-tight walls and biosafety cabinets - isn't immune to leaks, spills and failures in restricted areas where lethal organisms are housed.

Health Canada documents obtained through an *ATIA* request reveal close to 250 internal incidents - ranging from equipment failures to potential chemical exposures - were reported in the lab between 2005 and 2009. The incidents range in severity and include benign finger cuts, potential exposures to chemicals and viruses such as avian influenza, and equipment failures in Level 3 and 4 containment labs.

- From *High-security lab reports hundreds of incidents; Deadliest pathogens handled at facility in downtown Winnipeg*. By Jen Skerritt, Edmonton Journal, Feb. 27, 2010

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Federal cash for troubled pregnancies and newborns in Canada remains in short supply even as the Conservative government leads a global campaign to improve the health of mothers and children overseas. A report praises a national program to help high-risk pregnant women bear healthier babies - but notes the funding hasn't really budged in a decade.

The report echoes another analysis last year that found Ottawa consistently fails to spend the money it promises to fight fetal alcohol spectrum disorder, which leaves newborns with a lifetime of afflictions. The latest study, an evaluation of the Canada Prenatal Nutrition Program, examined some 330 projects that focus on women - poor, isolated, abused or addicted - who are likely to have unhealthy babies because of their own bad

health or nutrition. The November 2009 study was obtained by The Canadian Press under the ATIA.

- From *Study says more money needed for women with high-risk pregnancies*. By Dean Beeby. Daily Gleaner, Fredericton, N.B., March 15, 2010

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During one retail blitz, Canadian product safety inspectors flagged 47 personal-care products at a single store that contravened Health Canada's labelling rules. On another occasion, inspectors acting on a complaint determined that between 80-90% of the inventory at another store specializing in cosmetics and aromatherapy oils was "non-compliant" and 39 items were subject to voluntary removal.

- From *Beauty care goods need monitoring; Health Canada finds numerous products breaching its rules*. By Sarah Schmidt, Nanaimo Daily News, Jan. 29, 2009

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The federal government was warned years ago by its own experts that climate change was threatening critical infrastructure across the country, putting human health and the economy in jeopardy, reveal newly-released federal reports obtained by Canwest News Service.

The documents, sent to the senior levels of Transport and Infrastructure Canada in 2006 and 2007, warned that water resources were particularly vulnerable to changes in the climate and urged the government to offer more support, guidance and leadership to help Canada's cities and communities. The reports explained that extreme weather and rising temperatures would threaten infrastructure that was not designed for the full range of changes in the climate. It also warned that many cities were ill-prepared to tackle the problem.

- From *Water service most at risk from climate change; Infrastructure already under alarming stress with current usage*. By Mike De Souza. Edmonton Journal. Dec. 16, 2008

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Despite numerous government studies that have made recommendations regarding the use of flotation devices and quick-release doors in seaplanes, the three seaplane companies that operate out of Nanaimo have not implemented them because these measures were rejected by Transport Canada.

A Vancouver Island woman whose husband perished in a floatplane accident in 2005 near Quadra Island has been researching the safety of the seaplane industry since five men, including her husband, died when a de Havilland Beaver crashed. Kirsten Stevens

used the *ATIA* to obtain Transport Canada and Transportation Safety Board documents. Stevens said if Transport Canada had acted on these recommendations there may have been more than two survivors in the accident.

- From *Families seek ways to make flying safer*. By Walter Cordery. Harbour City Star, Nanaimo, B.C., Dec. 11, 2009

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The Canadian Food Inspection Agency didn't conduct a review to see whether a program designed to stop outrageous claims on labels or incomplete ingredient and nutritional information was working before deciding to kill it, internal government documents show.

The controversial decision was made as part of the agency's "comprehensive review" of programs for 2007/2008. But no analysis of the performance of the pre-market label registration program for meat and processed fruits and vegetables was done, the agency confirmed in response to an ATI request. Gerry Ritz, the minister responsible for the CFIA, said the agency relied on the advice from companies when it made the decision. Not all industry leaders are happy, though. Ritz's office said there will be "no change to the information required on all food labels.

- From *'Food agency killed program.'* By Sarah Schmidt. Daily News, Prince Rupert, B.C., Nov. 12, 2008

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A top-to-bottom scrubbing after a deadly listeriosis outbreak apparently didn't fully cleanse a Maple Leaf Foods plant of mould, slime and meat debris, the Canadian Press found in newly released documents. Inspectors found a troubling lack of hygiene at the company's Toronto facility just weeks after it reopened in 2008 from a temporary shutdown for cleaning, according to inspection reports.

Twenty-two people had died and many more had fallen ill after eating tainted meat from it's Bartor Road deli-meat plant. The company president held a news conference when the plant reopened, and acknowledged the experts who worked tirelessly to sanitize the facility and its many meat slicers. But during a checkup less than a month later, Canadian Food Inspection Agency staff found mould on the walls and floor, slime underneath a meat-trimming table, leftover meat on wheeled container bins and rusty equipment.

- From *Maple Leaf plant not fully clean; Food inspectors found problems weeks after deadly listeriosis outbreak*. The Spectator, Hamilton, Ontario, Nov. 9, 2009

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Federal inspectors monitoring the Maple Leaf plant at the centre of Canada's largest listeria outbreak spent less than two hours a day at the facility - often dropping in for as

little as 15 minutes - in the year and a half leading up to the tragedy, a Star/CBC investigation has found.

And as much as two-thirds of the time each week was devoted to administration and record keeping rather than inspection, according to time sheets obtained under the *ATIA*. Proper oversight would require an inspection presence of at least 7 1/2 hours a day in a facility as large and complex as the Bartor Road plant that produced enough listeria-tainted meat to kill 22 Canadians, says the union representing meat inspectors.

- From *Maple Leaf checks fell short: report; Some pre-listeria visits only 15 minutes*. By Rob Cribb. The Spectator, Hamilton, Ontario, June 11, 2009

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The Canadian Food Inspection Agency instructed one of its inspectors stationed at the Maple Leaf plant that produced contaminated meat last year to amend some of his records at the height of the media coverage on the outbreak to minimize concerns and highlight there was "no food safety risk," Canwest News Service has learned.

Hundreds of inspection worksheets from the CFIA released under the *ATIA* show he added hand-written notes to select records on Aug. 26, 2008 - after the death toll from the listeriosis outbreak linked to the Toronto plant had risen to 12 confirmed cases and on Day 15 of a CFIA listeria investigation of the plant.

- From *Watchdog asked food inspector to alter records; Stationed at infamous Maple Leaf plant*. By Sarah Schmidt. Calgary Herald. April 29, 2009

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The Maple Leaf plant at the centre of the deadly listeriosis outbreak wasn't properly monitoring and recording the cleaning of its meat slicing equipment earlier in the year, federal inspection records reveal.

Maple Leaf Foods said the most likely explanation for the Listeria contamination was an accumulation of bacteria deep within its meat slicing equipment. Canadian Food Inspection Agency records for the facility, obtained by The Canadian Press under the *ATIA*, show on-site inspectors highlighted problems with the company's slicer sanitation processes some six months before the outbreak.

- From *Meat plant wasn't monitoring hygiene*. By Allison Jones. The Spectator, Hamilton, Ontario. April 29, 2009

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Contrary to earlier claims, the subject of Listeria was broached by federal officials and Maple Leaf Foods prior to a deadly outbreak last summer that was linked to tainted meat

products, documents show. Handwritten notes from a July 24, 2008, meeting indicate officials from the Canadian Food Inspection Agency and Maple Leaf discussed "food safety in relation to Listeria," although no details about the substance of the talks were available.

The discussion took place roughly two weeks before tests linked the company's luncheon meats to the outbreak. Both sides had previously denied that the subject of Listeria came up at the meeting. Yesterday, they acknowledged that it did come up, but said earlier denials were made in reference to discussion of the listeriosis outbreak itself.

- From *Federal officials, Maple Leaf Foods broached listeria before outbreak*. By Steve Rennie. Globe and Mail, March 4, 2009

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Federal food officials expect cloned farm animals to reach U. S. markets in just two to four years, making some Canadians question the safety of our own meat. Canadian law doesn't allow sales of cloned products unless they pass a safety test. But the U. S. Food and Drug Administration (FDA) has accepted the safety of meat and milk from cloned animals, with no special safety tests or labelling required.

And those cloned animals could enter Canada, either as breeding stock or as meat. Now the Canadian Food Inspection Agency and other departments are studying a possible future "when cloned product may make up a significant part of the market." And as different countries may adopt different rules, "market and trade challenges are thus a possibility in the near to long term," it says in documents that were obtained through *ATI* by researcher Ken Rubin.

- From *Cloned meat poses dilemma; Canadian producers could get caught up in European ban of U. S. products*. By Tom Spears. Edmonton Journal, Aug. 2, 2009

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Canadian nuclear safety regulators say they have underestimated the seriousness of a design feature at the country's electricity-producing reactors that would cause them to experience dangerous power pulses during a major accident. If reactors are not shut down quickly, their ability to keep radioactivity from escaping would be put to the test, according to an internal commission document obtained by Greenpeace.

The discovery prompted the regulator, the Canadian Nuclear Safety Commission, to warn that it may have to order nuclear power plants to run at less-than-full power indefinitely to compensate for what it deems less-safe conditions at the stations, according to the document. The commission and the three utilities that operate reactors - Ontario Power Generation, NB Power, and Hydro-Quebec - will likely have to spend "considerable resources" dealing with safety issues related to the problem and still may not be able to resolve it fully, it said.

- From *Reactor design puts safety of plants into question*. By Martin Mittelstaedt. The Globe and Mail, June 29, 2009

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The defence department is overhauling the way it tracks military suicides to give a more accurate - and likely darker - accounting of the mental toll Canadian soldiers are suffering, the Toronto Star has learned. The project, to be completed by spring 2010, will record the self-inflicted deaths of former soldiers and reservists going back to 1972.

Documents obtained under the *ATIA* show Canadian Forces officials know there are issues to address, but the extent of the problem appears to be the subject of debate. At a meeting of the mental health advisory committee, Maj.-Gen. Walter Semianiw, chief of military personnel, said up to 16 per cent of Canadian Forces members could be suffering from mental health issues. By March 2009, the number of soldiers and police officers discharged from the military and RCMP for psychological strains after tours in Afghanistan had reached 1,053, an increase of more than 50 per cent from 2008.

- From *Military rethinks suicide tally*. By Allan Woods. Toronto Star. July 9, 2009

## **The Environment**

Pollution will continue to plague Alberta's oil sands despite plans to pipe harmful greenhouse gases deep underground, according to documents obtained by the Toronto Star through the *ATIA*. Part of the task of cleaning up the oil sands involves capturing carbon dioxide emissions and storing them in geological reservoirs in western Canada.

But chemicals linked to acid rain, respiratory problems and ozone depletion could escape into the atmosphere at an even faster rate, thanks to an estimated tripling of production from one million barrels a day in 2007 to 3.4 million barrels a day in 2017. That could occur despite proposed national caps on air contaminants. By capturing about 200 megatonnes a year of carbon dioxide, sequestration (as carbon dioxide storage is known) is expected to reduce greenhouse gas emissions by almost 80 per cent in 2017, says an Environment Canada study.

- From *Tar sands smog seen worsening; Underground storage of carbon dioxide not enough to offset emission hike, study says*. By Allan Woods. Toronto Star, Jan. 21, 2009

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The Harper government was warned by its own environmental scientific experts that Canada would have to join an aggressive international campaign to fight global warming to avoid 'substantial global and Canadian impacts' or risk irreversible damage to the planet, revealed memorandums obtained under the *ATIA*.

Prime Minister Harper recognized the threat of climate change at the meeting, but his government has never taken a stance on these warnings that allowing average temperatures to rise over a sustained period by two degrees could drastically affect the world. Although the Tory government has told the international community in negotiations that global emissions should be cut in half by 2050, the documents warn that even an 80 per cent cut might not be enough to avoid crossing a dangerous threshold.

- From *Tories warned on climate; Damage to planet cited by expert*, by Mike De Souza. Canwest News Service, Windsor Star. March 31, 2008

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A 'made-in-Canada' approach to target industrial greenhouse-gas emissions, fight climate change and spur new technology was ready for launch in 2006, federal documents released under the *ATIA* have revealed.

A memo from the top-ranking Environment Canada official, sent to cabinet, explained that a new climate change agency created by the previous Liberal government had 'the potential to bring about significant, cost-effective transformational change in Canadian society,' driving a new market system that would encourage such technologies as carbon capture and storage. The Tory government killed the agency after the end of its first year in office in 2007.

- From *Tories spiked 'made in Canada' green plan; Harper killed agency created by Liberals early in his mandate*, by Mike De Souza. The Gazette. Montreal, March 11, 2008

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The Harper government has been warned that the ecological 'footprint' of the proposed Mackenzie Valley pipeline on an Arctic bird sanctuary that protects migratory birds and at-risk species such as polar bears could exceed the threshold deemed acceptable by Environment Canada, documents released under the *ATIA* reveal.

- From *Pipeline 'footprint' sparks eco concerns; Scientists fear affect on at-risk Arctic species*, by Andrew Mayeda. Calgary Herald, Aug. 19, 2008

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Canada's stores of fresh water are not as plentiful as once thought, and water shortages threaten to pinch the economy and pit provinces against each other, says a document released under the *ATIA*. An internal report drafted last December by Environment Canada warns that climate change and a growing population will further drain resources. It suggests the federal government take a more hands-on role in managing the country's water, which is now largely done by the provinces.

- From *Beware water shortages, report warns Ottawa*, by Steve Rennie. Daily Bulletin. Kimberley, B.C., Aug. 21, 2008

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The federal government is rejecting calls to take over the regulation of uranium exploration despite mounting public concerns about the search for the radioactive metal, according to a ministerial briefing memo obtained through the *ATIA*. Some junior companies are now drilling for uranium in less remote areas, prompting protests from nearby residents and native groups who have called for a moratorium on uranium exploration because of environmental concerns.

- From *Ottawa rejects call to guide uranium drilling*, by Andy Hoffman. The Globe and Mail, July 29, 2008

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Canada's nuclear safety watchdog appears to be too cozy with the industry it's supposed to monitor, suggests an independent report obtained under the *ATIA*. The study ordered by the Canadian Nuclear Safety Commission cites long-standing complaints that the regulator focuses far more on the companies it licenses than on concerned lobby groups or citizens. The commission 'has in the past put more focus on communicating with licensees than with non-government organizations and the broader public,' says the report by the Institute on Governance.

- From *Nuclear watchdog too close to industry, report suggests*, by Sue Bailey and Jim Bronskill. The Globe and Mail, October 9, 2007

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The Conservative government announced that Canada is joining an international nuclear club that's drawn fierce criticism from environmentalists. The unexpected public declaration follows months of stone-walling and denials by government ministers and departmental officials, who refused to comment on Canada's assessment of the U.S.- led Global Nuclear Energy Partnership. And it could spell the end of Canada's heavily government-subsidized, decades-old relationship with Atomic Energy of Canada Ltd. Internal government documents obtained under the *ATIA* suggest that AECL's CANDU technology was shut out of initial GNEP discussions.

- From *Canada to join international nuclear group despite concern about waste disposal*, by Bruce Cheadle. Whitehorse Star, Yukon, November 30, 2007

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Canada's nuclear safety watchdog rejected a preliminary report into last year's reactor shutdown that sparked a critical shortage of medical isotopes. In the wake of the medical

isotope controversy, Atomic Energy of Canada Ltd. was supposed to explain why key safety measures were not in place at its research reactor in Chalk River, Ont. But the federal Crown corporation's January report instead focused on the communications breakdown between AECL and the Canadian Nuclear Safety Commission, say documents obtained under the *ATIA*.

- From *Watchdog rejected AECL report into isotope controversy: documents*, by Steve Rennie. Telegraph-Journal. Saint John, N.B., July 22, 2008

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Environment Minister John Baird was urged to elaborate a national strategy to protect Canada's freshwater resources immediately after he took over his portfolio in January 2007. Briefing notes, prepared for Baird following the federal cabinet shuffle that brought him over to Environment Canada, highlighted a lack of coordination of policies to ensure clean, safe and secure water for the country's people and ecosystems. The documents, released under the *ATIA*, also say that a federal interdepartmental water committee is no longer active.

- From *Baird urged to develop water strategy in 2007; Briefing notes highlighted need for coordination of policies*, by Mike De Souza and Jack Aubry. The Gazette. Montreal, April 14, 2008

## **Law and Order**

Senior RCMP officers were advised to consider skipping the Taser inquiry into the death of Robert Dziekanski because B.C. has no authority to investigate a federal police force, according to internal e-mails. On Feb. 1, 2008, B.C. RCMP Chief Supt. Dick Bent - deputy head of criminal operations - sent an e-mail to federal Deputy Commissioner Bill Sweeney. The e-mail noted that Bent had recently had a meeting with RCMP Complaints Commissioner Paul Kennedy when the issue of jurisdiction came up.

"It was Paul Kennedy who said that there are a number of court cases which are clear that the provinces have no authority to investigate or hold enquiries into federal departments," the e-mail said. "He went on to say that it is his belief that even if we wished to cooperate, that the RCMP, or any other government entity, may not be able to waive that jurisdictional issue."

- From *Feds told RCMP to consider skipping Taser inquiry*. By Chad Skelton. Vancouver Sun, Feb. 26, 2009

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An independent review has found that the RCMP failed to exercise due diligence when it approved the taser for use. The police force failed to adequately consult medical and

mental health experts about the impact of taser use and relied on advice from the taser's American manufacturer in determining how it would train officers and deploy the weapon. Further, the RCMP took a contrary position to other police forces when it trained all its officers to use the devices.

The independent review was ordered by the Commissioner of the RCMP, William Elliott, submitted to him in June and released under the *ATIA*. It reportedly criticized the stun-gun research of the Canadian Police Research Centre (the research arm of the Canadian Association of Chiefs of Police), finding its reports were not adequately peer-reviewed, lacked important information and included inaccurate data.

- From *Lack of due diligence*. Editorial, The Globe and Mail. Sept. 15, 2008

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Senior RCMP officers have quietly warned that criminal cases are stalling due to lack of a formal policy on sharing information with countries that execute people or ignore human rights. An internal briefing note says several cases "are experiencing problems" due to the absence of a government-wide or RCMP information-sharing regime with nations that impose the death penalty and those suspected of rights abuses.

An inquiry led by former Supreme Court justice Frank Iacobucci blamed the RCMP, CSIS and Foreign Affairs for contributing to the overseas mistreatment of Ahmad El Maati, Abdullah Almalki and Muayyed Nureddin through the sharing of sometimes inaccurate and inflammatory information.

- From *Lack of guidance stalls cases*. By Jim Bronskill. Waterloo Region Record, Aug. 4, 2009

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The RCMP paid out more than \$500,000 in two years to settle lawsuits filed in Vancouver Island courts alone, including a case where a Nanaimo mother was accused of choking her child and another where Mounties allegedly used excessive force in a Chase River raid.

Nationwide, millions were paid out to civilians and police officers in cases ranging from allegations of wrongful arrest, injuries from car accidents and accusations of sexual harassment, according to documents from the Department of Justice obtained through the *ATIA*. A \$230,000 payout to a local man after a 1997 raid on his Chase River home was the largest settlement on Vancouver Island between April 2005 and 2007. The plaintiff said police executed the search unlawfully and used excessive force in the matter, which involved the use of a "distraction device" stun grenade.

- From *Lawsuits cost police \$500K*. By Dustin Walker. Harbour City Star, Nanaimo, B.C., April 24, 2009

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RCMP officers continue to Taser people with multiple stuns amid growing concerns about the health risks. Newly obtained police reports say the national force shocked at least 16 people with a Taser five or more times last year - events that followed the multiple zapping and death of Polish immigrant Robert Dziekanski.

The 2008 incidents, all but one of them in Western Canada, were described in RCMP Taser reports obtained by The Canadian Press and CBC/Radio-Canada under the *ATIA*. The cases emerge amid questions about the risks of multiple Taser stuns and calls from opposition MPs and civil liberties groups for police restraint -- especially when it comes to repeated jolts.

- From *Police still Taser people five or more times*. By Jim Bronskill and Sue Bailey. Kamloops Daily News. April 9, 2009

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Canada's do-not-call list faced severe criticism in 2009 when it was reported that out-of-country telemarketers, who are beyond the regulatory reach of the Canadian Radio-television and Telecommunications Commission, were accessing the list and making unwanted calls to Canadians.

While the misuse of the do-not-call list remains a concern, a review of thousands of pages of internal government documents released under the *ATIA* reveal that it is only the tip of the iceberg. In addition to lax list distribution policies, the enforcement side of the do-not-call list raises serious alarm bells with the majority of complaints being dismissed as invalid without CRTC investigation, the appearance of a conflict of interest in sorting through complaints, and a regulator that has been content to issue "warnings" rather than levying the tough penalties contained in the law.

- From *Do-not-call violations set alarm bells ringing*. By Michael Geist. Toronto Star. April 27, 2009

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Possible threats against sponsors of the 2010 Vancouver Olympics had federal security agents wringing their hands over "extremist elements," a newly released intelligence report revealed. The report by the government's threat assessment centre cites vandalism of a corporate backer's premises, theft of the Games flag, and skirmishes between protesters and police during unveiling of the Olympic countdown clock.

"Extremist elements . . . have publicly stated their intent to continue acts of protest and possible violence against both the Olympics and commercial symbols they perceive to represent the 2010 Olympic Games."

- From *Threats against Olympic sponsors worry officials*. By Jim Bronskill. Kamloops Daily News, March 16, 2009

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The Canadian Forces needs to step up its supervision of training facilities and family centres on bases across the country, according to a military police investigation that found a disproportionate number of sexual assault cases involved young people at the hands of older personnel.

In a draft report obtained by The Canadian Press, officials with the criminal intelligence section said sexual assaults against youth made up about half of the reported sex offences. It states the average age of military and civilian offenders was between 27 and 31 years old, while victims were as young as 12. The majority of the offences involved sexual assault, with 156 charges laid. But there were 38 charges involving the possession of child pornography, which made up the highest number of cases linked to the exploitation of children.

- From *Military report spotlights sex offences against young people*. By Alison Auld. Kamloops Daily News. March 9, 2009

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The RCMP's first homicide report for British Columbia, covering the years 1997-2007, was completed in June 2008, and obtained by the Vancouver Sun through the *ATIA*. It found roughly one-third of all homicides in the province were gang-related, three times the 11 per cent figure reported by Statistics Canada over the same period.

The report concluded that, while homicides overall had remained stable over the past decade, the number of gang killings was on the rise. Similar figures for 2008 have not officially been released but Allan Castle, head of the RCMP's criminal analysis section in B.C., said there were 140 murders province-wide in 2008, adding that the numbers reflect, in part, the fact that B.C. is becoming a major centre for organized crime, something he said can be traced to the explosion of marijuana-growing operations in the 1990s.

- From *2008 deadliest year for British Columbia*. By Chad Skelton. Vancouver Sun , March 6, 2009

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A B.C. tax collector used the Canada Revenue Agency's computers to look up personal information of young women he hoped to date, such as their addresses, income and marital status, according to internal government documents obtained through the *ATIA* by the Vancouver Sun. Those documents show he ended up dating, and then moving in with, one of the women whose privacy he had violated.

The agency's internal investigation of the matter reveals concerns were first raised in May 2007, when a manager noticed an online dating questionnaire on the employee's desk. The agency conducted an audit, and discovered he had accessed roughly 60 personal tax files, which did not appear to be related to his job, on agency computers. Investigators also uncovered other instances of misconduct by the employee, including accessing the personal tax files of both his mother and cousin.

- From *B.C. tax collector combed personal info for potential dates: documents*. By Chad Skelton. Vancouver Sun, March 4, 2009

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The RCMP used taxpayers' dollars to hire researchers to author papers that undermine Insite, the supervised injection site in Vancouver opposed by the Mounties and the Conservative government. Pivot Legal Society, an advocacy group working on behalf of the poor and dispossessed, made the discovery through an *ATIA* request.

In one email, an RCMP officer refers to B.C.'s Centre for Excellence in HIV/AIDS - a nationally renowned repository of some of the top AIDS research in the world - as the "Centre for Excrements." Another e-mail sent to several recipients, including a prominent Vancouver public-relations specialist, suggests stacking a local radio call-in show with callers who are against Insite. The RCMP also commissioned a report by the director of a national drug-prevention organization that opposes Insite.

- From *Insite revelation proves RCMP needs watching*. By Gary Mason. The Globe and Mail, Oct. 11, 2008

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Those wishing to become Mounties had best be prepared for a polygraph test in which you are asked whether you've had sex with animals, the worst thing you've done while drunk, and if you've ever seriously thought about committing suicide.

The RCMP say the candid questionnaire is a crucial tool for screening out people unfit to wear the red serge in the post-9/11 era, when terrorists and other serious criminals are trying to infiltrate the police force. A newly declassified RCMP assessment of the polygraph program's privacy implications says the force was "not doing a sufficient job" of weeding out unworthy applicants.

- From *Mounties ask recruits about bestiality, suicide*. By Jim Bronskill. The Globe and Mail. Nov. 17, 2008

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More than half of all RCMP in-custody deaths during the past five years occurred in B.C. despite the fact only a third of the force's officers work here, an internal report prepared by the Mounties has found. The report, obtained through the *ATIA*, provides a detailed

analysis of all 80 RCMP in- custody deaths between 2002 and 2006, including police shootings.

- From *B.C. Mounties have most deaths on their watch; Internal Report*, by Chad Skelton. National Post, February 16, 2008

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So-called white-label ATMs can be used to launder money with ease, leaving authorities struggling to track the dirty cash, says a federal watchdog agency. The Financial Transactions and Reports Analysis Centre of Canada (Fintrac) outlines a money-laundering scheme in a draft report obtained under the *ATIA*.

- From *ATMs used to launder money*. Winnipeg Free Press, Manitoba, December 18, 2007

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Perhaps it was only a matter of time before gangsters adopted the device of choice among corporate workaholics: the BlackBerry. It has become so popular among B.C. gang members that an internal RCMP ‘threat assessment’ on organized crime - obtained by CanWest News Service through the *ATIA* - devotes an entire section to the device. It poses a big challenge for law enforcement, because encryption and security features make the devices much harder to wiretap than land lines or cellphones.

- From *BlackBerrys ripe for organized crime; Security features makes devices popular with gangs*, by Chad Skelton. Vancouver Sun, October 8, 2007

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A Canadian passport is essentially a ‘get out of jail free card’ for people having sex with children overseas, says a law professor. ‘Canada has one of the worst records in the world on enforcing these laws,’ he said. ‘Are we going to back up our tough talk on child sexual exploitation with action?’

Prof. Benjamin Perrin, who teaches at the University of British Columbia, reviewed data obtained through the *ATIA* from the Department of Justice on sexual exploitation charges overseas. He found that 146 Canadians were charged with child sex offences overseas from 1993-2007, based on requests for consular support. However, only one Canadian has been convicted here under laws against child-sex tourism.

- From *Sex tourism thriving; Since 1993, nearly 150 Canadians have been charged with sex crimes*, by David Wylie. Harbour City Star. Nanaimo, B.C., April 9, 2008

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According to internal documents obtained by Maclean's under the *ATIA*, the sex offender registry is crippled by one major problem: Ottawa's obsession with privacy. The federal government is so determined to protect the rights of convicted sex offenders that most police officers are not allowed to access the system. 'I'm not sure that public access is the answer, but I'm bloody sure this isn't the answer,' says Paul Gillespie, former head of the Toronto police child exploitation unit. 'This is a national embarrassment.'

- From '*A National Embarrassment*': *Canada's sex offender registry is so flawed that hundreds of molesters and other criminals have gone missing*, by Michael Friscolanti. Maclean's magazine, January 14, 2008

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Three out of four suspects stun-gunned by the RCMP were unarmed, according to a review of 563 cases that shows Tasers are often used for compliance rather than to defuse major threats. An analysis by The Canadian Press of Taser incidents reported by the Mounties reveals that more than 79 per cent of those zapped were not brandishing a weapon. Statistics were released through the *ATIA*.

In slightly more than one-fifth of cases, the suspect had a knife, bottle, club or other weapon. The figures, compiled from hundreds of partially censored pages filed by RCMP officers, highlight preference for the 50,000-volt tool to help control dangerous situations with usually minimal injury. But they also suggest a pattern of use as a quick means to keep relatively low-risk prisoners, drunks and unruly suspects in line.

- From *Most RCMP Taser targets are unarmed, review finds*, by Jim Bronskill and Sue Bailey, The Canadian Press. The Toronto Star, November 19, 2007

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The RCMP is stripping crucial details about Taser firings from public reports as use of the controversial stun guns skyrockets across the country. A joint investigation by The Canadian Press and CBC found the Mounties are now refusing to divulge key information that must be recorded each time they draw their electronic weapons.

Taser report forms obtained under the *ATIA* show the Mounties have used the powerful weapons more than 4,000 times since introducing them seven years ago. As Taser use escalates, however, the RCMP has tightened the lid of secrecy. Information stripped from the forms includes details of several Taser cases the Mounties previously made public under the access law. In effect, the RCMP is reclassifying details of Taser use - including some telling facts that raised pointed questions about how often the stun guns are fired and why. In fact, Canadians now know more about the Tasing of dogs than humans.

- From *Mounties zap details from Taser reports as firings soar across Canada*, by Jim Bronskill and Sue Bailey, The Canadian Press. The Vancouver Sun, March 24, 2008

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The head of the national police force says the RCMP stumbled by keeping too many secrets on Taser use. The admission from Commissioner William Elliott came as fresh controversy erupted over Vancouver transit police zapping suspected free-riders on the city's light rail system. Elliott says the Mounties shouldn't have censored key details about stun gun firings across the country before agreeing to release more information.

‘Frankly, we didn't handle this very well,’ Elliott said Tuesday during a speech in Gatineau, Quebec. ‘We should not have needed two kicks at the can. We must learn from that, and do better.’

- From *RCMP boss says police force should have done better on details of Taser transparency*. Daily News, Prince Rupert, B.C., April 16, 2008

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Canada's financial intelligence agency warns that criminals may be exploiting Internet-based companies that convert cash into electronic gold, exposing a new front in the international effort to restrict terrorist financing and money laundering. While other channels of money laundering are successfully being shut down, authorities are increasingly worried about a proliferation of ‘digital precious metals operators’ websites that offer clients a chance to conduct Internet business in units backed by gold and silver rather than paper currencies, according to records obtained under the *ATIA*.

- From *Ottawa warns on gold-backed Web trades; FINTRAC sees potential abuse of electronic transactions tied to gold and silver*, by Kevin Carmichael. The Globe and Mail, May 26, 2008

## **National Security**

Copies of heavily censored classified documents that Maxime Bernier, as foreign minister, left at his ex-girlfriend's house in 2008 show the security breach was far more serious than the Harper government ever admitted, opposition MPs say. They say the report's newly released, blacked-out sections make a mockery of the Prime Minister's assertions at the time that no security risk was posed by Bernier's relationship with Julie Couillard, who had ties to biker gangs, or his mishandling of secret documents.

The documents, obtained Thursday by Canwest News Service under *ATI*, run more than 500 pages and provide a window into Canadian foreign and military policies. The documents cover topics ranging from arms control in the Middle East, missile defence and troop deployments in Afghanistan to climate change, NATO enlargement, concerns about a "resurgent Russia," and the al-Qaida threat in Pakistan.

- From *Bernier security breach graver than thought: Rae*. By Norma Greenaway. Edmonton Journal, Sept. 4, 2009

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The Canadian Forces quietly scrambled an investigative team to the High Arctic in August 2008 to probe what it considered a "reliable" report of a foreign submarine sighting near the eastern entrance of the Northwest Passage - all the while trying to keep a public-relations lid on the matter, documents show.

The sub sighting occurred kilometres away from the location of a mysterious explosion that had been reported to authorities 10 days earlier and made news across Canada. Documents obtained under the *ATIA* say it was hunters - rather than Canadian authorities - who spotted the sub and relayed it to the Canadian Rangers, lightly armed reservists paid to keep a lookout for foreign intrusions. That summer, Russia announced plans to increase the "operational radius" of its northern sub fleet.

- From *Military scrambled over foreign sub sighting*. By Steven Chase. The Globe and Mail. Toronto, March 20, 2009

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Afghanistan, Iraq and Pakistan are the busiest hubs in the global kidnapping trade, but it is the often lawless regions of Africa that pose the most risk to Canadians. In the first 10 months of 2009, Foreign Affairs responded to eight cases where Canadians had been kidnapped abroad, according to consular service records released under the *ATIA*. Five of those cases were in African countries - Djibouti, Ghana, Sudan and two in Nigeria. Two citizens were snatched in Mexico and another in India.

The majority of incidents appear to be the acts of organized criminals. But there is also a rising threat from Islamic militants who are able to operate without fear of capture or hindrance from national governments in Africa.

- From *Canadians face kidnap risk in Africa; Majority of incidents involve organized crime, federal records show*. By Allan Woods. Toronto Star, Feb. 22, 2010

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When police rounded up 18 terror suspects around Toronto in 2006, they found copies of manifestos with titles such as *The Book of Jihad*, *The Virtues of Jihad*, *Fundamental Concepts Regarding Al-Jihad* and *39 Ways to Serve and Participate in Jihad*. Such reading materials now enjoy "influence and popularity" in Canada, says a secret government study that identifies the ideologues whose writings it says are promoting "violent jihad" among Canadians. (Sample: "Jihad and the rifle alone. No negotiations, no conferences and no dialogue.")

These materials "can be obtained from newspapers and other publications, public audio and video broadcasts, and extremist forums on the Internet," the report says. It does not

mention, however, that they can also be purchased from online booksellers and borrowed from libraries. The Toronto, Vancouver, Ottawa and Winnipeg public libraries list Qutb's works in their catalogues, and his most radical books are posted in their entirety on a website for young Canadian Muslims.

- From *Jihadist lit: At a library near you; Secret study warns of radicalization*. By Stewart Bell. National Post, Nov. 25, 2009

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The privacy of Canadians shouldn't be sacrificed on the altar of fighting terrorism, says a report. It says privacy and security must not be considered at odds with one another, and suggests weak privacy laws may actually make Canada more vulnerable to extremism.

"Other jurisdictions are outpacing the federal government on privacy and they may be reluctant to share information with Canada," says the report prepared by the Public Policy Forum. About 40 bureaucrats, academics and legal experts took part in an invitation-only June workshop on modernizing the federal privacy law, enacted 25 years ago. The report on the event was obtained under the *ATIA* from the federal Office of the Privacy Commissioner, which provided financial support for the gathering.

- From *Report says privacy laws too weak; Security Fighting terrorism no excuse to sacrifice Canadians' right to privacy*. By Jim Bronskill. Telegraph-Journal, Saint John, N.B., Nov. 11, 2008

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Canada's spy agency is warily eyeing the possibility of violent protests against the 2010 Winter Olympics in British Columbia. The annual report of Canadian Security Intelligence Service director Jim Judd signals that the agency is actively gauging the prospect that demonstrations could turn ugly as opponents voice social and economic concerns about the Vancouver Games.

The heavily censored 27-page CSIS report – obtained under the *ATIA* - notes ‘the upcoming 2010 Winter Olympics may lead to protests with the potential for violence.’ The passage is part of a section of the report dealing with the activities of CSIS's Asia, Europe and Americas Branch, noting that in the Americas the service's ‘domestic and secessionist investigations’ include, among other concerns, white supremacists and Sikh and Tamil extremists - all long-standing interests of CSIS.

- From *CSIS monitoring risk of violence at Olympics*, by Jim Bronskill. The Globe and Mail, January 21, 2008

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The diamond industry in Canada's Far North is vulnerable to smugglers looking to import 'blood diamonds' or launder the proceeds of organized crime syndicates and terrorist organizations. "Diamonds have been, and continue to be, a main source of currency for both terrorist organizations and organized crime," states a briefing note prepared by Citizenship and Immigration Canada, obtained under the *ATIA*. 'Conflict/blood diamonds are used to fund rebel operations, purchase arms and other illicit activities (drugs). They are portable, high value and cannot be detected by any type of screening method.'

- From *'Blood diamond' smuggling worries Ottawa; N.W.T. diamond boom has federal government concerned about crime*, by Andrew Mayeda. Edmonton Journal, Sept. 7, 2008

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Screening officers at Canada's airports who ask passengers to empty their pockets have been given a stern warning: Stop emptying your own pockets into the X-ray machines. Maintenance technicians have found a heap of garbage inside the expensive machines, which are used to scan hand luggage, purses, jackets and other items for potential weapons.

The junk they've extracted includes candy wrappers, coins, paper clips, metal keys, hair clips - even utility knife blades, the very type of weapon the X-ray units are supposed to detect. 'Likewise, warning labels and hazard warning signs are being damaged and are sometimes completely removed from the units,' stated records released through the *ATIA*

- From *Airport guards fouling x-rays; Warned not to toss trash into expensive machines*, by Dean Beeby. The Toronto Sun, June 8, 2008

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Terrorists plotted to blow up Canada-bound passenger planes over the mid-Atlantic in 2006, according to allegations that surfaced in a British courtroom in April 2008 at the start of what police are calling the world's biggest terrorism trial. Documents released under the *ATIA* show that Prime Minister Stephen Harper was briefed about the plot within hours of the arrests. A Memorandum for the Prime Minister dated Aug. 10 says Britain had 'disrupted a major terrorist plot.'

It says the RCMP was cooperating with police in the United Kingdom, and Canadian officials had stepped up airport and border security. But neither the memo, nor a second sent to the Prime Minister on Aug. 31, mention that Canadian flights were targeted - although parts of the documents were blacked out prior to being released to the National Post.

- From *Canada Named in Plot; Terrorists planned to bomb flights in 2006*, by Stewart Bell. National Post, April 3, 2008

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Countering the threat of terrorist radicalization at home is now the chief preoccupation of Canada's spy agency, the Canadian Security Intelligence Service. A study from CSIS found a 'very rapid process' is transforming some youths from angry activists into jihadist terrorists intent on killing for their religion. The study, obtained under the *ATIA*, says a few have embraced terrorism with frightening speed after becoming enraged over what they perceive as a western 'war on Islam' and being coaxed by extremist preachers.

- From *CSIS focuses on homegrown terrorism threat; Spy agency studies issue of 'radicalization' of Canadian citizens*, by Ian Macleod. The Ottawa Citizen, March 14, 2008

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Canada's marine security regulations are riddled with gaps that put the country at risk, says a federal bureaucrat in a report, obtained under the *ATIA*. Transport Canada hastily drafted marine security regulations, largely copied from U.S. rules, after the 9/11 terrorist attacks, writes an award-winning civil servant and former naval officer: 'It is the opinion of the author that this represents a significant risk to the health and economic security of Canadians by perpetuating vulnerabilities in the marine transportation sector.'

- From *Gaps in marine security found*, by Steve Rennie, Canadian Press. The Toronto Sun, January 24, 2008

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A tangle of conflicting laws on both sides of the border is tying the hands of joint Canada-U.S. border squads, undermining efforts to nab international criminals, says a report released under the *ATIA*.

Team members can't radio one another. They have to surrender their sidearms when crossing into the other country. And they're forbidden from crossing the Canada-U.S. border except at official stations, even though criminals prefer the isolated points in between. The censored internal report, prepared by the public works department, examines the first five years of the Integrated Border Enforcement Teams, which expanded nationally in April 2002.

- From *Border teams handcuffed, report says; Canadian, U.S. officers can't even talk by radio*, by Dean Beeby, Canadian Press. Toronto Star. February 11, 2008

## **Foreign Affairs**

Documents obtained by The Canadian Press under the *ATIA* show the former governor of Kandahar, Asadullah Khalid, was initially popular with the Canadian military because of his anti-Taliban zeal. But as the governor spent more and more time outside of the

province, not attending to day-to-day business, Canadian officials became impatient. Later reports noted that Kandahar who was accused of personally torturing Afghans and had a notorious reputation might have been removed from office as far back as 2006 if Canadian officials hadn't defended him, according to diplomatic memos that have never been made public by the Canadian government.

- From *Canada defended feared Afghan governor: memo; Former governor was kept in power despite rep as 'human-rights abuser'*. The Times-Transcript, Moncton, N.B., Dec. 14, 2009

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The trafficking and sexual exploitation of children in Afghanistan is a growing concern, Canada's Foreign Affairs Department was told in a confidential human-rights report prepared by senior officials. The illegal marriage of underage girls and the sexual abuse of young boys is commonplace, warned the Afghanistan Human Rights Report of summer 2008 obtained by The Canadian Press under the *ATIA*.

The red flag was penned around the same time Canadian military police began investigating public complaints that soldiers and their commanders had turned a blind eye to the rape of young boys by Afghan troops and police at a forward operating base. The military's National Investigative Unit has been unable to verify the allegations.

- From *Sexual abuse of kids common in Afghanistan*. Prince George Citizen. June 10, 2009

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Counsel for Bashir Makhtal, a Canadian held in Ethiopia for two years, says only intervention from the prime minister will ensure his client is dealt with fairly. Makhtal's faced trial for alleged involvement in a separatist group, a charge he denied.

Hundreds of pages of records released under the *ATIA* reveal a trail of frustrated efforts by Foreign Affairs officials to help the former Toronto man languishing behind bars. A candid departmental assessment of turmoil in Ethiopia underscored the challenges: "Post-electoral violence, judicial processes that did not fully respect due process, and regional or ethnic exclusion in the political system have not been good for Ethiopian politics," say "talking points" prepared for Makhtal's case.

- From *PM urged to speak up for Canadian jailed in Ethiopia*. By Jim Bronskill. Waterloo Region Record, Kitchener, Ontario, March 20, 2009

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Canada's war-crimes squad needs more money to do its work, as the cost of prosecuting just one alleged war criminal hits \$4 million, says a report. The team's caseload, already

onerous, will remain heavy as more immigrants come to Canada from countries where atrocities have occurred, says the Justice Department document.

The RCMP in particular needs more money to investigate alleged war criminals and people accused of crimes against humanity. And the Canada Border Services Agency needs cash to fix a computer system that's supposed to track suspects, the report says.

- From *War-crimes squad needs cash; Despite many successes, cost of denying safe havens proving too much.* By Dean Beeby. The Spectator, Hamilton. Dec. 15, 2008

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Jason Kenney's memorable assault on U.S. war deserters seeking refuge occurred soon after he became immigration minister in October 2008. Kenney dismissed them as "bogus refugee claimants," a phrase that set off loud alarm bells among the deserters' supporters. The phrase cannot be found in more than 300 pages of department briefing notes, e-mails and other documents relating to the issue obtained under the *ATIA*.

Not surprisingly, the language in the background briefing notes for the minister written by bureaucrats, is decidedly more neutral than the words chosen by the Calgary firebrand. Kenney's then-deputy minister agreed that the deserters have failed to make the case that the punishment they face back home for desertion could be regarded as persecution. Two deserters have been forced to leave Canada already and are serving jail sentences on desertion charges.

- From *Tory pressure continues against U.S. war deserters; Government in 2008 called them 'bogus refugee claimants.'* By Norma Greenaway. Alberni Valley Times, Port Alberni, B.C.;, June 29, 2009

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With Canada's youth battling near record jobless rates, some foreign students are apparently subverting a federal program that allows them to study and work in this country, by skipping the studying part of the equation in favour of taking jobs.

A veteran Canadian immigration official in South Korea has blown the whistle on the scheme, alerting his superiors in Ottawa to reports that a majority of prospective Korean students destined for private language schools in Canada do not actually attend a single course. Instead, they use the work permits they get as part of the deal to land jobs, Martin Mundel says in a memo obtained by Vancouver lawyer Richard Kurland under the *ATIA*

- From *Foreign students cutting classes to work instead.* By Norma Greenway. Calgary Herald, Sept. 14, 2009

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The Canadian embassy in Warsaw was so concerned about a backlash from outraged Poles after Robert Dziekanski's 2007 death in a confrontation with four Mounties it warned staff about being identified on the streets as Canadians, documents obtained by The Globe and Mail indicate.

In one case, an embassy colleague warned another to tell her spouse about the situation involving the Polish immigrant at Vancouver airport "in case he/she is driving a car with Canadian [diplomatic] plates. "The point is just to ask all to be more vigilant than usual," said one of dozens of e-mails among staff of the Department of Foreign Affairs and International Trade obtained by The Globe through the *ATIA*.

- From *Canadians in Warsaw fearful after taser death*. By Ian Bailey, The Globe and Mail. March 30, 2009

## **Government Accountability**

In July 1974, what was supposed to be a routine safety lecture at the Valcartier army cadet camp north of Quebec City turned into a nightmare for 138 cadets crammed into an improvised classroom when a live grenade exploded, killing six of the teens and wounding 54. A green real grenade had mistakenly been mixed in with a box of blue dummy ones.

In a statutory declaration to police, obtained recently under the *ATIA*, Jean-Claude Giroux, the army captain conducting the lecture and in charge of the explosives section at the base, acknowledged that, before the course, he did not verify the contents of the box. He also recalled one cadet asking him if there was any danger of an explosion; he re-assured him there was none. A coroner's inquest held Capt. Giroux criminally responsible. Yet many cadets felt they were in some ways blamed for the accident, and in the years that followed, adult military personnel were entitled to compensation, but cadets were not.

- From *'We were neglected. They just walked away.'*; *In 1974, six cadets died when a training lecture went wrong. The aftermath was a tragedy, too.* By Robert Smol. Toronto Star. July 26, 2009

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Citizenship and Immigration Minister Jason Kenney blocked any reference to gay rights in a new study guide for immigrants applying for Canadian citizenship, The Canadian Press has learned. Internal documents show an early draft of the guide contained sections noting that homosexuality was decriminalized in 1969; that the Charter of Rights and Freedoms forbids discrimination based on sexual orientation; and that same-sex marriage was legalized nationally in 2005.

But Kenney, who fought same-sex marriage when it was debated in Parliament, ordered those key sections removed when his office sent its comments to the department last June.

Senior department officials duly cut out the material, but made a last-ditch plea with Kenney in early August to have it reinstated.

- From *Kenney blocked gay rights in citizenship guide: documents*. By Dean Beeby The Canadian Press, Toronto Star, March 2, 2010

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Canada Health Infoway, the non-profit organization charged with accelerating access to electronic records said that \$1.576-billion was spent between 2001 and March 2009 to bring Canadian health records into the computer age. But, during that same period, just 17 per cent of Canadians obtained health records that could be accessed electronically, which is far below the goal of 50 per cent that had been set for 2010.

Initially, Infoway had aimed to reach 50 per cent this year. But a federal review undertaken in 2006 and released under the *ATIA*, stated that that goal was problematic: "It is a very blunt target for a complex undertaking. The definition of this target is broadly misunderstood, the target itself is likely to be missed, and is not a strong indicator of success." The federal government allocated \$500-million to Infoway in its 2009 budget.

- From *Moving health records from paper to computer lagging, report says*. By Gloria Galloway and Daniel Leblanc. The Globe and Mail, June 23, 2009

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The federal government is secretly planning an overhaul of the rules governing Canada's reserves that is far more sweeping than what Ottawa is telling Canada's chiefs and native leaders. Documents show the government wants to address concerns over the way native leaders are selected, including the fact that not all communities use secret ballots, have clear term limits or written rules for picking leaders.

But addressing these very issues triggered widespread protests from native leaders six years ago when the Liberal government brought in its doomed First Nations Governance Act. Hundreds of pages of classified documents - including a draft memorandum to cabinet, and other Indian Affairs notes marked "secret" and "protected" - obtained by The Globe and Mail through the *ATIA* show that the government is moving ahead in these areas with far more limited consultations than what native leaders have demanded.

- From *Secret documents reveal sweeping new rules for natives*. By Bill Curry. The Globe and Mail. March 3, 2009

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Aboriginals across Canada were moved to tears in June 2008 in a wave of deep emotion to Prime Minister Stephen Harper's Indian residential schools apology on the floor of the

House of Commons. Newly released internal e-mails indicate the event had a significant impact on Mr. Harper as well.

The day after the apology, Michael Wernick, the deputy minister of Indian Affairs, wrote to a colleague: "I certainly get the impression the PM has had a personal transformation and this may have a substantial impact on his worldview." Indian Affairs documents released through the *ATIA* show the Prime Minister's Office was originally cool to the idea of a grand residential schools apology in the House of Commons.

- From *Residential schools apology deeply moved Harper, changed his views*. By Bill Curry. The Globe and Mail. Jan. 6, 2009

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A federal bureaucrat's straddling of industry and government is raising conflict-of-interest questions. At issue is a deputy minister at Natural Resources Canada who worked on a task force alongside oil and gas executives while she advised a cabinet minister on related matters.

Natural Resources Minister Gary Lunn and Alberta Energy Minister Mel Knight last year appointed Cassie Doyle to a task force that advised the federal and Alberta governments on burying greenhouse gases underground. NRCan says Doyle attended five of the 10 task force meetings. The Canadian Press obtained documents under the *ATIA* showing Doyle advised Lunn on the interests of businesses represented on the task force.

- From *Official's dual role raises conflict-of-interest questions*. By Steve Rennir. The Canadian Press, Toronto, Oct. 28, 2008

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Canada's spy agency is "lagging behind" other countries when it comes to telling the public about its work in the shadows, says an internal study obtained under the *ATIA*. The analysis prepared for the Canadian Security Intelligence Service found the agency's annual public report to be dull, timid and full of recycled information - unlike documents produced by allied spy services: 'The expectation exists that CSIS will follow suit and be more open about its operations.' The spy agency has not issued a report for the last two years; the most recent one covers 2004-05.

- From *Internal report urges spy agency to change ways, be less secretive*. Kamloops Daily News, B.C., January 12, 2008

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Statistics Canada broke its own rules during the 2006 census by neglecting to lock up sensitive records and allowing new hires to start working without proper security clearance, says a new audit says released under the *ATIA*. Census officials also failed to

send out 81,000 paycheques to temporary workers on time, causing morale problems and damaging the agency's reputation.

- From *Statscan breached own privacy standards, audit finds*, by Dean Beeby. The Globe and Mail, December 24, 2007

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A serious gender gap exists within the RCMP in B.C., with female officers far less likely than their male colleagues to believe they are treated fairly and that their rights are respected, according to an internal survey obtained through the *ATIA*. In a phone interview, Eli Sopow, the civilian RCMP employee who conducted the survey, said the results have troubled senior brass: 'The officers here are taking this very seriously and saying we've got to improve this and improve it significantly.'

- From *RCMP still old boys club: survey*, by Chad Skelton. Kamloops Daily News, B.C., October 29, 2007

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Canada was cast as a bad actor that aggressively campaigned alongside countries with tarnished human-rights records in its failed bid to derail the United Nations Declaration on the Rights of Indigenous Peoples. The non-binding declaration was expected to be adopted in September 2007 by the UN General Assembly.

The Conservatives said the declaration is flawed, vague and open to broad interpretation. In fact, documents released to Amnesty International under the *ATIA* show that the government fought against the declaration despite advice from its own officials in Foreign Affairs, Indian Affairs and National Defence, all of them urging its support.

- From *Canada slammed over UN declaration*, by Sue Bailey. The Globe and Mail. September 7, 2007

## **The Public's Money**

An Ottawa Citizen investigation found about 1 in 20 gas pumps in Canada was pumping less gas than indicated on the readout when inspected, according to Measurement Canada inspection data obtained under the *ATIA*.

By using the most conservative figures, pumps that fell outside the tolerance zone would have shortchanged consumers by at least \$17 million annually if projected across the entire industry. At the same time, however, fast pumps would give out \$8 million in free gas. On the small percentage of pumps outside the tolerance zone, consumers come out about \$9 million behind. But if pumps that passed inspection also skewed against the

consumer by about the same rate within the tolerance zone, Canadian drivers would be out of pocket even more.

Days after the story appeared, Industry Minister Jim Prentice ordered increased inspection of retail gas pumps across the country, saying, 'I've instructed that there be beefed-up inspection and beefed-up verification, that pumps are honest and accurate.'

- *You're not getting the gas you pay for: Five per cent of pumps cheat buyers, probe shows*, by Glen McGregor, Ottawa Citizen, May 10, 2008

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Amid record-high fuel prices, federal government inspectors in summer 2008 cited more than 600 gas pumps across Canada for shortchanging consumers, data obtained by the Ottawa Citizen shows. Then-industry minister Jim Prentice ordered stepped-up inspections of gas pumps after a Citizen series revealed that one in every 20 pumps gave less fuel than indicated on its meter, based on inspection reports dating to 1999.

After Prentice spoke on the issue, Measurement Canada found pumps at 280 vendors running slowly, with some overcharging drivers by the equivalent of \$3 or more on a fill-up. One gas station in Regina was caught with two pumps running slowly by at least 4.5 per cent, errors that would have seen drivers paying an extra \$3.14 or more to fill up a 50-litre tank. Three pumps at a retailer in Winnipeg also showed the same level of measurement error.

- From *Gas pumps hosing Canadians, say inspectors*. By Glen McGregor. Calgary Herald. Nov. 22, 2008

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Thousands of initiatives were paid for by the Western Economic Diversification fund since the Conservatives took office in 2006, according to a study by the Canadian Taxpayers Federation. An exhaustive *ATI* search by the lobby group found that the Harper Tories have disbursed more than \$440 million across the four western provinces on everything from flagpoles and cemeteries to museum renovations, airport runway extensions and coaching Calgary entrepreneurs.

When Stephen Harper returned to politics from his stint as head of the National Citizens Coalition, he promised a "radical departure" from a "whole range of economic development, regional development, corporate subsidization programs."

- From *Taxpayers' group tracks \$3.9 billion in fishy funding*. Kamloops Daily News, B.C., April 23, 2009

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The Harper government announced a long-awaited new school on the Burnt Church First Nation - a newly Tory-blue riding - as accusations flew in Parliament that Conservatives have politicized native education. North Spirit Lake, a reserve in Ontario north of Kenora, also learned it was getting a new elementary school just after a Tory election win.

New Democrat MP Charlie Angus, who has long fought for schools on several reserves in his northern Ontario riding, said the timing of such announcements is more political than coincidental. He obtained under the *ATIA* an internal Indian Affairs e-mail dated last March 17. It was signed by the head of capital planning, who notes concerns raised by the North Spirit chief regarding "the delay of project start," for the new school. "The existing facility is a 30- to 40-year-old wood structure. No real issue, just sitting in (an) opposition riding."

- From *New school in New Brunswick sparks outcry from Opposition; Government accused of supporting ridings that support it*. By Sue Bailey. Daily Gleaner, Fredericton, N.B., Feb. 27, 2009

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Six years after Ottawa announced \$44 million in loans to 18 technology companies in Atlantic Canada from a highly touted innovation fund, only five firms have begun repaying money they owe and two companies are bankrupt. Records provided under the *ATIA* show four companies have repaid \$1.35 million - about three per cent of the total owing - to the Atlantic Canada Opportunities Agency.

The fifth company, MDS-PRAD Technologies Corp. of Summerside, P.E.I., didn't reveal its repayment in the records, citing an exemption of commercial confidentiality. Meanwhile, \$3.2 million from the Atlantic Innovation Fund has been written off as uncollectable due to the collapse of Micro Optics of Moncton and Mathis Instruments of Fredericton.

- From *ACOA writes off millions*. By Michael Tutton. Daily Gleaner, Fredericton, N.B., Sept. 22, 2008

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The federal government has been pushing Canada's largest research council to release the names of scientists who fudge research results, plagiarize reports or mispend grant money, according to federal documents obtained through the *ATIA* by Canwest News.

But the Natural Sciences and Engineering Research Council (NSERC) has yet to change its rules, despite pointed recommendations from its political masters. The council, which distributes \$1 billion in federal funding every year to thousands of researchers across the country, says federal privacy laws prevent it from identifying scientists involved in misconduct, or their universities.

In an earlier story, ATI records showed that the Council slapped an extraordinary ban on a star scientist who was accused of plagiarism and of spending up to \$150,000 in government grant money on custom car parts, televisions, home-entertainment systems and other equipment "inconsistent" with his research proposals.

- From *Feds hunting 'rogue' scientists; Research Council urged to tighten rules*. By Margaret Munro. Calgary Herald, March 15, 2010.

- From *Funding Freeze; Prof. Daniel Kwok's spending has run afoul of Canada's research council*. By Margaret Munro. National Post, March 13, 2010

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Federal auditors are targeting some of the biggest names in corporate Canada for allegedly overcharging millions of dollars in their contracts with government, heavily censored records released through the *ATIA* showed. There were 62 contracts in dispute as of Aug. 31, 2007, with auditors alleging some corporations have claimed for ineligible costs, excess profits, overpriced goods, incorrect wage rates and a dozen other problems altogether worth about \$9.5-million.

- From *Federal auditors investigate alleged overcharging by corporations*, by Dean Beeby, Canadian Press. The Globe and Mail, January 30, 2006

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Federal bureaucrats at the Department of Fisheries and Oceans routinely fail to justify their use of untendered contracts, despite scandals that have shown the perils of buying goods and services without using a competitive process. A new audit of 141 contracts awarded by the department has found that in more than half the cases of untendered contracts, there is no justification in the file to explain the lack of a competition.

- From *Fisheries audit probes untendered contracts*, by Daniel LeBlanc. The Globe and Mail, December 11, 2006

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Natural Resources Canada has ordered an investigation into the way the federal government collects offshore oil royalties after auditors uncovered a series of shoddy accounting practices, records disclosed under the *ATIA* reveal.

- From *Fed oil royalties a little crude; Natural Resources audits reveal shoddy accounting*, by Dean Beeby, The Toronto Sun, May 26, 2008

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The Conservative government scrambled to explain a report that the Afghanistan mission will run \$1 billion over budget this fiscal year. Documents obtained under the *ATIA* indicate the mission has cost Canadian taxpayers at least \$7.5 billion since 2001 - double what was budgeted.

The government did not deny the budget blowout for 2007-08 reported in *La Presse* newspaper. It simply warned that the \$1 billion was based on preliminary estimates that cannot be confirmed until after the end of the fiscal year in March. The report came two days before a scheduled confidence vote in the Commons on extending Canada's military mission in Afghanistan.

- From *War \$1B over budget: report; Tories scramble to explain cost overrun of Afghan mission*, by Alexander Panetta, Canadian Press. The Toronto Sun, March 12, 2008

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A federal department has been buying its employees expensive memberships in groups that lobby the government - a potential conflict-of-interest, says a new report released under the *ATIA*.

The audit found that Natural Resources Canada spent almost \$1-million in 2006 on memberships in professional bodies, or an average of about \$300 for each employee. It says the spending is far in excess of amounts spent by other departments and too often takes place without any apparent consideration of ethics.

- From *Natural Resources audit reveals potential conflicts; Department spent \$1-million on memberships in professional organizations, some of which lobby Ottawa*, by Dean Beeby. The Globe and Mail, November 5, 2007

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The bulk of a \$10 million federal research loan given to a Michelin tire factory in Nova Scotia isn't due until 2041 - terms that leave another borrower questioning the program's fairness. Details of the 2006 loan, obtained through the *ATIA*, say the Atlantic Canada Opportunities Agency requires Michelin to provide 29 annual payments of \$85,000 - culminating in a single, final payment of \$7.53 million more than three decades from now.

- From *Michelin plant gets sweet deal on federal loan; Bulk of repayment not due for 3 decades, another research fund borrower points out*, by Michael Tutton, The Canadian Press. The Toronto Star, February 18, 2008

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Most Canadian charities that provide disaster relief at home and abroad are breaking the rules, suggests a new probe by the Canada Revenue Agency. More than half of the 27 disaster-relief charities randomly picked for close scrutiny by the agency's charities directorate failed to meet standards - including some that handed over donations to 'non-qualified' recipients abroad, says an internal report obtained under the *ATIA*.

- From *Charities breaking the rules, probe finds*, by Dean Beeby. The Globe and Mail, November 19, 2007

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Large corporations scooped up the lion's share of almost \$1-billion in federal tax credits designed to stimulate Canadian film and video productions, says a federal government report released under the *ATIA*. 'The allocation of the tax credit was extremely concentrated,' according to the Finance Department report. 'Corporate groups received a large share of the tax credit, with the top 10 receiving close to 30 per cent of the total.'

- From *Large corporations receive bulk of film tax credits*. The Canadian Press. The Globe and Mail, April 14, 2008

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Toronto's Pearson airport gets low marks for efficiency and fee levels in a 'scorecard' created by Transport Canada, rankings that help confirm the airport's global reputation as a high-cost facility for both airlines and passengers. The draft scorecards were obtained under the *ATIA*. 'For all measures of cost efficiency ... Toronto was significantly poorer than either Vancouver or Calgary,' says the report by the non-profit agency Transport 2000.

- From *Pearson costlier way to fly, report shows; Draft figures show Toronto's airport has higher fees, less efficiency than Vancouver or Calgary*, by Dean Beeby, The Canadian Press. The Toronto Star, March 17, 2008

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The federal government transfers money electronically into the wrong bank accounts more than 3,000 times each year, newly disclosed documents show. And these rogue direct deposits, which accidentally enrich the wrong people, have been worth as much as \$181,000 in a single transaction. Internal spreadsheets detailing the problem of 'misdirected direct deposits' were obtained under the *ATIA*.

- *\$1.9-million in federal cheques directly deposited to wrong accounts*, by Dean Beeby. The Globe and Mail, March 3, 2008

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Soaring drug bills in Canada could be cut if doctors simply paid attention to the cost of the medications they prescribe, says a federal report. The study by IMS Health Consulting Inc. and commissioned by Industry Canada, found that Canadian physicians are generally oblivious to drug prices and often prescribe an expensive pharmaceutical when a cheap one would do.

The situation is better in the United States and Great Britain, where health-management systems that do take drug prices into account help reduce pharmacy bills. The 2007 document was released under the *ATIA*. IMS fought its release in Federal Court for several months before recently withdrawing the legal challenge.

*- MDs prescribe costly drugs, not generics Study; Report says alerting doctors to prices could help cut country's bill, by Dean Beeby. Toronto Star, October 22, 2007*

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