

Effective public scrutiny a remedy for scandal

Access to information legislation, properly implemented, a great tool for keeping elected and appointed officials honest

Bad things happen when the public's business is conducted in private. Every time we forget that simple truth, we pay a price.

The sponsorship scandal now gripping Ottawa is but the latest example of what can — and what too often does — happen when public officials, elected or appointed, are allowed to operate without effective public scrutiny.

The principle is simple: The public has a right to know how its money is being spent by those engaged to work on its behalf. All people spending public money have to be accountable for their actions.

True accountability can be achieved only if the public is able to see not only what decisions are being taken, but also the information on which those decisions are based. Otherwise there is no way to judge the wisdom of those decisions and make the kind of choices that we have to make as citizens in a democracy.

Canadians have rarely been well served when forced to rely on the blind assurances of the party in power.

In British Columbia, we remember only too vividly the assurances we were given about fast ferries and Skeena Cellulose, two misadventures that collectively cost taxpayers almost a billion dollars.

Access to information legislation has gone a long way in Canada towards opening up government. But there are still major gaps in both federal and provincial legislation and in the way it is applied.

Federally, a Commons committee recommended in 2002 that the Access to Information Act be extended to include Crown corporations and agencies.

Had that been done, it would have provided journalists and opposition politicians an important tool for following up on the early reports indicating that the sponsorship program was being abused.

But so far, despite the promised emphasis by Prime Minister Paul Martin on parliamentary reform, the

only push to change the access law has come in the form of a private member's bill introduced last fall by Liberal MP John Bryden.

At almost all levels, the intent of access to information legislation has been undermined by a culture that still prefers to operate without scrutiny.

But the new rules are having a positive effect. Most people behave better in public, so just the knowledge that your work may be open to public scrutiny acts as an incentive to ensure it is done efficiently and in the public interest.

There are reasonable limits to public access, of course. There are privacy concerns which have to be protected. Competitive interests are also an issue when the government does business with a private company or a Crown corporation engages in commercial contracts.

But private firms that want to do business with governments have to be willing to accept the public scrutiny that must follow the expenditure of tax dollars.

This can be seen as infringing on their commercial interests, but it is no more restrictive than the disclosure requirements private firms accept willingly when they decide to go public and list their shares on major stock exchanges.

The same principle has to apply when our governments enter into public-private partnerships on our behalf.

We have to have enough information to decide for ourselves whether these deals are in our interest, and that information has to be available before we become irrevocably locked into what in some cases are multi-decade contracts.

Yes, it is more difficult to conduct business in public. Some private firms will not be willing to step into the glare of public scrutiny.

But many more will.

As we have seen again in the sponsorship scandal in Ottawa and in the accounting scandals that have rocked the corporate world over the past few years, the alternative is worse.