

May 18, 2015

Ms. Elizabeth Denham
Office of the Information and Privacy Commissioner
PO Box 9038, Stn. Prov. Govt
Victoria B.C. V8W 9A4

RE: Destruction of Freedom of Information records

Dear Ms. Denham:

I am a former Executive Assistant to the Minister of Transportation and Infrastructure. I am concerned with how requests for email under the Freedom of Information Act are being administered in Ministerial offices.

When Freedom of Information (FOI) requests are made for ministerial staff emails, it concerns me that political appointees are allowed to self-report their response. This allows for misconduct to occur, and often a "No records" response to be reported.

Such an incident happened to me in November 2014. The Ministry of Transportation and Infrastructure received a FOI request for records relating to meetings held by officials in the ministry relating to missing women on the Highway of Tears.

When the Minister's office received this request, I searched my email for any correspondence we might have and received over a dozen hits. I then told George Gretes, the Ministerial Assistant in our office, that I had emails to report. He came over to my desk, took a quick look at the list of emails on my computer screen, and promptly directed me to delete them. When I hesitated, he took away my keyboard, deleted the emails and returned the keyboard stating, "It's done. Now you don't have to worry about it anymore."

In early January, 2015, I again questioned the appropriateness of deleting emails after an FOI request, but this time with Liberal Research Director Jen Wizinsky. She too brushed off my concerns, explaining, "It's like in the West Wing. You do whatever it takes to win."

I want to stress that this is not an isolated incident. It is my belief that the abuse of the Freedom of Information process is widespread and most likely systemic within the Clark government. I would ask that you please look into this further.

Sincerely,



Tim Duncan