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NEWS RELEASE

Canada needs to overhaul its information and secrecy laws

Parliament should correct limits imposed on information access

Montreal – Canada's secrecy laws go too far in an attempt to protect national security secrets, according to a new study from the Institute for Research on Public Policy.

The study, "Canada's National Security 'Complex': Assessing the Secrecy Rules," found that while it is clearly necessary to protect legitimate national security secrets, the credibility of Canada's security services is undermined by its overreaching secrecy laws.

"Parliament itself should demonstrate a healthy skepticism of government secrecy claims on national security grounds," says author Craig Forcese. "The limits these secrecy laws impose on information access – and the draconian penalties they level in some instances – are deeply inconsistent with the democratic society they are supposed to protect."

In his study, Forcese makes a number of recommendations to improve the balance between maintaining the openness required in a functioning democracy and upholding legitimate national security secrecy laws. Overclaiming secrecy could jeopardize confidence in government and potentially stimulate changes that make protecting legitimate secrets more difficult. He urges Parliament to formally repeal section 4 of the *Security of Information Act* and replace it with a much more measured provision. He also calls on government to standardize its definition of "national security" across the statute book, to avoid the multitude of terms that currently exist. Forcese also expresses support for a standing reviewer of national security law and policy, and a separate committee of parliamentarians with legislated powers and access to secret information.

"In the past, legislators have been willing to pass amendments to the security certificate process that overreaches in the defence of secrecy, at the expense of fairness in the judicial process," notes Forcese.

"Canada's National Security 'Complex': Assessing the Secrecy Rules," by Craig Forcese, can be downloaded free of charge from the Institute's Web site (www.irpp.org).

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