

Transparency Promotes Good Governance

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Introduction

“Sunlight is the best disinfectant”

Justice Brandeis, American Supreme Court

- Transparency is ONLY positive
- Transparency has a cleansing effect
- Is it as simple as that?

Good Governance?

- What is governance?
 - Process
 - For what purpose?
 - Steering organisations, public and private
 - Processes to push organisations in the “right” direction
 - Numerous mechanisms that enable steering
 - Accountability
 - Oversight
 - Compliance
 - Transparency ...

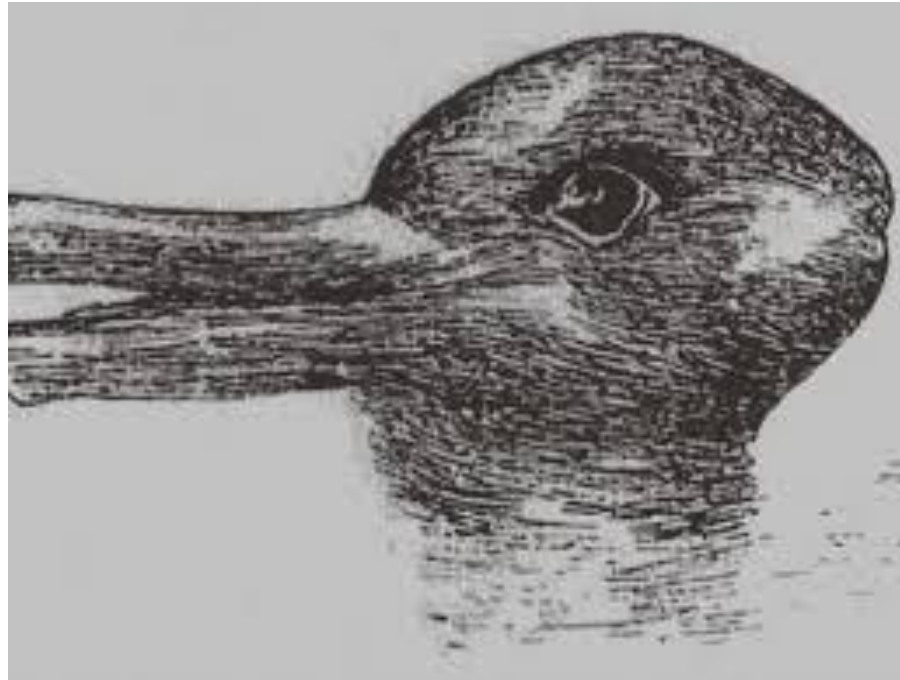
- The more mechanisms functioning effectively, the more likely Governance is to be effective
 - I don't like using "Good" ... value judgement as opposed to technical capacity
 - A vehicle with a steering wheel is not simply going to be steered, the effectiveness depends on a range of mechanical connections

- Transparency often presented as the most important mechanism of governance as steering
 - Accountability and Oversight all depend on Transparency
 - So what is transparency?
 - Things now get interesting and complicated.

Transparency

- Access to information
 - Seeing how things in organisations are done
 - Reporting
 - Auditing
 - Declarations of conflicts of interest
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- Key sense: sight
 - But eyes can be deceived

- Cognitive Bias: Confirmation Bias?



- Assume reporting / auditing is a simple technical activity
 - No consensus on protocols, ongoing ISO updates
 - ?s for Auditing profession – contemporary examples ...
 - Managing information: use protocols to control as much as possible distortions and biases
 - Far from perfect

Transparency Complications

- Mechanisms of Governance are usually considered absolute: accountability, oversight etc.
- Not so simple with Transparency:
 - Privacy
 - Market sensitive
 - IP
 - Perverse outcomes: land acquisition for infrastructure

- Not absolute, legal constraints hence the need for PAIA and a judicial process
- Strive for as much Transparency as is reasonable and appropriate in context
 - Subjective element comes in
 - Open to debate
 - Fuzzy
 - Abuse?

Sunshine

- The idea that Transparency has a cleansing effect is important
 - Limits opportunities for corruption, fraud, embezzlement etc
 - But not always:
 - Use of information to camouflage abuse
 - Use of accessible data and language in reporting

Conclusion

- Transparency has to be managed constructively to achieve optimal outcomes
- Process for accessing information
- Motivation for withholding information and opportunity for review
- In the age of big data and social media, too much transparency is a threat to privacy
 - How will corporates and governments secure data that is the new “gold” rush?
 - This indicates the Janus face of Transparency:
 - Maximise the positive and limit the negative

Thank You