

Chronicling the Use of Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring the Standard of Access to Public Records in Canada is Best Practice

Interim Report 3.
Using Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring Access to Public Records in Canada Is Best Practice, Ottawa Council Score: Political Buzzwords, 87.5%; Drivers, 12.5%

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March 27, 2019

A. Context

Interim Report 2 contains background materials describing the origins of the access to public records project, and the texts of emails to City of Ottawa Mayor Jim Watson and 23 City of Ottawa councillors, in which each member of council is asked if he or she supports citizens having free, easy, timely, and direct online access to the public records held by the City of Ottawa.

The responses to the inquiry are recorded in Interim Report 2, and for convenience they are presented below in Table 1.

Table 1. Scorecard of Responses by Ottawa Council: *Do you agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa?**

<u>Member of Council</u>	<u>Response**</u>	<u>Date(s) of Response</u>
Mayor Jim Watson.....	NR.....	
Councillor Steven Blais.....	NR.....	
Councillor Riley Brockington.....	YES	12/27/2018
Councillor Rick Chiarelli.....	NYNN.....	12/24/2018
Councillor Jean Cloutier.....	NR.....	
Councillor George Darouze.....	NR.....	
Councillor Diane Deans.....	NR.....	
Councillor Laura Dudas.....	NYNN.....	12/24/2018
Councillor Eli El-Chantiry.....	NYNN.....	12/24/2018
Councillor Keith Egli.....	NR.....	
Councillor Mathieu Fleury.....	NR.....	
Councillor Glen Gower.....	NR.....	
Councillor Jan Harder.....	NR.....	
Councillor Allan Hubley.....	NR.....	
Councillor Theresa Kavanaugh.....	NR.....	
Councillor Jeff Leiper.....	NR.....	
Councillor Matt Luloff.....	NR.....	
Councillor Catherine McKenney.....	YES.....	1/16/2019
Councillor Carol Anne Meehan.....	NR.....	
Councillor Shawn Menard.....	YES.....	02/08/2019
Councillor Scott Moffatt.....	NR.....	
Councillor Tobi Nussbaum.....	NR.....	
Councillor Jenna Sudds.....	NR.....	
Councillor Tim Tierney.....	NR.....	

*The question was included in emails to mayor and councillors on December 19, and 20-23, 2018, respectively.

****LEGEND: NO** means **NO**; **YES** means **YES**; **NYNN** means **NEITHER YES NOR NO**; and **NR** means **NO RESPONSE**. The responses shown on the scorecard are those received as of February 14, 2019.

B. Comments on the Instrument Used to Derive Table 1

Given that this is a pilot study, it is important to establish the validity of the instrument used to obtain the contents of Table 1.

As the reader may be aware, the instrument is the email communication to mayor and councillors, and, specifically, the statement seeking to ascertain if the contacted politician

“...agree[s] with the central thesis of the column, namely that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa.”

On the evidence, which when seeking answers from politicians can actually be evidence by default when they try to avoid survey questions by not responding, it is reasonable to find that the line of inquiry is valid and that the responses can be taken at face value because:

- No member of City of Ottawa council stated that he or she had difficulty understanding the inquiry;
- There were no mentions of ambiguity, and no mentions of lack of clarity;
- No admissions of confusion;
- No requests for definitions of any of the core conditions, that is, free, easy, timely, direct, or online;
- No one declared that he or she misunderstood to whom the communication was addressed; and
- No one mentioned any other concern that could jeopardize either the validity of the instrument or the face value of the responses.

So, in the spirit of “What you see is what I asked for”, that is, there is no good reason to suspect any City of Ottawa politician attempted to engage in deception, the next step in this interim report is to assess the contribution of City of Ottawa politicians to chronicling the use of transparency and accountability as political buzzwords, and as drivers ensuring the standard of access to public records in Canada is best practice.

C. Analysis of Table 1

Our primary research interest at this stage is to identify City of Ottawa politicians who agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa, and those City of Ottawa politicians who do not agree that citizens are entitled to free, easy, timely, and direct online access to the public records.

As shown in Table 1, Councillors Riley Brockington, Catherine McKenney, and Shawn Menard agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa.

Councillors Brockington, McKenney, and Menard are therefore scored as credible users of the terms transparency and accountability as drivers ensuring access to public records in Canada is best practice.

As also shown in Table 1, responses by Mayor Jim Watson and Councillors Rick Chiarelli, Laura Dudas, and Eli El-Chantiry are assigned to the Neither Yes Nor No category. This score occurs, for example, when a politician simply acknowledges receipt of the email, or because a politician refers the communication to staff for response even though the politician is named in the recipient line, and the pronouns “you” and “your” appear fourteen (14) times in the body of the email.

Since Watson, Chiarelli, Dudas, and El-Chantiry do not express agreement that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa, it is appropriate to relegate their responses to the default position, that is, they do not agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa.

As a result of their NYNN responses, Mayor Jim Watson and Councillors Rick Chiarelli, Laura Dudas, and Eli El-Chantiry are scored as using the terms transparency and accountability as political buzzwords, and are not credible users of the terms transparency and accountability as drivers ensuring access to public records in Canada is best practice.

The remainder of council – Councillors Steven Blais, Jean Cloutier, George Darouze, Diane Deans, Keith Egli, Mathieu Fleury, Glenn Gower, Jan Harder, Allan Hubley, Theresa Kavanaugh, Jeff Leiper, Matt Luloff, Carole Anne Meehan, Scott Moffatt, Tobi Nussbaum, Jenna Sudds, and Tim Tierney -- did not respond to the inquiry.

In the absence of a providing a response, each of these councillors -- Steven Blais, Jean Cloutier, George Darouze, Diane Deans, Keith Egli, Mathieu Fleury, Glenn Gower, Jan Harder, Allan Hubley, Theresa Kavanaugh, Jeff Leiper, Matt Luloff, Carole Anne Meehan, Scott Moffatt, Tobi Nussbaum, Jenna Sudds, and Tim Tierney -- did not agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa.

By extension, therefore, each of these councillors – Steven Blais, Jean Cloutier, George Darouze, Diane Deans, Keith Egli, Mathieu Fleury, Glenn Gower, Jan Harder, Allan Hubley, Theresa Kavanaugh, Jeff Leiper, Matt Luloff, Carole Anne Meehan, Scott

Moffatt, Tobi Nussbaum, Jenna Sudds, and Tim Tierney – is scored as using the terms transparency and accountability as political buzzwords, and is not a credible user of the terms transparency and accountability as drivers ensuring access to public records in Canada is best practice.

To obtain a sense of the overall position of City of Ottawa politicians, an exam analogy is pertinent. In brief, a response of Neither Yes Nor No is rated as an irrelevant, extraneous, etc., answer to the exam question, *Do you agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa?*

The appropriate mark for a Neither Yes Nor No answer is a zero.

Continuing the exam analogy, a No response to the question, *Do you agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa?* is equivalent to leaving the answer blank.

The appropriate mark for not answering is a zero.

In terms of the overall scorecard mark, therefore, 87.5 % of City of Ottawa politicians use the terms transparency and accountability as political buzzwords, and 12.5% of them use the terms transparency and accountability as drivers ensuring access to public records in Canada is best practice.

D. Analysis Implications

There are several purposes to the pilot study, and lessons learned include the following.

First, the binary nature of inquiry minimized the wriggle room available to City of Ottawa politicians. That is, Ottawa's municipal politicians either agreed that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa, or they did not agree. There is no in-between landing place.

Or, to re-phrase, attempts at answer-avoidance by such tactics as not responding, or off-loading the communication to staff, are “doomed to fail” due to the default condition. That is, once the email communication is transmitted, if the agree box is not checked then the default condition assigns the politician to the category of using transparency and accountability as political buzzwords, and removes them from the list of politicians who could credibly use the terms as drivers ensuring access to public records in Canada is best practice.

Second, the terms transparency and accountability have outstanding cachet, in principle, which is why they are used so often by politicians at all levels of government.

However, if it turns out that in practice political leaders and/or a substantial proportion of members of political bodies score heavily as users of the terms as mere political buzzwords, then the cachet can vaporize in a hurry.

In the case of City of Ottawa politicians, 87.5% of council members including Mayor Jim Watson are scored as using transparency and accountability as political buzzwords.

Or, conversely, only 12.5% of council – Councillors Brockington, McKenney, and Menard -- scored as being credible users of the terms transparency and accountability as drivers ensuring access to public records in Canada is best practice.

Third, we are now at more than eight weeks since City of Ottawa politicians were contacted, and no reason has arisen to suggest that the inquiry has misidentified City of Ottawa politicians who agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa.

And conversely, no reason has arisen to suggest that the inquiry has misidentified City of Ottawa politicians who do not agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa.

It therefore seems reasonable to suggest that the pilot study approach and the results of the inquiry can be used by citizens to ask City of Ottawa politicians about their reasons for agreeing and for not agreeing that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa.

And, of course, past and future candidates for City of Ottawa municipal office might have a particular interest in obtaining explanations for positions taken, and not taken.

Fourth, the focus of the pilot study at the municipal level is on City of Ottawa politicians. Application of the instrument in other municipalities would contribute to testing its robustness, and its potential utility as a means to conduct surveys of municipal politicians involving multiple jurisdictions in provincial- and national-scale comparative pilot studies.

E. Conclusion

The primary inference of the pilot study is that City of Ottawa politicians who agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa are likely candidates to use the terms transparency and accountability as drivers to ensure that access to public records in Canada is best practice.

Three councillors – Riley Brockington, Catherine McKenney, and Shawn Menard – measure up in this respect. In terms of implications, these councillors are the only members of the Ottawa city council who are credible sources on thoughts about how the terms transparency and accountability can be used as drivers in efforts to ensure that access to public records in Canada is best practice.

Mayor Jim Watson and the other 20 councillors self-authored their position that they do not agree that citizens are entitled to free, easy, timely, and direct online access to the public records. By doing so, they self-authored their position that the terms transparency and accountability are used as political buzzwords and, consequently, by their own admission, none of these politicians is a credible source of thought on politicians' use of transparency and accountability as drivers to ensure that access to public records in Canada is best practice.

Finally, it is frequently the case that pilot studies undergo adjustments before research projects move to the pre-test phase, and in this regard I recall the final comment in section D, Analysis Implications. That is, the present focus of the pilot study at the municipal level is on City of Ottawa politicians.

It appears fair to state that survey instrument worked properly, and as intended. However, application of the instrument in other municipalities would contribute to testing its robustness, and its potential value to surveys of municipal politicians involving multiple jurisdictions in provincial- and national-scale comparative pilot studies.

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