

Modernize province's transparency act

Limits surrounding the public's right to information requests keep New Brunswickers in the dark about the true costs of privatization deals.

Earlier this week, Green Party Leader David Coon showed us all how difficult it can be to twist the arm of government to disclose a public-private partnership (P3) contract with private nursing home company Shannex.

The politician has to take the province to the court to know where taxpayer money is going.

The action is required because the Right to Information and Protection of Privacy Act does not yet expressly force government to disclose the details of the P3 contracts.

While the Green Party and the NDP have long advocated modernization, Liberal and Conservative parties have kept the RTI act toothless. In our province, privatization and P3 contracts are rarely subjected to public scrutiny before they are a done deal.

This has been shown again recently with the Medavie and Sodexo deals.

Obstacles to transparency are benefiting those trying to "sell" public-private partnerships, sub-contracting and other pro-corporate schemes to the public. Without proper information, the public can and will be misled.

Isn't it time the government upheld and expanded the public's right to know where their money is really going - before the deals are signed?

Our lawmakers should implement the recommendations in the 2017 Columbia Institute report, entitled Canada Infrastructure Bank and the Public's Right to Know. This would improve transparency into the private delivery of public services in the follow ways:

1. Private entities delivering substantial public functions or services, or receiving substantial government funding to carry out public functions or services, should be subject to access to information legislation.
2. Canadian jurisdictions should adopt a policy of prompt and full proactive disclosure of all procurement records, including preliminary analyses, business case documents, successful and unsuccessful bids, evaluations of bids and contracts.
3. Canadian jurisdictions should move to a discretionary standard for the release of information that has gone before Cabinets or Cabinet committees.

Information commissioners should be given access to these documents and the ability to rule on whether such documents should be released.

Any party claiming to value democracy should act to modernize the Right to Information and Protection of Privacy Act. In the end, it's up to the legislators to fix the laws to recognize the superior interests of the public over corporate profits.

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