

*Charlie Angus*

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HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

*The Information Commissioner of Canada*  
30 Victoria Street  
Gatineau, Québec  
K1A 1H3

March 18<sup>th</sup> 2015

**RE: Requesting an Investigation into Missing Ministerial Correspondence**

Dear Commissioner Legault,

Minister Finley was found by the Ethics Commissioner to have violated the Conflict of Interest Act by inappropriately funding a project that received preferential treatment and may have been influenced by political considerations. I am asking you to undertake an examination under section 30.(3) of the *Access to Information Act* on the disappearance of departmental correspondence between Ministers in relation to these ethical breaches and the funding of this Markham project.

Minister Finley was found to have inappropriately approved a million dollar project that failed its initial assessment with a score higher than only three of 167 other proposals. Fifty thousand dollars was misspent on this project until it collapsed under the weight of its deficiencies. Despite her efforts the Commissioner stated that she "was unable to get a clear understanding as to why the Markham project was funded."

This ethical breach did not just involve Minister Finley. It also involved her chief of staff, Minister Kent, Minister Baird, staff in the Prime Minister's office including his ex-chief of staff and current chief of staff. It appears that Mr. Kent may have sent a letter to Ms. Finley sometime in early summer of 2011 that could speak to the unanswered question of why the project was funded and show the project being influenced by political considerations.

Ministers Kent and Finley claim not to remember this letter, however, three department officials recall its existence and vague details within it. The Ethics Commissioner's investigation found that  
*"On the strength of the testimony of three departmental officials, my Office requested from a number of different sources that a copy of this letter be provided to me. None was ever provided"*

As I have written before, the deletion of records and covering-up of government scandals is a disturbing pattern of behaviour set by this Conservative government. We have already seen the government attempt to delete the email records of a PMO senior legal staff in a scandal that saw the Prime Minister's Office being investigated by the RCMP and a sitting Conservative Senator charged for taking a bribe from the PMO. A Minister's senior political adviser was recently found to have deleted his emails every two weeks. And CRA has recently confirmed that it destroyed certain types of its employee's

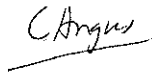
electronic records and disabled the logging of these electronic records in the future. Now, departmental correspondence between Ministers that pertains to an investigation by the ethics commissioner has been lost.

In her findings, the Ethics Commissioner stated

*"The public's confidence in the handling of public funds and the fairness of government transfer payment programs is undermined when ministers do not maintain the government's stated commitment to managing them with integrity, transparency and accountability. Ministers are in a position of power and have a responsibility to ensure that this power is exercised fairly and in a way that is open to all Canadians."*

I believe that these words are just as true for the department's obligations in relation to access to information. The Government's words and commitments to ensure transparency and accountability once again appear to be proven hollow. I am asking you to investigate the department's handling of these documents and in particular the disappearance of Minister Kent's letter. We must ensure that this government is held to account and that Canadians' rights are protected.

Sincerely,

A handwritten signature in cursive script that reads "C Angus". The signature is written in dark ink and is positioned above a horizontal line.

Charlie Angus  
NDP MP Timmins-James Bay