

Oversight and Irony in New Brunswick Politics

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To begin, a big shout-out to New Brunswick Auditor General Kim MacPherson is warranted—and we suspect that that feeling is shared by a broad spectrum of provincial residents, regardless of political affiliation. If it isn't, then it should be.

Democracy is too precious an inheritance to be left to the guardianship of politicians. When it is, autocracy results. And when autocracy reigns, governments fall, weakening our shared enterprise by degree. If that lesson is not clear to New Brunswick politicians, then they haven't been paying attention.

Trust builds with transparency and accountability, and when those are abundant, relationships flourish. It doesn't matter if the relationship is between spouses, workers and bosses, or voters and elected officials. Relationships all work the same way. Hidden agendas, ulterior motives, and attempts to withhold or manipulate information harm every relationship.

So when Auditor General Kim MacPherson made public her desire to overspend her office's budget in order to continue her audit of the \$70 million of public money that was given to the Atcon group, the *last* thing New Brunswickers should have expected from an elected member of Brian Gallant's government was resistance.

But that was the position taken by Liberal MLA Chris Collins. His official response was rich in irony. "We can't have a situation," he said, "where a commissioner or department intentionally comes in substantially over budget, especially the auditor general." A richer piece of irony would be hard to find.

For one thing, Mr. Collins's logic is highly selective. Successive Liberal and Conservative governments in New Brunswick have consistently overspent, each time, to use Mr. Collins's words, "com[ing] in substantially over budget." Are we to conclude that elected officials can spend without restraint, but that civil servants cannot? Or that elected officials can be *excused* for overspending because they are serving the public interest, but that an office of financial oversight, when overspending in the public interest, is not? Those are ludicrous conclusions, but ones that Collins's logic sets up.

Also, if the courts of public opinion and common sense were marshalled to pass judgment on what kind of overspending is justified, we think it reasonable to conclude that Ms. MacPherson's office would receive near unanimous public support. In an age of artful shenanigans—not the least of which is information manipulation and suppression—offices dedicated to oversight are among the most important in the land. So it is with the office of the auditor general of New Brunswick.

Ms. MacPherson's courage and conviction warrant our gratitude. New Brunswickers *do* want to learn what happened to \$70 million of public money that Shawn Graham handed over to Atcon. We *do* want to know why elected members of then-Premier Graham's Liberal Cabinet ignored the advice of senior bureaucrats in handing over the money to the Atcon group. And we are *not* comforted by current Premier Gallant's assurances that his government has dealt with the matter and implemented the lessons learned.

Which is certainly not to imply that governments are inherently corrupt, but to make the larger point that institutions simply cannot police themselves, especially institutions of partisan design. Independent, arm's-length offices of oversight are necessary, and those must be well supported and funded for democracies and the public trust to flourish. That support and adequate funding may cause discomfort to sitting governments is beside the point.

This, of course, is why Premier Gallant recently intervened to calm the tensions that were percolating between his speaker of the legislature (Collins) and Auditor General MacPherson.

But he should not have had to. That he did suggests two scenarios, neither of which reflects well on his government. Either the speaker and the premier were playing bad cop/good cop, a scenario hard to imagine on such a high-stakes file, or, worse, neither had given much thought to the public trust surrounding this file. Again, both scenarios are problematic, the first suggesting gamesmanship, the second nonchalance.

We expect better of our sitting politicians, just as they should expect better from us.

Once again, rather than get out in front of a potentially explosive issue, a reversion to partisan tactics (stalling, stifling, misdirecting) has cast a long shadow on a sitting New Brunswick government. As Premier Gallant obviously realized when intervening late, it didn't have to be that way.

In the absence of oversight, irony abounds. And doubts grow. What is the government hiding? What does it not want us to know? Why does it continue to infantilize us, blocking oversight and telling us that all is well?

The same questions are surfacing around NB liquor's challenge to the office of access to information and privacy commissioner. NB liquor didn't like Privacy Commissioner Anne Bertrand's report on its dealings and threatened to sue. The president and CEO of NB liquor, a man who reports to Liberal Finance Minister Cathy Rogers, not only questioned the privacy commissioner's right to access information about the corporation, but accused Commissioner Bertrand's office of slander when she described the corporation's culture of silence. The response from Minister Rogers was the predictable "no comment" because the matter might find its way to the courts. But, again, independent, arm's-length oversight was being challenged, and the sitting government seemed unable or unwilling to stand in its defence. While it is completely understandable and defensible for governments to withhold information about internal matters of policy, these recent instances of information suppression affect offices of oversight—the very offices that advanced societies put in place to ensure fair dealing and accountability. So, we repeat, what is the government hiding? What does it not want the New Brunswick electorate to know? What is at the root of its fear of independent offices of audit and oversight?

No government wants to leave those impressions. But successive New Brunswick governments, following the old partisan playbook, have done just that. The next time New Brunswickers are blamed for impetuosity—that rashness leading to a string of one-term governments—we should respond by saying that politicians are just as responsible as voters for the shortened half-life of the province's election cycles.

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