

Jill Clayton
Information and Privacy Commissioner of Alberta
410, 9925 - 109 Street NW
Edmonton, AB
T5K 2J8

May 10, 2022

Dear Commissioner Clayton,

I am writing this to request that you launch an investigation into the United Conservative Party Government's record management policies and practices under the *Freedom of Information and Protection of Privacy Act*, including section 53(1)(a) of the Act.

In a news article published by the Tyee, unnamed government staffers alleged the existence of a government-wide policy driven by the Office of the Premier of Alberta to destroy and block the release of public records. According to staff, they were directed to use personal devices, chat functions, and messenger services to conduct official government business, which are wiped regularly or automatically, thus avoiding the creation of public records in violation of their obligations under the *Freedom of Information and Protection of Privacy Act*.

These allegations were made anonymously by three individuals who were identified as current and former staff members of the UCP government. According to the Tyee article, one a former senior staffer alleged that "The directive would come from the premier's office staff during regular weekly and daily meetings, reminding everyone to ensure that they're up to date on their 'records management' with the claim that record's management was internal code for deleting emails. Another senior staff member stated that the directive from the Office of the Premier was understood to mean "To delete everything, to have no records. So that nobody could get any of our information."

The article goes on to allege that ministerial chiefs of staff use the WhatsApp platform for communicating, which has the messages wiped on a regular basis, and that government press secretaries and other staffers use the messaging app Slack which is deleted on a weekly basis by staffers in the Premier's Office.

These allegations, if true, show that the UCP Government has grossly violated the Freedom of Information and Protection of Privacy Act, including Section 2(a) which states that the purpose of the act is "to allow any person a right of access to the records

in the custody or under the control of a public body subject to limited and specific exceptions as set out in this Act.”

Access to information is a foundational principle of our democracy and any attempt to breach, reduce, or impede access for the public to the public records that are rightfully theirs must be taken seriously and investigated in full.

I look forward to your response to this very serious response.

Thank you,



Irfan Sabir
MLA for Calgary-Bhullar-McCall
NDP Critic for Justice and Solicitor General