

March 27, 2013



Office of the  
Information  
Commissioner  
of Canada

Commissariat  
à l'information  
du Canada

Mr. Tyler Sommers  
Democracy Watch  
1 Nicholas St., Suite 412  
P.O. Box 821, Stn. B  
Ottawa ON K1P 5P9

112 Kent Street  
Ottawa, Ontario  
K1A 1H3  
Tél.: 613-995-2410  
Fax: 613-947-7294  
1-800-267-0441

112, rue Kent  
Ottawa (Ontario)  
K1A 1H3  
Tél.: 613-995-2410  
Télééc.: 613-947-7294  
1-800-267-0441

**Subject: Our files** 3212-01586, 3212-01587, 3212-01588,  
3212-01589, 3212-01590, 3212-01591  
and 3212-01592

Dear Mr. Sommers:

By letter dated February 20, 2013, you requested that the Information Commissioner of Canada (the Commissioner) initiate an investigation under paragraph 30(1)(f) of the *Access to Information Act* (the Act) into, among other things, "...the systematic efforts by the Government of Canada to obstruct the right of the media – and through them, the Canadian public – to timely access to government scientists." Your complaint refers to a report, dated February 2013, entitled *Muzzling Civil Servants: A Threat to Democracy* (the Report).

Paragraph 30(1)(f) requires the Commissioner to investigate any matter related to obtaining or requesting access to records." The Commissioner has concluded that, to the extent that your complaint alleges that the right of access to information under the Act is impeded by government policies, practices or guidelines that restrict or prohibit government scientists from speaking with the media and the Canadian public, your complaint falls within the scope of paragraph 30(1)(f) of the Act.

A notice of our intention to investigate and a summary of complaint has been sent to the government institutions referred to in the Report, namely, the Department of the Environment, the Department of Fisheries and Oceans, the Department of Natural Resources, the National Research Council of Canada, the Canadian Food Inspection Agency, and the Department of National Defence. We have also determined that the Treasury Board Secretariat should be included in your complaint because of its role in relation to the development and implementation of government policies.

If you have any representations or additional information about your complaint, please do not hesitate to contact us. Also, if you are moving,

please provide us with your new address and telephone number to ensure we can reach you once the file is assigned to an investigator.

You can rest assured that an official from our office will contact you as soon as possible.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Emily McCarthy". The signature is fluid and cursive, with the first name being more prominent.

Emily McCarthy  
Assistant Information Commissioner

c.c.: Mr. Calvin Sandborn