

*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 8. Second Survey Asking City of
Ottawa Mayor and Councillors, *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?***

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A. Context

The first phase of reports are now published for the project, 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.

Report titles to date and their links are:

- [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 1. Using Interim Reports as Part of the Pilot Study Research Design](#)
- [Interim Report 2. Responses of City of Ottawa Mayor and Councillors 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?](#)
- [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%](#)
- [Interim Report 4. Responses of Prime Minister Justin Trudeau, Selected Cabinet Ministers, and MP Arya Chandra \(Lib.- Nepean\) 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?](#)
- [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%](#)
- [Interim Report 6. Responses of Ontario Premier Doug Ford and Selected Cabinet Ministers to the Question: Do You Agree that Citizens Are Entitled to Free, Easy, Timely, and Direct Online Access to the Public Records Held by Municipal Governments in Ontario?](#)
- [Interim Report 7. Using Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring Access to Public Records in Canada is Best Practice, Ontario Cabinet Score: Political Buzzwords, 100%; Drivers, 0%](#)

Interim report 8-13 provide a template for monitoring and analyzing responses of municipal, provincial, and federal politicians to questions about citizens having free, easy, timely, and direct online access to public records.

The precedent report for Interim Report 8 is interim report 2, and the tool for comparative recording and analysis purposes is Table 1 in interim report 2.

It is appropriate to note in closing the first section of this interim report that we are aware of the irony involved in asking politicians about citizens having free, easy, timely, and direct online access to public records, and then witnessing these politicians engage in evasive moves to avoid answering, even while proclaiming their deep regard for transparency and accountability.

And, apparently, so are citizens. Feedback on survey one (interim report 3) reveals a clear consensus that something is seriously wrong when the majority of City of Ottawa politicians proclaim utmost regard for transparency and accountability, while simultaneously not taking a stand to provide citizens free, easy, timely, and direct online access to City of Ottawa public records.

However, survey two could reveal a significant change in positions of a number of City of Ottawa politicians, making it a new day with respect to citizens' access to City of Ottawa public records.

B. Recalling the Results from the First Survey Asking Mayor and Councillors, City of Ottawa, *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?**

Two interim reports (IRs) are posted from the first round of asking City of Ottawa politicians, "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?"

- [Interim Report 2. Responses of City of Ottawa Mayor and Councillors 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?](#)
- [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%](#)

The results from the first survey (IR 2) are summarized as follows.

Three Councillors – Riley Brockington, Catherine McKenney, and Shawn Menard – that is, 12.5 % of the 24-member council, agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa.

It warrants emphasizing that all the responses were a straightforward “Yes”. The remaining 21 members of council, that is, 87.5% of the 24-member council – Mayor Jim Watson and 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.

As the reader may appreciate, if a critical mass of City of Ottawa politicians agrees that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa, then no further surveys of this type are needed.

Instead, we would be drilling deeper into the email text, and asking City of Ottawa politicians what they are doing, individually and collectively, to ensure that citizens have free, easy, timely, and direct online access to the public records held by the City of Ottawa a reality.

However, the reality is that a total of three out of twenty-four members of council is far removed, very far removed, from being the critical mass needed to open the books at Ottawa city hall.

The obvious question which arises is whether the second survey will make a mockery of Ottawa being referred to by City of Ottawa politicians in such glowing terms as ‘world class’, ‘leading edge’, ‘innovative’, ‘Canada’s Capital’, and ‘The Nation’s Capital’.

B. Second Survey asking City of Ottawa Politicians, 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 first survey was undertaken via emails to mayor and councillors on December 19, and 20-23, 2018, respectively, and the second survey was undertaken March 26, 2019.

The emails to mayor and councillors follow. The email to Councillor Rick Chiarelli, Bay Ward, is chosen to represent the communication to all councillors.

As the reader may discern, the contents of the emails of March 26, 2019 and December, 2018 are exactly the same.

That is done in part for reasons of preserving instrument consistency and comparability, and in part to ensure that no ‘discomfort’ is imposed upon politicians by introducing any

nuance into what is a basic question about politicians 'regard for citizens' right to know via free, easy, timely, and direct online access to public records.

Email 1 -----

From: Barry Wellar [mailto:wellar.barry@gmail.com]

Sent: Tuesday, March 26, 2019 4:37 PM

To: Jim.Watson@ottawa.ca

Subject: Access to Public Records-Watson

Jim Watson, Mayor,
City of Ottawa

Re: Op-ed column, *Ottawa Citizen*, 'Wellar: We need free, easy access to public records', Dec.3, 2018. <https://ottawacitizen.com/opinion/columnists/wellar-we-need-free-easy-access-to-public-records>

Dear Mayor Watson,

I look forward to learning at the earliest moment if you agree 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.

In the event that you agree, I look forward to learning at the earliest moment what you and councillors are doing to bring about the changes required to provide citizens free, easy, timely, and direct online access to the public records held by the City of Ottawa.

Similarly, I look forward to learning at the earliest moment if you disagree with the central thesis that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa. In the interests of effective and efficient dialogue, please specifically address your explanation to each of the five conditions identified in the column, that is, free access; easy access; timely access; direct access; and online access.

In addition, I look forward to learning at the earliest moment if you agree with the proposition expressed in the column that "The right to free, easy, timely, and direct online access to public records is a defining feature of a free and democratic society, and would be an excellent addition to the Charter of Rights and Freedoms." In the event that you agree, I look forward to learning what you will do to encourage the Government of Canada to incorporate that clause or a variation of that in the Charter of Rights and Freedoms.

And, in the event that you do not agree with the statement, “The right to free, easy, timely, and direct online access to public records is a defining feature of a free and democratic society, and would be an excellent addition to the Charter of Rights and Freedoms.”, then I look forward to learning at the earliest moment the reasons for your disagreement. In the interests of effective and efficient dialogue, please specifically address your explanation to each of the five conditions identified in the column, that is, free access; easy access; timely access; direct access; and online access, and explain why satisfying any condition is inconsistent with the intent of the Charter.

I regard this communication to be in the public interest, and you are welcome to circulate it as necessary in order to obtain advice, information, or materials to support your response.

Consistent with the thesis of the op-ed column, please respond via email.

Thank you.

Barry Wellar

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President, Information Research Board Inc.
133 Ridgfield Crescent
Nepean, ON K2H 6T4
CANADA

Email 2 -----

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Tuesday, March 26, 2019 4:47 PM
To: 'Chiarelli, Rick'
Subject: Access to Public Records- Chiarelli, City of Ottawa

Councillor Rick Chiarelli
City of Ottawa

Re: Op-ed column, *Ottawa Citizen*, ‘Wellar: We need free, easy access to public records’, Dec.3, 2018. <https://ottawacitizen.com/opinion/columnists/wellar-we-need-free-easy-access-to-public-records>

Dear Councillor Chiarelli,

I look forward to learning at the earliest moment if you agree 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. In the event that you agree, I look forward to learning at the earliest moment what you are doing to bring about the changes required to provide citizens free, easy, timely, and direct online access to the public records held by the City of Ottawa.

Similarly, I look forward to learning at the earliest moment if you disagree with the central thesis that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa. In the interests of effective and efficient dialogue, please specifically address your explanation to each of the five conditions identified in the column, that is, free access; easy access; timely access; direct access; and online access.

In addition, I look forward to learning at the earliest moment if you agree with the proposition expressed in the column that “The right to free, easy, timely, and direct online access to public records is a defining feature of a free and democratic society, and would be an excellent addition to the Charter of Rights and Freedoms.” In the event that you agree, I look forward to learning what you are doing and will do to encourage the Government of Canada to incorporate that clause or a variation in the Charter of Rights and Freedoms.

And, in the event that you do not agree with the statement, “The right to free, easy, timely, and direct online access to public records is a defining feature of a free and democratic society, and would be an excellent addition to the Charter of Rights and Freedoms.”, then I look forward to learning at the earliest moment the reasons for your disagreement. In the interests of effective and efficient dialogue, please specifically address your explanation to each of the five conditions identified in the column, that is, free access; easy access; timely access; direct access; and online access, and explain why satisfying any condition is inconsistent with the intent of the Charter.

I regard this communication to be in the public interest, and you are welcome to circulate it as necessary in order to obtain advice, information, or materials to support your response.

Consistent with the thesis of the op-ed column, please respond via email.

Thank you.

Barry Wellar

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The email to Councillor Chiarelli (same text to all councillors) serves the interests of space, and also begins documentation for a case study interim report on the positions of my three political representatives. The purpose of such a case study is to explore research considerations for a cross-Canada investigation of similarities and differences among politicians representing the three levels of government in the same area.

In addition to the first and second survey communications emailed to City of Ottawa politicians, there is a third email. This email is a reminder communication which also informs City of Ottawa politicians about a due date for responses, and the disposition of their responses and non-responses.

Email 3 -----

From: Barry Wellar [mailto:wellar.barry@gmail.com]
Sent: Friday, April 5, 2019 9:09 AM
To: Jim.Watson@ottawa.ca
Subject: Access to Public Records Email of March 26, 2019.

Mayor Watson,

I look forward to receiving your response to the email communication of March 26, 2019 re **Access to Public Records**

In the spirit of research involving transparency and accountability, if a response is not received by April 10, 2019, then it will be taken that you do not agree that citizens are entitled to free, easy, timely and direct online access to public records held by the City of Ottawa.

As you may appreciate, time constraints dictate that we move expeditiously, and it appears fair to say that 11 working days are more than sufficient to deal with an inquiry that should not take more than 10 minutes of considered thought in order to arrive at a reasoned position.

I note in closing that disposition of your response or lack thereof to the earlier communication of December 2018 on this topic can be found in the report, [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%.](#)

Finally, as can be seen in Table 1, several ways are used to record non-yes responses. In reports subsequent to Interim report 3, a binary approach of YES or NO is used.

Sincerely,

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The two adjustments made to the survey process are important pilot study design changes, and bear repeating.

1. A stated due date for responses has been added; this change is consistent with what politicians do to citizens, so should fit into their current practice of insisting upon responses in a timely manner.
2. All responses are assigned to either the YES category for YES, AGREE. or other affirmative responses, or to the NO category for any other disposition of the survey email, including non- responses, non-yes responses, and passing the survey off to a member of staff.

D. Responses of Mayor and Councillors to the Second Survey Asking 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?**

Table I contains the responses of mayor and councillors to the same question which was first asked in December 2018 and then repeated in March, 2019.

This is the second survey of City of Ottawa politicians on the same topic and uses exactly the same question, so the survey is not seeking to engage City of Ottawa politicians in an “ambush exercise” involving undue mental stress.

Given the straightforward, everyday nature of the survey, the due date of April 10 provides a response window of 11 working days, and a total of 15 days overall.

That amount of time appears to be more than adequate for a task that should not require more than, let us say, 10 minutes, for any City of Ottawa politician. And, it is in line with the response times that politicians give to citizens on such topics as Official Plan amendments and zoning by-law applications.

The reader may have observed, and as discussed above and in note ** of Table 1, there is a difference in how responses and non-responses are recorded for survey 1 and survey 2.

**Table 1. Scorecard of Responses by Ottawa Council 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?****

<u>Member of Council</u>	<u>Response*</u>	
	Survey 1**	Survey 2***
Mayor Jim Watson	NO	NO
Councillor Steven Blais	NO	NO
Councillor Riley Brockington	YES	YES
Councillor Rick Chiarelli	NO	NO
Councillor Jean Cloutier	NO	NO
Councillor George Darouze	NO	NO
Councillor Diane Deans	NO	NO
Councillor Laura Dudas	NO	NO
Councillor Eli El-Chantiry	NO	NO
Councillor Mathieu Fleury	NO	NO
Councillor Glen Gower	NO	NO
Councillor Jan Harder	NO	NO
Councillor Allan Hubley	NO	NO
Councillor Theresa Kavanaugh	NO	YES
Councillor Rawlson King	----	YES
Councillor Jeff Leiper	NO	NO
Councillor Matt Luloff	NO	NO
Councillor Catherine McKenney	YES	YES
Councillor Carol Anne Meehan	NO	NO
Councillor Shawn Menard	YES	YES
Councillor Scott Moffatt	NO	NO
Councillor Tobi Nussbaum***	NO	----
Councillor Jenna Sudds	NO	NO
Councillor Tim Tierney	NO	NO

*The question was included in emails to mayor and councillors on December 19, and 20-23, 2018, and then March 26, 2019, for survey 1 and survey 2 respectively.

Table 1 in Interim Report 3 recorded several alternatives to a response of YES. However, for both practical and analytical purposes any response other than **YES is **NO**, so, beginning with Table 1 in this report and henceforth, **YES** means **YES** or **AGREE** or **ANY OTHER AFFIRMATIVE RESPONSE**; and **NO** means **NO** or **ANY OTHER NON-AFFIRMATIVE RESPONSE**, or **NON- RESPONSE**.

*** Councillor Tobi Nussbaum resigned from Ottawa City Council before the second survey was administered. His successor Rawlson King won the bye-election held April 15, and attempts to contact him regarding the second survey began April 16. Councillor King replied in the affirmative on April 29, 2019, and Table I is amended accordingly.

That is, for survey 1 the design of Table 1 (first used in interim report 2) provides a look at the kinds of ways that can be employed to record responses and non-responses by politicians to questions in general and, in the case of this pilot study, to a question about citizens having access to public records.

In my experience it is frequently instructive to use the initial opening approach to inform citizens about the lengths that some politicians go to avoid transparency and accountability, even while proclaiming their purported enthusiasm for these fundamental principles of governance in a free and democratic society,

This is sometimes referred to as using an open-ended survey strategy to find out who among those surveyed will take the bait.

In this case, politicians who do not provide straight answers provide an early indication of politicians who are more likely to be anti-transparency and anti-accountability, despite their claims to the contrary.

The design decision about how to deal with responses or non-responses of politicians is significant for a number of reasons.

However, a key research design decision is to not chase politicians “down the rabbit hole” in a pilot study investigating whether a politician is a credible user of the terms transparency and accountability.

Or, to re-phrase, when it comes to asking politicians about their respect for the principles of transparency and accountability, perhaps using the “One-strike-and-you’re-out” rule is the way to go.

That is, the die is cast the first time the question is posed and, answered or not, politicians are either onside or not onside, end of story.

In this pilot study there are plans for two or more surveys, and the matter of position changes is of core interest, with a specific research objective. That is, to ascertain whether this could be a basic “one-survey-and-out” type of issue involving politicians, with no do-overs required of researchers to achieve satisfactory robustness.

Since Table 1 serves the intended purpose of providing a preliminary indication of which City of Ottawa politicians are credible users of the terms transparency and accountability, the record of responses for survey 2 cuts to the chase by going full binary to just two possible recordings:

YES = The politician agrees that citizens are entitled to free, easy, timely, and direct online access to the public records.

NO = The politician does not agree that citizens are entitled to free, easy, timely, and direct online access to the public records.

City of Ottawa Councillors Riley Brockington, Catherine McKenney, and Shawn Menard are the only City of Ottawa politicians who answered in the affirmative from the outset of the survey process.

As for the remainder of City of Ottawa politicians, their only option for change is to agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa.

The following additional City of Ottawa politicians agree in the second survey that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa:

Councillor Theresa Kavanaugh.
Councillor Rawlson King.

Regarding councillors’ claims about being “fans” of transparency, accountability, open government, and related access topics, the fact remains that none of the other members of council responded in the affirmative 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?

Therefore the positions of nineteen (19) City of Ottawa politicians are unchanged, that is, **the following City of Ottawa politicians do not agree** in either survey response that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa:

Mayor Jim Watson
Councillor Steven Blais
Councillor Rick Chiarelli
Councillor Jean Cloutier
Councillor George Darouze
Councillor Diane Deans
Councillor Laura Dudas
Councillor Eli El-Chantiry
Councillor Keith Councillor
Councillor Mathieu Fleury
Councillor Glen Gower
Councillor Jan Harder
Councillor Allan Hubley
Councillor Jeff Leiper
Councillor Matt Luloff
Councillor Carol Anne Meehan
Councillor Scott Moffatt
Councillor Jenna Sudds
Councillor Tim Tierney

I close this section by noting that not a single City of Ottawa politician provided a reason for her or his non-yes position. We pick up on this matter in interim report 9, which examines transparency and accountability being used as political buzzwords by the politicians listed above.

E. Analysis of Responses by City of Ottawa Politicians

By way of brief background for the comments about responses, two publications are particularly pertinent to the analysis of positions taken by City of Ottawa politicians since the first survey was administered in December, 2018.

"Who will end secrecy at city hall?" Ottawa Citizen, October 19, 2018, p.A7, asks a question which has been repeated numerous times in recent months in print,

broadcasting, and social media.

<https://www.pressreader.com/canada/ottawacitizen/20181019/281621011311069>

That is, before and after the municipal election in late October, 2018; citizens as well as journalists repeatedly and vigorously expressed their displeasure via print, broadcast, and social media about the lack of access to City of Ottawa public records.

It therefore seems highly likely that by the date of the second survey, every City of Ottawa politician would be or should be acutely aware of her or his civic duty to address this deep concern about inadequate access to records at Ottawa city hall.

As for the second publication, “We need free, easy access to public records”, Ottawa Citizen, December 3, 2018. p. A9. <https://ottawacitizen.com/opinion/columnists/wellar-we-need-free-easy-access-to-public-records>, it is both pertinent and prescriptive in regard to the ongoing unrest about inadequate citizen and media access to public records on a variety of problematic matters. A short-list of these problematic matters is presented in Table 2 on page 16.

The short-listed problematic matters all have lengthy public interest and public records components, but they are only the tip of the iceberg when it comes to laying out the activities of City of Ottawa’s politicians which could be of interest to hundreds, thousands, and perhaps many thousands of citizens if they had free, easy, timely, and direct online access to the public records held by the City of Ottawa.

More of the tip-of-the-iceberg story (re problematic matters) is revealed in interim report 14, in which we return to the theme of City of Ottawa politicians proclaiming regard for transparency and accountability, while not doing what is needed to ensure that citizens have free, easy, timely, and direct online access to the public records held by the City of Ottawa.

An important puzzlement to be pursued by citizens and the media, as well as by this study, is whether more than five (5) City of Ottawa politicians are aware that the records behind these problematic matters are, and will continue to be, of interest to citizens and the media.

And, it seems reasonable to ask, do more than five (5) City of Ottawa politicians appreciate that this awareness will grow sharper if the list of problematic matters grows larger and ever more serious?

Under those circumstances, and the fact that the public pays the bill for decisions made by City of Ottawa politicians, it seems logical to expect an increasing share of City of

Ottawa politicians adopting the position that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa.

It therefore follows, one might anticipate, that with the first survey providing a nudge if not a full wake-up call, and more than a few of the problematic matters taking on scary turns for the worse on a fast-paced basis, there would be an up-tick in the number of 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.

After all, as many City of Ottawa politicians have stated, there are thousands of smart, resourceful, diligent, well-educated people in this city, so it would seem wise for civic-minded politicians to properly engage that pool of talent by making sure that they have free, easy, timely, and direct online access to the public records held by the City of Ottawa.

As indicated by Table 1, however, City of Ottawa politicians are relatively few in number when it comes to agreeing that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa.

Whereas Councillors Brockington, McKenney, and Menard (12.5% of council) agreed in the first survey that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa, in the second survey only Councillors Theresa Kavanaugh and Rawlson King joined the YES group.

The numbers after the second survey therefore, are that five of twenty-four (21%) members of City of Ottawa council agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa, and 19 members (79%) of council do not agree.

Why those numbers are what they are is not something that can be readily ascertained by survey. Rather, questioning the people represented by those numbers is a task that falls to citizens, as well as to the print, broadcast, and social media.

Based on the two surveys, the 19 City of Ottawa politicians to whom questions should be directed due to the absence of “yes” responses are Mayor Jim Watson, and Councillors Steven Blais, Jean Cloutier, George Darouze, Diane Deans, Keith Egli, Mathieu Fleury, Glenn Gower, Jan Harder, Allan Hubley, Jeff Leiper, Matt Luloff, Carole Anne Meehan, Scott Moffatt, Jenna Sudds, and Tim Tierney.

Table 2. A Short-List of City of Ottawa Issues that Call for Citizens having Free, Easy, Timely, and Direct Online Access to Public Records

- The \$multi-billion LRT/SNC-Lavalin saga, in which the City of Ottawa repeatedly demonstrates that it is contractually challenged, and seems to have little if any idea on how to put an end to the seemingly unending list of build failures, and all this before the LRT boards its first paying customer who knows when?;
- Road paving and re-paving failures and murky contracts with large legal cost implications;
- Potholes, potholes, and more potholes, and all the while the City of Ottawa is constructing more roads while being unable to properly maintain the current of paved surfaces;
- Deteriorating road surfaces due to inadequate repairs after cuts by contractors;
- Lansdowne Park redevelopment return-on-investment issues;
- The LeBreton Flats redevelopment “fiasco” as it is widely called, involving the National Capital Commission, City of Ottawa, and Last Consortium Standing;
- City of Ottawa closed-door budget consultations;
- Ottawa Police Service investigations and civil suits;
- By-law enforcement failings, e.g., parking, property standards, poop-and-scoop, private property snow removal, and city sidewalk winter maintenance;
- ‘Hard service’ infrastructure repair disaster stories;
- So-called “Public information sessions” which are short on information and long on glossy pictures with little content;
- OC Transpo and the Westboro bus crash investigation and lawsuits;
- Unanswered questions about why the City of Ottawa is widening roads to promote and serve more private motor vehicle traffic, while building an LRT system which depends upon fares to help offset operating costs;
- Floods and more floods;
- Contracts for project after project which appear to be rife with ambiguity, confusion, and litigation issues, all of which are deliberated and processed and then re-deliberated and re-processed at taxpayer expense;

In addition to the obvious act of reducing transparency and accountability to political buzzwords, there is another downside to City of Ottawa politicians not providing citizens free, easy, timely, and direct online access to the public records held by the City of Ottawa. That is, citizens are denied the opportunity to fully participate in finding solutions to the many problems identified in Table 2, problems which are not being solved by City of Ottawa politicians.

Whether City of Ottawa politicians are fearful of being one-upped by informed citizens is a question that has risen in discussions about the pilot study.

Based on widespread concerns about the competency of this council to deal with even the short-listed items in Table 2, it appears that the inference will be increasingly drawn about City of Ottawa politicians seeking to avoid transparency and accountability regarding decisions they make.

As for the merits of the inference, the evidence to date suggests that denying citizens free, easy, timely and direct online access to the public records held by the City of Ottawa could be construed as the tactic employed by Mayor Jim Watson and 18 councillors.

At the close of section B, mention is made of the inclination of City of Ottawa politicians to refer to Ottawa in such glowing terms as ‘world class’, “leading edge”, “innovative”, “Canada’s Capital, and “The Nation’s Capital”.

Presumably, given the results of survey two, they have something in mind other than the quality of access which citizens have to public records held by the City of Ottawa.

F. Analysis Implications

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

First, sharpening the binary nature of the inquiry minimizes the wriggle room available to City of Ottawa politicians.

That is, Ottawa’s municipal politicians either agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa, or they do not agree. There is no in-between landing place, just YES or NO boxes to record politicians’ positions on the survey question.

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. In brief, once the email communication is transmitted, if the agree box is not assigned a YES, then the default condition automatically assigns a NO the politician.

The results of the second survey taken three months later in March, 2019, show some movement, with the YES responses of Councillors Theresa Kavanaugh and Rawlson King increasing the pro-access group from three to five, and a percentage of council increase from 12.5% to 21 %.

The closing comment in this section involves the Ministry of Municipal Affairs and Housing (MMAH), Province of Ontario, which has oversight responsibility for local governments and the quality of municipal governance in the Province of Ontario.

I do not know if MMAH has conducted surveys similar to those undertaken in this pilot study, but we are trying to ascertain if MMAH Minister Brad Clark or the Ford government care one way or the other about the citizen access issue.

In two interim reports, Premier Ford and Minister Clark are among the Ontario Cabinet Ministers who are asked the following question in that regard:

Do you agree that citizens are entitled to free, easy, timely, and direct online access to the public records held by municipal governments in Ontario?

Links to the Province of Ontario interim reports are:

- [Interim Report 6. Responses of Ontario Premier Doug Ford and Selected Cabinet Ministers to the Question: Do You Agree that Citizens Are Entitled to Free, Easy, Timely, and Direct Online Access to the Public Records Held by Municipal Governments in Ontario?](#)
- [Interim Report 7. Using Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring Access to Public Records in Canada is Best Practice, Ontario Cabinet Score: Political Buzzwords, 100%; Drivers, 0%](#)

Interim reports 12 and 13 (in progress) contain the results from the second survey of Premier Doug Ford and selected cabinet ministers regarding citizen access to municipal records.

F. Conclusion

The research approach and instruments have evolved as being methodologically sound. In brief, the email correspondence is not challenged in any way in either the first or second surveys, the assignment of responses in a sharp, binary classification makes the position of any and all politicians perfectly clear, and members of the survey population (City of Ottawa politicians) have not raised a single, solitary concern, whether of their own thinking or thinking provided by staff.

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.

Further, for various reasons 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 comparative pilot studies.

Moreover, agreeing in principle that citizens are entitled to free, easy, timely, and direct online access to the public records held by the City of Ottawa is one thing, getting it done in practice is quite something else. Cases in point include the problematic matters identified in Table 2, some of which have been known about for decades and have not been resolved, and others of which are self-authored by recent and present councils.

Under that circumstance, 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 must have powerful personal and/or professional reasons for ignoring the public interest, and choosing to tolerate or perpetuate the cone of secrecy at city hall.

Finally, it is appropriate to close this report by recalling the profound words of the late, great Senator Everett Dirksen (Illinois) who opined, “When I feel the heat I see the light”.

Perhaps by the time of survey three, serious heat will have been applied to City of Ottawa politicians, or, perhaps but unlikely, some kind of epiphany will occur and they will begin to better meet their transparency and accountability promises and obligations by providing citizens with free, easy, timely, and direct online access to the public records held by the City of Ottawa.