

# Liberals want legal action on secrecy report

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The Liberal Opposition wants the province's information commissioner to file court action against Executive Council if it fails to follow recommendations to release government records.

"This is a prime case for the commissioner — he's got the clout, he's got the authority under his legislation — to take this matter to court," Liberal justice critic Kelvin Parsons said.

Last year, the Liberals used access-to-information laws to ask for records related to a review of the province's inland salmon enforcement program.

After asking for an extension, Executive Council released an censored package of documents.

The Liberals appealed to the information commissioner.

Earlier this month, the commissioner recommended that Executive Council release most of the withheld information.

Executive Council has until Tuesday to determine what it will do.

By law, it is free to ignore the commissioner's report.

The final remaining option would be a challenge to Newfoundland and Labrador Supreme Court.

There is a 30-day window to take such action.

Under the legislation, the Liberals could file court action themselves.

But Parsons said they don't have the cash to mount an expensive legal challenge.

"We've hardly got enough here to keep the staff that we need in place to do the research," he said.

The commissioner also has the right to do so.

Parsons said the Liberals filed the request last spring, after receiving a tip from a private citizen who had concerns about how the enforcement program was working.

Former Tory cabinet minister William Marshall carried out a review for the government.

The Liberals were perplexed to find that the government departments involved with enforcement — Justice and Natural Resources — did not have the report.

Instead, Executive Council — the wing of the bureaucracy that serves the premier — did.

"I don't know if the premier's got his own enforcement program going on up there or what, but it's not to be found in the normal departments of government," Parsons said.

He is accusing the government of being "secretive, obstinate and obstructionist."

The Williams administration came to power on a pledge of unprecedented openness, transparency and accountability.

"The last time I checked, if you say one thing, and you do something else, I call that a hypocrite," Parsons said. "This administration (is) nothing but purely hypocritical when it comes to openness and accountability, and this is a principle, prime case of it."

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A spokesman said the premier was not available for comment Friday.

The commissioner’s report criticized Executive Council for not participating in the process aimed at resolving the dispute.

Executive Council has come under fire in the past year over its role in handling access-to-information requests.

Last summer, the Cameron Inquiry heard that the premier’s office directed the Department of Health not to release certain information in briefing notes on cancer-testing to The Telegram.

In December, The Telegram revealed several instances of Executive Council managing requests in other departments, to stymie the release of information — even though the premier’s bureaucrats have no actual authority in the law to do so.