

The Role of Access to Information in Preventing Corruption

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1998-2016: Genesis to Revelation



- In 1998, the Office of the Prime Minister began the process of introducing Access to Information legislation. A consultative conference held on 'Anti Corruption and Ethics' resulted in a commitment from the Office of the Prime Minister to the adoption of both an Anti-Corruption Act, which was adopted in 2003, and a Freedom of Information Act.
- 18 years later we have the working draft of an ATI Bill.



Harambee Prosperity Plan



- **"Access to Public Information: To ensure that our citizens have access to relevant Government information, the MICT will develop a Plan for aligning the functions of the Public Relations and Liaison Officers to their core functions of information dissemination before end of June 2016. In addition, permissible access to information by the public must also be included in the Plan."**
- Harambee Prosperity Plan, page 18.



Information = good governance

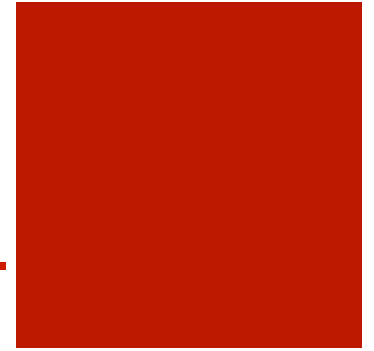


- **Proactive Disclosure** - ‘Public bodies and relevant private bodies must proactively publish information.’ (AU Model Law)

- Performance agreements
- Auditor General’s reports
- Asset declarations
- Budget documents
- Minutes (redacted?)
- Decisions
- GRN websites (up to date, comprehensive)
- Social media presence



Corruption loves secrecy



Corruption thrives in environments of secrecy. By creating and adhering to an accountable and transparent code of governance, entities lose the capacity to obscure corrupt acts. The prevalence of corruption is not only detrimental in terms of cost, but also in terms of ensuring administration in citizens' best interests.

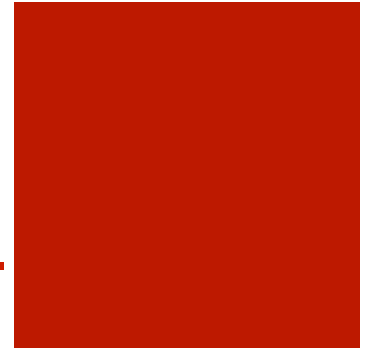


ATI – A vital tool in fighting corruption

Ensuring disclosure of – and access to – information can empower people and institutions to prevent and fight corruption. But it's a two-way process. Governments must proactively release information about what they do. And citizens must utilise this information to make full use of their rights. We all have a valuable role to play.



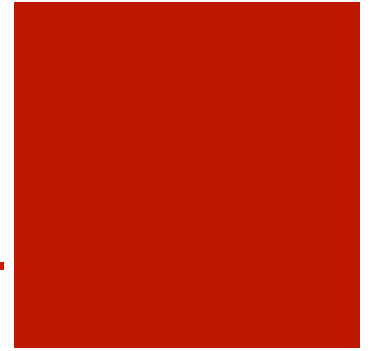
Global examples



- **Rajasthan, India – Community made freedom of information request to uncover widespread corruption in the way that the distributors were delivering food aid. Obtaining govt records showed massive difference between amount of food aid sent by govt and what was actually delivered to people on the ground.**
- **In Thailand parents challenged discrimination in allocation of school places by forcing education authorities to release exam results showing favouritism and nepotism.**



Open Data



- Governments should embrace open data because there is growing evidence that it leads to better decisions by government, and helps to deter corruption.
- Having good open data on public procurement, for example, lets us know whether government money is being well spent or simply going to companies owned by public officials' family members.
- Disclosing key public data on their spending in a format that makes it accessible and meaningful for average citizens.



Transparency revolution



The places to hide are becoming fewer

- Registers of beneficial ownership (after Panama Papers)
- Illicit financial outflows
- Publishing contracts



Final word



**“Sunlight is the best
disinfectant.”**

**Louis Brandeis (1856-1941),
associate justice of the US Supreme Court**



THANK YOU



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