MEMORANDUM TO THE PRESIDENT

MOVING FORWARD ON "UNMUZZLING" SCIENTISTS

SUMMARY

- The Government has committed to “revoking the rules and regulations that muzzle government scientists, and allow them to speak freely about their work, with only limited and publicly-stated exceptions”. While some science departments have provided direction to their staff, the public service has not yet developed a whole-of-government approach.

Current Status

The Honourable Kristy Duncan, Minister of Science, has been directed to “create a Chief Science Officer mandated to ensure that government science is fully available to the public, [and] that scientists are able to speak freely about their work (...)”. A committee of deputy ministers has begun work on this issue.

While this commitment is not referenced in your mandate letters, you have a role to play on account of the fact that: you are responsible for the Government’s Communications Policy; you are responsible for the Values and Ethics Code for the Public Sector; and you represent Treasury Board as the employer.
The Communications Policy already encourages public servants to communicate openly with the public about initiatives they are familiar with and for which they have responsibility. However, this role is not unfettered. Under the policy, public servants must also safeguard Canadians' trust and confidence in the integrity and impartiality of the public service.

Indeed, under the *Values and Ethics Code*, federal public servants have a duty to “loyally carry out the lawful decisions of their leaders, and support ministers in their accountability to Parliament and Canadians”. Acceptance of these values is a condition of employment, and reflects the Westminster tradition of a non-partisan, professional public service that serves in relative anonymity.

Of note, the Professional Institute of the Public Service has called on the Government to enshrine its commitment in collective agreements.

**Considerations**

*Decisions typically take into account multiple factors.* Factors that ministers consider in making decisions come in many forms: scientific, economic, social, legal, international, ethical and political considerations may be relevant. Science is important but rarely determinative. Voters entrust ministers, not unelected public servants, with weighing the factors relevant to decisions.

*It is the legitimate role of politicians to set priorities.* In setting priorities for government programs, science is but one factor. While scientists may be disappointed when projects receive less funding or attention, it remains the role of ministers to determine priorities, and defend them before the Canadian public.
The engagement of scientists in the public sphere needs to be balanced against their ethical duty as public servants. There is an appropriate role for scientists to engage publicly to communicate scientific information, to build national and international research networks, and to educate and foster interest in science. However, considerations such as security (e.g., scientists engaged in defence or public safety research), public health, and contractual obligations (e.g., scientists working closely with industry) impose legitimate restrictions. More broadly, allowing public servants to be openly critical of government decisions – whether based on scientific evidence or other criteria – can jeopardize the relationship between the public service and ministers, undermining the trust that is essential to an effective working relationship.

Recommendation
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☐ Minister has seen.

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