

## POLITICS AS USUAL: Accountability and...

### Accountability and Transparency

By Alison Collins-Mrakas

As I was unable to attend the May 28th Council meeting in person, I intended to watch it on Rogers instead as per usual. I prefer that anyway, as I can make comments out loud without being shushed or otherwise suitably chastised for my outbursts. Unfortunately, due to some kind of technical glitch Council was not available for viewing (though a lovely nature show was). I was quite frustrated by the turn of events as I really wanted to hear the council members' debate of the issue of recording closed session meetings.

I understand it was not met with much enthusiasm by a number of members, being deferred to a later date pending further information, so I wanted to hear what their arguments might be given the importance of this issue.

Not being able to hear it first hand? Drat, is all I can say about that!

The issue under debate, in a nutshell is, that at present there is no verbatim record ? no recording written or oral ? of what happens behind the closed doors of Council's ?secret? meetings.

What we do have are bare bones minutes that provide little, if any, detail of what actually transpired during the course of the meeting.

Without an accurate record, when a serious issue arises, investigators and/or the judiciary are reliant upon the somewhat porous memories of those present to provide testimony as to what did or did not happen.

As in all levels of politics, porous politicians' memories have proven ?problematic? to say the least when getting to the bottom of shenanigans.

Thus, the motion put forward by Councillor Michael Thompson seeks to allow for the recording of closed session meetings so as to rectify this rather glaring gap in accountability and transparency of Council proceedings.

The staff report on the matter (CLS13-010, May 21) was as expected ? coming out against the recording of closed session meetings.

Disappointing, yes, but not an unexpected stance.

Staff are often asked for their advice and opinion on contentious matters, behind closed doors. The thought that their professional advice proffered during these meetings would be recorded and potentially used in another forum, undoubtedly caused some heartburn.

But that isn't enough to put the kibosh on what many ? including the Ombudsman of Ontario ? think is a very important accountability initiative.

With greatest respect to those who have concerns about statements made behind closed doors being ?used against them?, to that I say ? then don't say it. The purpose of that closed door is to save the Town harmless, not you (i.e.: Councillor or staff). Free and frank discussions behind closed doors does not mean anything goes ? despite what some past and present members of Council may think.

Would a tape recorder in the room have a chilling effect on the deliberations and discussions? Absolutely.

It would be naïve to assume that those present would speak as freely as they do now if the possibility existed that they'd be held accountable for what they have said. But so what? I don't necessarily think that's a bad thing.

The corollary to that argument is to continue to allow councillors to debate issues of significance to the municipality behind closed doors secure in the knowledge that they could do so with complete impunity. That is not good governance, that's protectionism.

I do not wish to critique each of the arguments made in the staff report. Suffice it to say that there serious shortcomings.

For example, the report notes that ?Council's procedural by-law sets out an open and transparent process respecting closed session meetings?. Well, I am glad that the town is compliant with provincial law as we'd be in a heck of a sight more trouble if we weren't, but frankly that is beside the point.

The issue to be addressed in the report was the recording of closed sessions; thus how closed session meetings are called, publication of resolutions emanating from closed session meetings, how minutes are kept and whether or not the town has ever been investigated is entirely irrelevant.

What has that got to do with audio recording a meeting?

And the statement that council minutes are not a verbatim record either is again, entirely beside the point.

Council and committee meetings are debated publicly and are recorded on tape or video. The point of the motion was to extend that process to all meetings ? including closed session meetings.

Further, given that the report makes the case that the current process is transparent as the Town has never had a closed meeting investigated then how can it be posited later in the report that a recording of closed sessions puts the Town in a liability position if the meetings are investigated, when the Town has never been investigated for a breach of closed session proceedings.

So, which is it? Recordings are unnecessary or dangerous? Or is it both?

Two municipalities ARE recording closed session meetings, so clearly the concerns about liabilities, cumbersomeness, costs, etc. are being managed by smaller municipalities.

I am not clear why it is not possible in our Municipality.

I believe this is an issue that will continue to be raised. It's unfortunate that this Council won't be a leader, but perhaps another will take up the challenge to bring enhanced accountability to ALL council proceedings.

That's it for this week. Until next week, stay informed, stay involved because this is after all Our Town.