

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 5.
Using Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring Access to Public Records in Canada is Best Practice, Federal Cabinet Score: Political Buzzwords, 100%; Drivers, 0%

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A. Context

Interim Report 4 contains background materials describing the origins of the access to public records project, and the texts of emails to Prime Minister Justin, a number of cabinet ministers, and Chandra Arya, (Nepean), the MP for the riding in which I reside. Each contacted member of cabinet and MP Arya is asked, Do you agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by the Government of Canada?

The responses to the inquiry are recorded in Interim Report 4, and for convenience they are presented below in Table 1.

Table 1. Scorecard of Responses by Selected Members of Cabinet, Government of Canada: Do you agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by the Government of Canada?

Member of Cabinet*	Response**	<u>Received</u>
Prime Minister Justin Trudeau.....	NR	
Minister Scott Brison.....	NR	
Minister Bardish Chagger.....	NYNN	02/04/2019
Minister François-Philippe Champagne.....	NR	
Minister Kirsty Duncan.....	NR	
Minister Marc Garneau.....	NYNN	01/06/2019
Minister Karina Gould.....	NYNN	01/05/2019
Minister David Lametti.....	NR	
Minister Catherine McKenna.....	NYNN	01/05/2019
Minister Jane Philpott.....	NYNN	01/17/2019
Minister Carla Qualtrough.....	NR	
Minister Amarjeet Sohi.....	NYNN	12/29/2018
Minister Jonathan Wilkinson.....	NYNN	01/06/2019
Minister Jody Wilson-Raybould.....	NYNN	01/05/2019
Member of Parliament		
MP Chandra Arya.....	NYNN	12/18/2018

*The persons named were members of cabinet when contacted in early 2019.

****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 the prime minister and his caucus colleagues 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 municipal governments in Ontario.”

On the evidence, which in this case is actually the absence of counter evidence, it is reasonable to find that the line of inquiry is valid and that the responses can be taken at face value because:

- No contacted provincial politician 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 federal Liberal politician attempted to engage in deception, the next step in this interim report is to assess the contribution of the contacted federal 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 provincial Conservative politicians who agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by municipal governments in Ontario, and provincial Conservative 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, responses by Bardish Chagger, Marc Garneau, Karina Gould, Catherine McKenna, Jane Philpott, Amarjeet Sohi, Jonathan Wilkinson, Jody Wilson-Raybould, and Chandra Arya are assigned to the **Neither Yes Nor No** category.

This assigned value 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.

As for Members of Cabinet Justin Trudeau, Scott Brison, François-Philippe Champagne, Kirsty Duncan, David Lametti, and Carla Qualtrough, they did not respond. Therefore, they did not express agreement that citizens are entitled to free, easy, timely, and direct online access to the public records held by the Government of Canada.

Consequently, it is appropriate to relegate them and their non-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 Government of Canada.

As a result of their NYNN responses, Ministers Bardish Chagger, Marc Garneau, Karina Gould, Catherine McKenna, Jane Philpott, Amarjeet Sohi, Jonathan Wilkinson, and Jody Wilson-Raybould, and MP Chandra Arya are scored as using the terms transparency and accountability as political buzzwords, and not being credible users of the terms transparency and accountability as drivers ensuring access to public records in Canada is best practice.

The remainder of cabinet members contacted – Justin Trudeau, Scott Brison, François-Philippe Champagne, Kirsty Duncan, David Lametti, and Carla Qualtrough – did not respond to the inquiry.

In the absence of a providing a response, each of these Ministers did not agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by the Government of Canada.

By extension, therefore, each of these Ministers -- Justin Trudeau, Scott Brison, François-Philippe Champagne, Kirsty Duncan, David Lametti, and Carla Qualtrough– is scored as using the terms transparency and accountability as political buzzwords, and not being 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 contacted federal Liberal 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 Government of Canada?*

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 Government of Canada?*, is equivalent to leaving the answer blank.

The appropriate mark for not answering is a zero.

In terms of the overall scorecard mark, therefore, 100% of the contacted federal Liberals use the terms transparency and accountability as political buzzwords, and 0% 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 federal Liberal politicians. That is, these federal politicians either agreed that citizens are entitled to free, easy, timely, and direct online access to the public records held by the Government of Canada, 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 the contacted federal Liberals politicians, 100% of them -- including Prime Minister Justin Trudeau, Cabinet Ministers Scott Brison, Bardish Chagger, François-Philippe Champagne, Kirsty Duncan, Marc Garneau, Karina Gould, David Lametti, Catherine McKenna, Jane Philpott, Carla Qualtrough, Amarjeet Sohi, Jonathan Wilkinson, Jody Wilson-Raybould, and MP Chandra Arya are scored as using transparency and accountability as political buzzwords.

Or, conversely, 0% of the contacted federal Liberals 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 a selection of federal Liberal politicians were contacted, and no reason has arisen to suggest that the inquiry has misidentified federal Liberal politicians who agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by the Government of Canada.

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

It therefore seems reasonable to suggest that the pilot study approach and the results of the inquiry can be used by citizens to question the contacted federal Liberal politicians, as well as ask other federal Liberal 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 Government of Canada.

And, of course, the survey can also be administered to federal Conservative, New Democrat, and Green Party politicians.

E. Conclusion

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

No contacted federal Liberal measures up in this respect. In terms of implications, none of the contacted federal liberals – Prime Minister Justin Trudeau, Cabinet Ministers Scott Brison, Bardish Chagger, François-Philippe Champagne, Kirsty Duncan, Marc Garneau, Karina Gould, David Lametti, Catherine McKenna, Jane Philpott, Carla Qualtrough, Amarjeet Sohi, Jonathan Wilkinson, Jody Wilson-Raybould, or MP Chandra Arya -- is a credible source 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.

Or, conversely, Prime Minister Justin Trudeau, Cabinet Ministers Scott Brison, Bardish Chagger, François-Philippe Champagne, Kirsty Duncan, Marc Garneau, Karina Gould, David Lametti, Catherine McKenna, Jane Philpott, Carla Qualtrough, Amarjeet Sohi, Jonathan Wilkinson, Jody Wilson-Raybould, and MP Chandra Arya 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 federal Liberal politicians.

It appears fair to state that the survey instrument worked properly, and as intended. However, application of the instrument to politicians in other federal parties would contribute to testing its robustness.

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