

# **Implications of the “Old Gang” of Non-Respondent Councillors Ignoring Calls to Improve Trust, Transparency, Accountability, and Public Access to Public Records**

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*Interim Report 27, Research Project Chronicling the Use of  
Transparency and Accountability as Political Buzzwords, or as  
Drivers Ensuring the Standard of Access to Public Records in  
Canada Is Best Practice*

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**“Increasing trust, transparency and accountability [is] a tremendous priority for me.”** Comment by Mayor Mark Sutcliffe, City of Ottawa, published in the Ottawa Citizen, August 23, 2023.

## A. Background

The research 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](#), commenced in 2019.

To the date of this publication, five surveys have been administered in which City of Ottawa council members during the terms 2018-2022 and 2022-2026 are asked,

*Do you agree that citizens are entitled to free, easy, timely, and direct online access to public records?*

Published survey reports to date are:

- [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 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?](#)
- [Interim Report 9. Using Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring Access to Public Records in Canada is Best Practice: Ottawa Council Rating after the Second Citizen Access Survey–Political Buzzwords, 79%; Drivers, 21%](#)
- [Interim Report 16. Third 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?](#)
- [Interim Report 17. Using Transparency and Accountability as Political Buzzwords, and as Drivers Ensuring Access to Public Records in Canada is Best Practice: Ottawa Council Rating after the Third Citizen Access Survey–Political Buzzwords, 79%; Drivers, 21%](#)

- [Interim Report 22. City of Ottawa Mayor and Councillors, 2022-2026: 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? Survey #1](#)
- [Interim Report 23. Analysis and Implications of Survey #1, City of Ottawa Mayor and Councillors, 2022-2026: 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 25. City of Ottawa Mayor and Councillors, 2022-2026: 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? Survey #2](#)
- [Interim Report 26. Events Between Survey #1 and Survey #2 Which Could Affect City of Ottawa Politicians’ Respect for Trust, Transparency, and Accountability, or Citizens’ Access to Public Records](#)

Interim Report 25 presented the results of administering survey #2 to the 15 members of the 2022-2026 City of Ottawa council who did not respond yes to survey #1, and again are asked,

*Do you agree that citizens are entitled to free, easy, timely, and direct online access to public records?*

However, as context before comparing the results of survey #2 to the results of survey #1 for differences and identifying possible trends, the research design introduced an intervening step.

Interim report 26 considers whether any political, institutional, inter-governmental, jurisdictional, legislative, legal, or other factors affecting transparency, accountability, trust, and access to public records in the City of Ottawa differ significantly between survey #1 and survey #2.

The research concern is that significant differences in one or more of those factors could affect the survey results and, therefore, the validity of analyses undertaken and implications drawn.

If such differences, occurred then it is necessary to incorporate them in the research design so that we might better understand the reasons, causes, forces, meaning, etc., behind changes or lack of changes in the results between survey #1 and survey #2.

As demonstrated in interim report 26, many significant events promoting public access to City of Ottawa records occurred between survey #1 and survey #2. Consequently, it logically seems to follow, there should have been a reduction in the number of non-respondents to the question,

*Do you agree that citizens are entitled to free, easy, timely, and direct online access to public records?*

And, conversely, numerous keyword-based scans of the popular, governance, professional, and learned literatures did not identify significant events between survey #1 and survey #2 which could be cause for the number of non-respondents to decide to continue their behaviour of not responding to a question about public access to City of Ottawa records. (1)

## **B. Core Research Question, Interim Report 27**

After two surveys the core research question for interim report 27 is,

How close is the 2022-2026 City of Ottawa council to agreeing that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa public records?

Or, to re-phrase,

How close is the 2022-2026 City of Ottawa to using the terms transparency and accountability as drivers to ensure public access to public records is best practice?

And, in association with the core question and its variation, we begin to explore the related question,

What are the implications of the answer to the core research question? That is, what are the implications for citizens of non-respondent councillors ignoring calls to improve trust, transparency, accountability, and public access to public records.

We know from the first survey of the 2022-2026 council that 10 of 25 council members – Bradley, Brockington, Brown, Devine, Johnson, Kavanagh, King, Kitts, Luloff, and Menard – agree that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa public records. And that ratio now stands at 11 of 25 with the addition of Councillor Ariel Troster after survey #2.

What we are investigating, therefore, is the likelihood and implications of movement among the 14 non-respondents, and part of this investigation includes ascertaining whether there are forces at work within Ottawa city hall which could promote or impede decisions by these members of council to agree that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa public records.

As to the pertinence of the core research question to members of the old gang, we turn to the mandate of the Finance and Corporate Services Committee.

<https://ottawa.ca/en/city-hall/council-committees-and-boards/committees-and-boards/standing-committees-commissions-sub-committees-and-other/finance-and-corporate-services-committee#section-b4980547-f75d-418e-b8a8-68add67a9050>

One of the specific responsibilities of this committee, to which all members of the old gang belonged and/or currently belong, is that of communications and organizational development, and item 11 in particular:

11. Oversee and make recommendations to Council on the City’s communications goals, strategies and methods for providing timely and accurate information to residents.

The term “information” is not defined as part of the text, so the meaning of “information” is not specified.

Further, since Google searches yield about 25,300,000,000 webpages for “information”, including some 25,000 for “wellar and information”, it is by no means evident what the City of Ottawa includes and excludes in its reference to “information”. The phrase “Clear as mud” comes to mind.

To deal with that uncertainty, the *Chronicling* project refers to “records” which include text, image, and other productions created by reality→data→information→knowledge transform processes, and incorporates “information”, whatever it may be deemed to be, into the package of records. **(2)**

As a result, the survey question *Do you agree that citizens are entitled to free, easy, timely, and direct online access to public records?* is totally consistent with the responsibility of the Finance and Corporate Services Committee to “Oversee and make recommendations to Council on the City’s communications goals, strategies and methods for providing timely and accurate information to residents.”

Further, asking committee members *Do you agree that citizens are entitled to free, easy, timely, and direct online access to public records?* is also totally consistent with their responsibility to “Oversee and make recommendations to Council on the City’s communications goals, strategies and methods for providing timely and accurate information to residents.”

And, finally, all the events selected for this report have an information element, but with a twist that is totally within the purview of all members of this committee, including Mayor Mark Sutcliffe.

That is, for all events selected for this report, preliminary investigations did not yield sufficient meta-data or meta-information documentation to ascertain how purported information is derived by the City of Ottawa.

Consequently, the survey question is pertinent because it does not take at face value claims that information provided by the City of Ottawa is sufficient to establish grounds for transparency, accountability, and trust.

Rather, the question pertains to all public records including data and meta-data, as well as information and meta-information, which are needed for various citizen oversight activities including the validation of claims about transparency and accountability.

On the one hand, then, we have the core question,

How close is the 2022-2026 City of Ottawa council to agreeing that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa public records?

and, on the other hand we have the charge to the Finance and Corporate Services Committee to

Oversee and make recommendations to Council on the City’s communications goals, strategies and methods for providing timely and accurate information to residents.

Section D uses summaries of the 10 events presented in interim report 26 to critique the contributions of members of the Finance and Corporate Services Committee to answering the core question.

### **C. “Old Gang” v. “New Gang” Distinction Among Survey Non-Respondents**

At this stage, three surveys have been administered to the 2018-2022 council and two surveys to the 2022-2026 council, for a total of five surveys sent to those on both councils, and two surveys sent to those on the current council.

The *Chronicling* project is in the pilot study phase of methodologically designed research phase, so the temporal feature is deemed sufficient to classify the non-respondents into two camps.

That is, given their record of non-responses to date, it would be a waste of time and effort to ask the 14 non-respondents substantive questions of a political or professional nature to sort them into two groups for two reports.

However, what we can already ascertain with certainty using the temporal variable is which non-respondents were and are on which councils, and were and are on which committees, with whom, for how long.

That information in combination with their non-response records appears more than sufficient to draw the kinds of inferences that can lead to preliminary but informed findings to the questions,

How close is the 2022-2026 City of Ottawa council to agreeing that citizens are entitled to free, easy, timely, and direct online access to City of Ottawa public records?

And,

What are the implications of the answer to the core research question?

As a result, the “old gang” consists of members of both councils:

- Councillor Cathy Curry/Jenna Sudds **(3)**
- Councillor George Darouze
- Councillor Laura Dudas
- Councillor Allan Hubley
- Councillor Glen Gower
- Councillor Jeff Leiper
- Councillor Tim Tierney.

These people have been on council for all or parts of two terms, and it seems reasonable that they would have encountered item 11 matters many hundreds of times per month, which adds up to many, many thousands of encounters during their municipal political careers to date.

And the “new gang” consists of members of the current council:

- Mayor Mark Sutcliffe
- Councillor Marty Carr
- Councillor Steve Desroches
- Councillor David Hill
- Councillor Clarke Kelly
- Councillor Wilson Lo

- Councillor Stéphanie Plante.

These people have been on council for about 18 months, and it seems reasonable that they would have encountered item 11 matters many hundreds of times per month, which adds up to many thousands of encounters during their municipal political careers to date.

The “old gang” is the subject of interim report 27, and the “new gang” is the subject of interim report 28.

#### **D. Summaries of the Significant Events Identified in Interim Report 26 Which Should Have Increased the Number of Old Gang Members of Council Who Agreed in Survey #2 that Citizens Are Entitled to Free, Easy, Timely, and Direct Online Access to Public Records**

For the convenience of readers, the 10 events discussed in detail in interim report 26 are summarized. The events are used as the criteria for assessing the degree to which each councillor is committed to her or his non-response position, forecasting the consequent likelihood that council will move away from its current non-response position of 14-11, and deriving the implications that follow as a result of the commitments by individual councillors and council as a group.

For each event a comment explains why the event should have caused a non-respondent to survey #1 to change her/his position by the time of survey #2, and agree that citizens are entitled to free, easy, timely, and online access to public records.

Separately and collectively the comments advise on assessing how close members of council and council are to shifting away from the non-response majority position of 14-11 to a majority “Yes” position of 13-12.

##### **Event 1. Report of the Ottawa Light Rail Transit (OLTR) Public Inquiry**

For weeks on end, the Hourigan inquiry pummelled members of Ottawa council who could be associated in any way with the communications muck-up that enveloped the Ottawa light rail program, and totally repudiated any claims to trust, transparency, and accountability by those politicians. A core feature of the pummelling was the failure by Mayor Jim Watson and his council supporters to ensure that all members of council and citizens had proper access to public records, namely, the LRT file.

([https://www.archives.gov.on.ca/en/e\\_records/OLRTPI/documents/final-report/index.html](https://www.archives.gov.on.ca/en/e_records/OLRTPI/documents/final-report/index.html))

**Comment.** The Hourigan Inquiry laid bare the reasons behind the massive loss of respect, regard, and reputation, and the high level of lasting recrimination that befalls

municipal politicians who engage in worst practices involving a major matter of public trust, transparency, and accountability.

Given the message of the Hourigan Inquiry, it is a struggle to comprehend why any member of the old gang would have taken the non-response route for survey #1, much, much less for survey #2. The concept of ideological rigidity comes to mind as perhaps one of the characteristics of such anti-trust, anti-transparency, and anti-accountability behaviour.

### **Event 2. Email to Mark Sutcliffe re ‘Cone of Silence’, Rideau Transit Group (RTG) File**

Less than three months of taking office, the council of Mayor Mark Sutcliffe continued the cone of silence pattern of Jim Watson regarding the OLRT file by keeping secret from citizens the details of a financial settlement deal worked out between a group of city officials and Rideau Transit Group, one of the participants in the OLRT program,

**Comment.** City of Ottawa politicians and staff were criticized and ridiculed to the point of humiliation by the Hourigan Inquiry and by social media comments for weeks on end during the 2018-2022 term about institution-wide failures of trust, transparency, and accountability.

Central to the criticism and ridicule was an abject failure to properly inform citizens or enable citizens to inform themselves. For the new council to continue that pattern into 2022-2026, seemingly without missing a beat just after the previous council had left the building in a cloak of shame, has been suggested as the basis for a class-action-type code of conduct complaint:

One core question among municipal watchers is, “What is the new council hiding from taxpayers about the LRT contract financial mess?” If nothing is being hidden, in the names of transparency, accountability, and trust, **OPEN THE BOOKS!**

### **Event 3. Emails informing Mayor Sutcliffe and councillors of publications reporting on City of Ottawa Council contributions to research on Best Practice Standards for Citizens’ Access to Spatial Records Held by Local Governments**

Within a year of assuming office, the 2022-2026 council was informed that its standard of public access to spatial records, which are about 80% of all City of Ottawa records, would be discussed as a case study presentation for an international conference.

Council was also informed that the City of Ottawa was on the negative side of the practices ledger, that is, it is rated as worst, worse, or bad relative to other cities regarding the quality of access citizens have to Ottawa’s spatial records.

**Comment.** Ottawa’s municipal politicians have frequently referred to Ottawa as a “world-class city”, and “world-class” could reasonably be equated with best practices for whatever topic is under discussion. **(4)**

However, if no objection is made by mayor or councillors to the argument that the City of Ottawa is at the bad, worse, or worst practices level when it comes to providing citizens access to spatial records, then it could be taken that these politicians:

- a. Do not know the difference and do not care,
- b. Do know the difference and do not care.

There could be an alternate explanation but, in the absence of any response to the communications, it appears fair to say that mention of “world-class” by members of this council must be accompanied by a very large asterisk noting that access to spatial records is excluded.

Further, because proper access to spatial records is key for citizens to hold politicians to standards of trust, transparency, and accountability set by citizens, numerous questions arise among municipal watchers regarding the thinking, motives, competence, ethics, morals, etc., of municipal politicians to not agree that citizens are entitled to best practice-level access to the spatial records held by the City of Ottawa.

**Event 4. Ottawa Mayor Mark Sutcliffe declares at a media event announcing Wendy Stephenson as Ottawa’s new city manager that “increasing trust, transparency, and accountability is an enormous priority.”**

Events 1, 2, and 3 are part of the political backdrop to event 4, in that Sutcliffe’s predecessor Jim Watson is criticized multiple times in Hourigan inquiry productions as well as in broadcast media and social media productions for not properly informing council and, by extension, citizens, regarding all manner of transparency, accountability, and trust shortcomings, errors, failings, etc., etc., regarding the massively bungled LRT file.

Further, events 1, 2, and 3 are also part of the professional, administrative, legal, operational, and technical backdrop to event 4 at the staff level, because Stephenson’s predecessor Steve Kanellakos was also criticized in Hourigan inquiry productions for all manner of transparency, accountability, and trust shortcomings, errors, failings, etc., etc., regarding the massively bungled LRT file.

The bottom line is that municipal politicians from the 2018-2022 council failed to hold staff to account, and while some of that gang left office some did not and are members of the 2022-2026 “old gang” who did not respond to the survey about citizens’ access to public records, that is, Curry, Darouze, Dudas, Gower, Hubley, Leiper, and Tierney.

Regardless of Sutcliffe’s motivation which seems to be unknown by citizens (5), let us give Sutcliffe the benefit of doubt and assume that when he expressed the position that restoring and increasing trust, transparency, and accountability was a matter of tremendous priority for him, he was committing himself to move council and staff to the standard of best practice in providing citizens the best of the best access to City of Ottawa. (6)

Bearing in mind that all of the “old gang” on the 2022-2026 council were on the disgraced 2018-2022 council, it seems likely that these are the very people who would do whatever it takes to fall in line with Sutcliffe’s “tremendous priority” to restore and increase trust, transparency, and accountability, which begins with ensuring that citizens have access to City of Ottawa records at the best practices level. (7)

Further, given their “go along with the mayor” records during the 2018-2022 term, it seems highly unlikely that they would do a 180 degrees and not accede to a public pronouncement from their current head of council about “tremendous priority”.

However, they did exactly that in survey #2 by not responding Yes to a question about public access to public records, which is a necessary condition of restoring and increasing public trust through meeting levels of transparency and accountability set by citizens.

All to say that on its face this kind of behaviour by members of the old gang repudiates calls to improve trust, transparency, accountability, and public access to public records, and has deeply negative implications for Sutcliffe and citizens.

#### **Event 5. Search for Mayor Sutcliffe’s plan of action for him and council to restore and increase trust, transparency, and accountability.**

An email sent a week after the “pep talk” interview asked Mayor Sutcliffe,

“... what practices have been or are identified, and their schedules for adoption and implementation by council to improve citizens access to the evidence needed to establish the validity of claims about trust, transparency and accountability which are achieved by you and other members of the City of Ottawa 2022-2026 council.”

**Comment.** Feedback on this event uses phrases such “All talk and no action”, “Sutcliffe talks the talk but doesn’t walk the walk”, “Practice what you preach”, and, “Declaring principles without also declaring how to implement them in practice is cheap political theatre” to describe Sutcliffe’s failure and that of council to ensure citizens that they are not going to endure more of the hollow gestures that characterize the Watson council of 2018-2022.

Bearing in mind that members of the old gang went down this road the previous term and are going down it again, seemingly without missing a step much less calling for action by Sutcliffe and councillors, compounds the negative implications already identified by events 1, 2, 3, and 4.

**Event 6. Letter to Editor, Ottawa Citizen, Asking Mayor Sutcliffe about plans to act on promises of restoring and increasing transparency, accountability, and trust.**

It was my hope that a quick broadcast news follow-up to the story published August 23 (event 4 and event 5) would motivate Mayor Mark Sutcliffe to shift himself, councillors, and new city manager Wendy Stephanson into high gear, and provide details on how he and they are going to deliver on his “tremendous priority” promise about restoring and increasing trust, transparency, and accountability.

A letter to the Editor, Ottawa Citizen, “Three Questions on Transparency”, was published a week later, on Saturday Sept. 2, 2023.

<https://ottawacitizen.com/opinion/todays-letters-24-sussex-drive-is-part-of-our-history-preserve-it>

The third question asks “... what are you doing to ensure that citizens have proper access to the evidence needed to establish that claims about trust, transparency and accountability are the real deal and not just empty rhetoric?”

**Comment.** It is now about seven months later and still nothing from Sutcliffe, which suggests that there was nothing substantive from the outset.

Again, the implications are negative for citizens seeking signs of politicians’ actions to improve trust, transparency, accountability, and public access to public records, with the old gang seemingly complicit members of the do-nothing stance.

**Event 7. Less than a month after Mayor and City Manager went all in about trust, a story breaks calling for an audit of new land parcels.**

A news story regarding the need for an audit to investigate decisions involving the creation of new land parcels was a timely opportunity for Mayor Sutcliffe, council, and the new city manager to demonstrate how they are putting into effect the promises made to restore and increase trust, transparency, and accountability.

Alas it was not to happen, with a major cause for inaction being Mayor Mark Sutcliffe for a statement attributed to him that he is not interested in revisiting past decisions.

On its face the statement is beyond bizarre, because most decisions made by this council and any other council are derived from and/or affected by decisions made by prior councils.

This kind of stick-your-head-in-the-sand-and-deny-reality approach makes a mockery of notions about restoring and improving trust, transparency, and accountability.

Further, the declaration attributed to Sutcliffe must surely have created a sense of *déjà vu* for the old gang, because this is the kind of cone of silence attitude that prevailed during the 2018-2022 council term.

The idiom, *plus ça change, plus c'est la même chose*, comes to mind in terms of the negative implications arising from the failure by Sutcliffe and this council to respond in detail to queries about yet another development deal which prompts a lot of questions without answers or proper access to records.

**Event 8. News item about improper lobbying by staff for a dirt dump: How does that action square with restoring and increasing trust, transparency, and accountability, and applying the code of conduct or other professional standards to affected staff?**

This news item prompts recall of staff engagement in the LRT boondoggle, leads to comments about ‘same old, same old’, and deeply diminishes claims by Mayor Mark Sutcliffe and City Manager Wendy Stephanson about restoring trust, transparency, and accountability.

Moreover, this is far from a casual chit-chat matter because of its negative implications and connotations for registered professional planners (RPPs) and geographic information system professionals (GISPs), as well as and code of conduct concerns for politicians or staff associated with improper lobbying activities of any kind. **(8)**

Based on their earlier declarations (event 4) just three months previously, it is expected that Sutcliffe and Stephanson attach tremendous priority to building on the Auditor General’s report and informing citizens at the best practices level to restore and increase trust, transparency, and accountability at Ottawa city hall.

However, that did not happen, and my research did not reveal any of the old gang who have been down similar roads in the previous term calling for more transparency and accountability on the parts of Sutcliffe or Stephanson regarding the lobbying by staff issue.

I hasten to add that legal, criminal, or other proceedings could be unfolding but, again, I have not been able to access any files in that regard.

**Event 9. Does Lansdowne 2.0 pass the smell test for trust, transparency, and accountability? Or, to re-phrase, if developers are not complaining then should taxpayers be alarmed about sweet deals for the developers?**

The redevelopment of Lansdowne Park has been a topic of discussion by Ottawa’s regional and municipal councils for decades, with a lot of that discussion along the lines of two constants.

First, records of sound, evidence-based financial, economic, transit, traffic, heritage, etc., arguments have not been located, much less received in response to communications.

Second, council after council failed to properly inform citizens about what it was intending and why, with numerous unanswered questions hanging in the air about who pays for and who benefits from whatever is proposed.

**Comment.** Anyone who has been paying attention and has an analytical mind knows the history of Lansdowne development conflicts, and the contentious nature of this development proposal – e.g., a large amount of public money involved (more than \$400 million and that is likely a lowball number); fuzzy notions about shifting the affordable housing component to some other area; even fuzzier notions about the amount of funding to be allocated; very problematic private motor vehicle and transit transportation and traffic issues; and loss of greenspace.

It is therefore reasonable to expect that the current council, and especially members of the old gang who were engaged in Lansdowne messes last term, would strive to ensure that citizens have all the information they need, when it is needed, in order to put trust, transparency, and accountability totally up front to mitigate concerns that this council is fronting for the developer(s).

Emails to Sutcliffe generated no responses, and by disregarding such communications Sutcliffe makes a mockery of his promises to restore and increase trust, transparency, and accountability. Members of the old gang should know that full well.

**Event 10. Does rezoning a chunk of the Central Experimental Farm (CEF) pass the smell test for trust, transparency, and accountability at Ottawa city hall? Or, to re-phrase, if developers are not complaining, then should taxpayers be alarmed about a sweet deal for the CEF 2.0 development proponents?**

The place of the Central Experimental Farm (CEF) in Ottawa’s urban fabric has been a topic of political, planning, development, and zoning discussions at the municipal level in Ottawa for decades.

Like Lansdowne Park redevelopment proposals and propositions. mention of CEF lands were and still are characterized by two constants.

First, records of sound, “data-driven”, evidence-based financial, economic, transit, traffic, heritage, etc., arguments have not been located, much less received in response to communications. **(9)**

Second, CEF development proponents fail to properly inform citizens about what they are intending and why, with numerous unanswered questions hanging in the air about who pays for and who benefits from whatever is proposed, bearing in mind that CEF is a national research facility situated in an inward-looking local government setting.

**Comment.** Email communications to Mayor Mark Sutcliffe and members of the old gang include one regarding my Letter to the Editor, Ottawa Citizen, Saturday February 17, 2024, Don't cast shade on the Experimental Farm (Re: [Baseline highrises near Experimental Farm approved by Ottawa city council](#), Feb. 9, 2024.)

In the interests of transparency and accountability, Sutcliffe and councillors were asked to respond by email to nine requests for information dealing with the planning principle of highest and best use of land. Four items are recalled for illustrative purposes regarding the matter of highest and best use:

1. I cannot locate any references to the highest and best use planning principle in any of the published documentation. If such references exist, please provide the link(s) to that/those reference(s).
2. If the highest and best use principle is referenced, what use did you make of it in the council decision to approve the two highrise towers on Baseline Road that cast shade over part of the Experimental Farm?
3. If the highest and best use planning principle is not referenced, what planning principles in what order of priority were used to make a decision which, on its face, prompts comments among citizens about developer bias?
4. What is the ‘good planning’ rationale for approving the two-tower proposal which, due to excessive height is cause for a shade problem affecting crop research on sections of the Experimental Farm?

No response was received from Sutcliffe, or any member of the old gang, which is the explanation I give to area residents and researchers from away who ask about responses from any member of council to the letter to the editor, Ottawa Citizen.

The negative implications of this cone of silence stance for citizen access to city records cannot be overstated given that Sutcliffe and 23 councillors came up with nothing in

reply, even though Sutcliffe announced the previous August the **tremendous priority** he attaches to trust, transparency, and accountability.

Further, nothing was said about planning staff regarding the criticism that council failed to have due regard for the planning principle of highest and best use. Part of the news story in event 4 warrants repeating. (<https://ottawacitizen.com/news/local-news/wendy-stephanson-named-ottawas-new-city-manager>)

“[City manager] Stephanson echoed the mayor, saying she planned a three-pronged approach: good communication, increased transparency and providing reliable service.

I talked about how important it was to restore trust, not only with our residents, but with council as well, Stephanson told reporters.

It’s going to take time, there’s n question, and we’re taking steps towards that. I hope everybody sees that”.

There are no details about the steps to be taken to restore and improve trust, transparency, and accountability, and to my knowledge none of the old gang or Sutcliffe ever reported on what steps have been taken over the past eight months.

## **E. Using the Events to Assess the Implications for Citizens of Politicians’ Non-Responses to the Survey Question**

The ten events occurred between survey #1 and survey #2, and the research posit is that singularly and in combination the cited events should have been more than sufficient to cause members of the old gang to change their positions from non-response to Yes regarding the survey question.

However, that did not happen, and this section explores the implications for citizens of those events not causing changes in positions held by old gang Councillors Curry, Darouze, Dudas, Gower, Hubley, Leiper, and Tierney.

It is recalled for context that these people did not respond to communications, including surveys. As a result, the events are used to make inferences about the implications of the non-responses for citizens.

### **Councillors Cathy Curry (0/2)/Jenna Sudds (03). 0/5.**

Curry replaced Sudds for almost a year on the Watson-led 2018-2022 council, which would have been more than enough time to become acclimated to the cone of silence vibe that prevailed throughout the entirety of the 2018-2022 term.

Curry's committee memberships include Audit which deals with taxpayer dollars, and is a constant communications firestorm as citizens try to figure out where their money goes to what ends; Light Rail, which has been a communications failure for years as documented by the Hourigan Inquiry; Information Technology which seems unable to grasp the meaning of information much less information technology, or how to oversee such rudimentary tasks as making proper use of speed display boards in a GIS network, or designing even a half-decent City of Ottawa website; and, she is a member of the Police Services Board which has been criticized for years for its ongoing communications failures, and its perceived cone of silence attitude that treats people as nuisances.

Moreover, Curry is a member of the Finance and Corporate Services Committee (FCSC) which has as one of its specific responsibilities that of communications and organizational development, and item 11 in particular:

11. Oversee and make recommendations to Council on the City's communications goals, strategies and methods for providing timely and accurate information to residents.

<https://ottawa.ca/en/city-hall/council-committees-and-boards/committees-and-boards/standing-committees-commissions-sub-committees-and-other/finance-and-corporate-services-committee#section-b4980547-f75d-418e-b8a8-68add67a9050>

In the absence of evidence to the contrary, it is presumed that Curry has not made and is not likely to make any contributions to responsibility 11, which is a subset of City of Ottawa records.

Due to committee and board assignments Curry is affected by all 10 events, and each event begs the question as to why she does not agree that citizens are entitled to proper access in order to effectively assess her performance and that of council.

Summary finding. From a practices perspective, Curry is deep down in the negative implications bracket when it comes to ensuring that citizens have free, easy, timely and direct online access to city records.

### **Councillor George Darouze. 0/5.**

Darouze's committee membership includes Agriculture and Rural Affairs, which for years has suffered a complained-about low profile and limited rural presence at council. As cases in point, on such matters as urban boundary expansion and Official Plan reviews, rural residents are hard-pressed to ascertain what this committee is doing to serve their interests.

He is also a member of the Finance and Corporate Services Committee (FCSC) which has as one of its specific responsibilities that of communications and organizational development, and item 11 in particular:

11. Oversee and make recommendations to Council on the City’s communications goals, strategies and methods for providing timely and accurate information to residents.

<https://ottawa.ca/en/city-hall/council-committees-and-boards/committees-and-boards/standing-committees-commissions-sub-committees-and-other/finance-and-corporate-services-committee#section-b4980547-f75d-418e-b8a8-68add67a9050>

In the absence of evidence to the contrary, it is presumed that Darouze has not made and is not likely to make any contributions to responsibility 11.

Despite his light committee load, Darouze is affected by all 10 events, and each event begs the question as to why he does not agree that citizens are entitled to proper access to records in order to effectively assess his performance and that of council.

Summary finding. From a practices perspective, Darouze is deep down in the negative implications bracket when it comes to ensuring that citizens have free, easy, timely and direct online access to city records.

### **Councillor Laura Dudas. 0/5.**

Dudas’ committee memberships include Community Services, Emergency Preparedness and Protective Services, Planning and Housing, and Transportation, every one of which entails the highest levels of interaction between citizens and politicians and city staff, and every one of which has experienced numerous contentious communications events and issues over the past decade.

It is head-shaking that Dudas is not out front-and-center vigorously advocating for citizens having free easy, timely and direct online access to city records to optimize communications between citizens, politicians, and city staff.

Further, Dudas is a member of the Finance and Corporate Services Committee (FCSC) which has as one of its specific responsibilities that of communications and organizational development, and item 11 in particular:

11. Oversee and make recommendations to Council on the City’s communications goals, strategies and methods for providing timely and accurate information to residents.

<https://ottawa.ca/en/city-hall/council-committees-and-boards/committees-and-boards/standing-committees-commissions-sub-committees-and-other/finance-and-corporate-services-committee#section-b4980547-f75d-418e-b8a8-68add67a9050>

In the absence of evidence to the contrary, it is presumed that Dudas has not made and is not likely to make any contributions to responsibility 11, which is a subset of City of Ottawa records.

Due to committee assignments Dudas is affected by all 10 events, and each event begs the question as to why she does not agree that citizens are entitled to proper access to records to effectively assess her performance and that of council.

Summary finding. From a practices perspective, Dudas is deep down in the negative implications bracket when it comes to ensuring that citizens have free, easy, timely and direct online access to city records.

### **Councillor Glen Gower. 0/5.**

Gower’s committee memberships include Planning and Housing, Transportation, Transit, and Light Rail, every one of which entails the highest levels of interaction between citizens and politicians and city staff, and every one of which has experienced numerous contentious communications events and issues over the past decade.

It is head-shaking that Gower is not out front-and-center vigorously advocating for citizens having free easy, timely and direct online access to city records to optimize communications between citizens, politicians, and city staff.

Further, Gower is a member of the Finance and Corporate Services Committee which has as one of its specific responsibilities that of communications and organizational development, and item 11 in particular:

11. Oversee and make recommendations to Council on the City’s communications goals, strategies and methods for providing timely and accurate information to residents.

<https://ottawa.ca/en/city-hall/council-committees-and-boards/committees-and-boards/standing-committees-commissions-sub-committees-and-other/finance-and-corporate-services-committee#section-b4980547-f75d-418e-b8a8-68add67a9050>

In the absence of evidence to the contrary, it is presumed that Gower has not made and is not likely to make any contributions to responsibility 11, which is a subset of City of Ottawa records.

Due to committee assignments Gower is affected by all 10 events, and each event begs the question as to why he does not agree that citizens are entitled to proper access to records as a means to effectively assess his performance and that of council.

Summary finding. From a practices perspective, Gower is deep down in the negative implications bracket when it comes to ensuring that citizens have free, easy, timely and direct online access to city records.

**Councillor Allan Hubley. 0/5.**

Hubley was among members of council and senior staff who were enmeshed in the LRT fiasco for the duration of the 2018-2022 term, and who were taken to task over and over during the Hourigan inquiry for deep, never-ending failures to communicate properly with council colleagues and citizens.

To be clear, the LRT fiasco went on for the entire 2018-2022 term and is still having repercussions well into the 2022-2026 term because of the numerous times that Hubley and others were deemed to break trust with citizens due to transparency and accountability failures.

That is, the extent to which the Watson council disserved and distressed citizens has institutional fall-out, which means that Hubley, other members of the old gang, and the new gang of non-respondents, have a long way to go to mitigate distrust among citizens before it is reasonable to expect that even the best, repeated demonstrations of transparency and accountability are likely to appease discerning citizens.

Hubley is a member of the Emergency Preparedness and Protective Services Committee. **Hourigan**

In Hubley’s case, with a 0/5 score and his inclusion in productions from the Hourigan Inquiry, when viewed from a practices perspective he is in the deepest negative implications bracket when it comes to him being seen as a force for ensuring that citizens have free, easy, timely and direct online access to city records.

**Councillor Jeff Leiper. 0/5.**

Leiper’s committee memberships include Built Heritage, Planning and Housing, Transportation, and Light Rail, every one of which entails the highest levels of interaction between citizens and politicians and city staff, and every one of which has experienced numerous contentious communications events and issues over the past decade.

It is head-shaking that Leiper is not out front-and-center vigorously advocating for citizens having free easy, timely and direct online access to city records as a means to optimize communications between citizens, politicians, and city staff.

Further, Leiper is a member of the Finance and Corporate Services Committee which has as one of its specific responsibilities that of communications and organizational development, and item 11 in particular:

11. Oversee and make recommendations to Council on the City’s communications goals, strategies and methods for providing timely and accurate information to residents.

<https://ottawa.ca/en/city-hall/council-committees-and-boards/committees-and-boards/standing-committees-commissions-sub-committees-and-other/finance-and-corporate-services-committee#section-b4980547-f75d-418e-b8a8-68add67a9050>

In the absence of evidence to the contrary, it is presumed that Leiper has not made and is not likely to make any contributions to responsibility 11, which is a subset of City of Ottawa records.

Due to committee assignments Leiper is affected by all 10 events, and each event begs the question as to why he does not agree that citizens are entitled to proper access to records to effectively assess his performance and that of council.

Summary finding. From a practices perspective, Leiper is deep down in the negative implications bracket when it comes to agreeing that citizens are entitled to free, easy, timely and direct online access to city records.

### **Councillor Tim Tierney. 0/5.**

Tierney’s committee memberships include Environment and Climate Change, Planning and Housing, Transportation, Transit, and Light Rail, every one of which entails the highest levels of interaction between citizens and politicians and city staff, and every one of which has experienced numerous contentious communications events and issues over the past decade.

It is head-shaking that Tierney is not out front-and-center vigorously advocating for citizens having free easy, timely and direct online access to city records to optimize communications between citizens, politicians, and city staff.

Further, Tierney is a member of the Finance and Corporate Services Committee which has as one of its specific responsibilities that of communications and organizational development, and item 11 in particular:

11. Oversee and make recommendations to Council on the City’s communications goals, strategies and methods for providing timely and accurate information to residents.

<https://ottawa.ca/en/city-hall/council-committees-and-boards/committees-and-boards/standing-committees-commissions-sub-committees-and-other/finance-and-corporate-services-committee#section-b4980547-f75d-418e-b8a8-68add67a9050>

In the absence of evidence to the contrary, it is perceived that Tierney has not made and is not likely to make any contributions to responsibility 11, which is a subset of City of Ottawa records.

Due to committee assignments Tierney is affected by all 10 events, and each event begs the question as to why he does not agree that citizens are entitled to proper access to records to effectively assess his performance and that of council.

Summary finding. From a practices perspective, Tierney is deep down in the negative implications bracket when it comes to ensuring that citizens have free, easy, timely and direct online access to city records.

## **F. Implications of the “Old Gang” of Non-Respondent Councillors Ignoring Calls to Improve Trust, Transparency, Accountability, and Public Access to Public Records**

On the negative side of the practices bar, a critical remaining question is whether the old gang falls into the bad, worse, or worst category.

A selection of words and phrases to describe a 0/5 record for each member of the old gang and 0/35 overall for the gang as a group is presented in Table 1.

The words and phrases describe my perception and the perceptions of several “guest contributors” regarding the behaviours of members of council who did not respond to a survey question which asked asking during back-to-back terms of council, *Do you agree that citizens are entitled to free, east, timely, and direct online access to public records?*

And, in turn, they also serve to demonstrate the finding that there are few if any prospects that a change of mind by any old gang member for whatever reason is likely to occur based on the non-effect of the 10 major events.

As a result, therefore, of introducing the ten events into the mix, and there are dozens of similar events which could also be used for evaluation purposes, the general finding is that the implications for citizens of the old gang of non-respondent councillors heeding

calls to improve transparency, accountability, trust, and public access to public records, are dire.

**Table 1. Terms and Phrases to Describe Politicians Who Do Not Show Due Regard for Citizens’ Access to Public Records**

anti-accountable	insincere
anti-accountability	intolerant
anti-democracy	locked-in
anti-democratic	manipulative
anti-openness	mind-blocked
anti-transparency	misguided
anti-transparent	narcissist
arbitrary	narrow-minded
arrogant	obsequious
autocratic	obstinate
blowhard	pigheaded
bobblehead	pompous
bossy	poseur
bumptious	presumptuous
closed-minded	pretentious
conceited	rigid
control freak	secretive
deceitful	self-centered
despotic	self-indulgent
dictatorial	self-important
dogmatic	self-serving
dupe	sheep
elitist	stooge
entrenched	submissive
hypocrite	sycophant
ideologically inflexible	toady
ideologue	uninformed
inflexible	weak

Or, to re-phrase from the perspective of worst, worse, bad, good, better, and best practices, the lack of effect of the ten critical events on their second survey responses affirms that the proposition of providing citizens free, easy, timely, and direct online access to City of Ottawa records is consigned to the bottom of the practices barrel by two-time council members Curry, Darouze, Dudas, Hubley, Leiper, and Tierney.

## **G. Conclusion**

The ten events selected to critically examine the results of the surveys in terms of their implications for citizens' access to City of Ottawa public records performed as anticipated for a pilot study.

That is, reviews of the literature about examining the likely intentions of non-respondents to the surveys suggested an outside-the-box evaluation test.

Discussions with other researchers, and reviews of hundreds of communications with city officials led to choosing an events test to investigate the bases of decisions to not respond to a question that is directly connected to promises made during election campaigns and is tied directly to the official terms of reference for their job descriptions as members of a municipal council.

Because all the events are fully documented there is no doubt about their authenticity, and because all the pertinent documentation was made available to all members of city council, there are no legitimate grounds to plead ignorance.

The critical finding is that based on their records to date, and the disregard shown to the events, it is most likely to the point of a foregone conclusion that none of the six councillors – Curry, Darouze, Dudas, Hubley, Leiper or Tierney –, is likely to agree that citizens are entitled to free, easy, timely, and direct online access to city of Ottawa public records.

Further, it is most likely to the point of a foregone conclusion that use of the terms transparency and accountability by each of these councillors – Curry, Darouze, Dudas, Hubley, Leiper and Tierney – will be as political buzzwords rather than drivers ensuring the standard of access to public records in the City of Ottawa is best practice.

The bottom-line implication for Ottawa citizens, therefore, is that Councillors Curry, Darouze, Dudas, Hubley, Leiper, and Tierney are part of access to records problems, and have no apparent contribution to make to solving that problem.

## **H. Next Step**

Interim report 28 continues this theme, and the focus is on the eight members of the 2022-2026 council – Mayor Mark Sutcliffe and Councillors Marty Carr, Steve Desroches, David Hill, Clarke Kelly, Wilson Lo, and Stéphanie Plante –, who did not respond “Yes” to two surveys which asked the question, *Do you agree that citizens are entitled to free, easy, timely, and direct online access to public records?*

## I. Endnotes

1. Apparently no orders came down from a higher governmental authority (e.g., Government of Canada, Government of Ontario) or legal authority instructing Ottawa council members to limit public access to City of Ottawa records, or to not respond to survey inquiries. It seems fair to say that it was a matter of free choice to not respond.
2. There are millions of substantive productions on this topic, including many, many thousands of publications by the Urban and Regional Information Systems Association (URISA), a leading organization in research on the topic of “records” which include text, image, and other productions created by reality→data→information→knowledge transform processes.
3. Curry, a 2022-2026 non-respondent on two occasions, replaced J. Sudds during the 2018-2022 term. Sudds was a three-time non-respondent. [Interim Report 16. Third 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? Sudds'](#) Because Curry replaced Sudds during the term, Sudds' files became Curry's files, and it appears fair to say that they shared the same view about not responding to a survey asking *Do you agree that citizens are entitled to free, easy, timely, and direct online access to public records?*
4. The term “world-class” rarely amounts to more than puffery when used by politicians, but it is their term, and they can expect to be held to associated standards. In this case the terms “world-class” and “best practice” are taken at face value to mean superlative, as in top of class and top of practice.
5. In the absence of explanations about what Sutcliffe meant by the terms used in the story, there is wide room for interpretation about the message he hoped to convey and the objective he hoped to achieve. By way of brief illustration, was his statement about restoring and increasing trust, transparency, and accountability being a matter of tremendous priority for him a message to council to get on board? Or was it just loose talk during an interview-op? Or, could it be, that he was attempting to disarm citizens into thinking that the cone of silence is done and gone so look away, nothing to see here?
6. As a follow-on to endnote (3), the essence of transparency and accountability goes far beyond their use as buzzwords by politicians. In brief, and this should be spelled out as part of item 11, but citizens need to know how transparency and accountability are being measured in an operational sense so that they can evaluate claims made by politicians. That said, the word “tremendous”, as in “tremendous priority”, seems to be putting transparency and accountability in the best practices class when it comes to

action, which makes it incumbent upon Mayor Sutcliffe to lead by example and to bring councillors along with him. We re-visit this matter in Interim Report 28.

**7.** Members of the old gang -- Curry, Darouze, Dudas, Hubley, and Tierney, except for Leiper from time to time -- seemed to agree with whatever Mayor Watson wanted. As a result, it does not appear to be a stretch to deduce that they would be inclined to take their leads from Mayor Sutcliffe, who is frequently referred to in social media as “Watson 2.0.”

**8.** About 80% of City of Ottawa records have what are termed locational, spatial, or geographic attributes, and are supported by geographic information systems (GIS) hardware, software, and firmware.

The GIS field has a history of more than 60 years, and the Region of Ottawa-Carleton/City of Ottawa became engaged in the burgeoning GIS field in the early 1970s. The dirt dump event involves paper and digital maps, and GIS, and prompts questions about the ethical conduct of politicians and staff members involved with any aspect of producing or using GIS products and processes in association with lobbying on behalf of the dirt dump development approval.

**9.** Including the term “data-driven” is consistent with its popular usage by some Ottawa municipal politicians. However, based on the seeming absence of public records using methods or techniques of quantitative analysis or synthesis to drive data use, it appears fair to say that the term is primarily used by Ottawa’s municipal politicians as a buzzword.

Should I be in error, then I welcome receiving links to records describing the use by Ottawa’s municipal politicians of such quantitative methods and techniques as comparative analysis, cost-benefit analysis, cost-effectiveness analysis, cross-impact analysis, econometric analysis, forecasting, highest and best use analysis, impact assessment, indicators, indexing, life-cycle analysis, modelling, normative Delphi, optimization, sensitivity analysis, spatial analysis, and statistical analysis.

These and more data-driven quantitative methods and techniques can be found in [https://escholarship.org/content/qt9kb4921k/qt9kb4921k\\_noSplash\\_4ef23019fd4c270a7538a34beec1c017.pdf?t=krnjs1](https://escholarship.org/content/qt9kb4921k/qt9kb4921k_noSplash_4ef23019fd4c270a7538a34beec1c017.pdf?t=krnjs1), so a considerable number of ways exist to put the data-driven concept to work. In the names of transparency and accountability, it is high time for data-driven decision-making to be put on display, with links to records so that citizens can validate claims.

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