

2018-0157 Deputy Minister's Briefing

Date: May 31, 2018, 1615.

Location s.15

Attendees: Ken McLean (Director, Employee Relations, PSA), Lori Halls (Deputy Minister, PSA), Ainslie Avery (A/Director, Investigations, CIRMO, CITZ), David Curtis (Assistant Deputy Minister, CIRMO, CITZ), Matt Reed (A/Executive Director, CIRMO, CITZ), Danielle Naylor (Senior Investigator, CIRMO, CITZ), Dayna Beuthin (A/Senior Investigator, CIRMO, CITZ), Grant Main (Deputy Minister, TRAN), Nancy Bain (Assistant Deputy Minister & EFO, TRAN), Jill Kot (Deputy Minister, CITZ), Lori Wanamaker (by phone, Deputy Minister, Finance), Barbara Carmichael (Legal Counsel, Knowledge Management, Research and Policy, AG)

Background – Dayna

- See Speaking Notes

Work to date – Danielle

- Discussion: ICBC informed of breach and requested information regarding any review or investigation to the disclosure; s.14 s.13,s.15
- Ernst & Young, s.13 s.13 s.14
- Discussion: s.13,s.15
- Discussion: s.13,s.15 s.13,s.15
- s.13,s.17
-
- Evidentiary based review; will need to review document to see if s.15 Chronology is important to understand sequencing and facts. (***)Will find out where s.15 s.15 was in the process)
- Action Item: Table/chronology of documents, evolution of documents would be helpful
- CRO responded to s.15 enquiry came in February; Richard Fyfe contacted s.15 s.15 no response has been received.
- s.13,s.15
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- s.13,s.15

- DM's need time to review information
- s.13,s.15
- Deputies to have follow up conversation
- s.13,s.15

From: [Naylor, Danielle CITZ:EX](#)
To: [Avery, Ainslie CITZ:EX](#)
Subject: 2018-0157 - Docs
Date: May 30, 2018 1:39:36 PM
Attachments: [2018-0157 Preliminary Assessment Report and Recommendations - May 22.pdf](#)
[2018-0157 Terms of Reference - May 22.pdf](#)
[2018-0157 Investigative Workplan - May 22.pdf](#)

As per your request. 😊

Danielle Naylor

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Preliminary Assessment Report and Recommendations

Incident: 2018-0157

Date: 22/05/18

Purpose:

The purpose of the preliminary assessment is to determine whether there are sufficient grounds for the Investigations Unit (IU) of the Privacy, Compliance and Training Branch (PCT) to conduct an investigation and, if so, to identify the investigative tier to be assigned to the incident.

Background:

On January 23, 2018, a Vancouver Sun article by Rob Shaw made reference to a draft report from December 23, 2014 (the 2014 Draft Report), which contained several pages outlining recommendations to financially stabilize ICBC and indicated that the final public report from 2015 did not include the recommendations. The consultant, Ernst and Young, was commissioned by the government of the time, and their review was led by the Ministry of Finance (FIN) and co-sponsored by the Ministry of Transportation (TRAN).

The ICBC portfolio was previously held by TRAN, but it was transferred to the Ministry of Attorney General (MAG) with the change in government. When the ICBC records were transferred s.15
s.15

s.15 partial recommendations (the 2015 ICBC Report). The Vancouver Sun article made reference to a "final public report" from 2015, which did not include the full recommendations; this report was s.15 However, MAG also advised that neither of these reports were approved for public release, and MAG was not aware of an authorized publication of this report.

s.15

s.13,s.15

Incident Response:

As this incident did not involve personal information, notification was not required. No immediate containment measures were taken, however the IU will continue to assess whether containment measures may be warranted as the investigation progresses.

Tier Recommendation	
Tier	4
Rationale	s.13,s.15

Conflict of Interest?

Criteria	Summary	Supporting Evidence
Is the incident within the IU's mandate?		
Is the incident within the IU's scope?	This incident is within the IU's scope as it involves confidential information that was under government's custody or control.	Conference call – dated January 26, 2018.
Is the incident within the IU's jurisdiction?	<p>This incident involves MAG, FIN, and TRAN, and their employees, who are subject to Core Policy, and as such, a review of actions taken by employees of these ministries with respect to the ICBC Reports, whether inadvertent or deliberate, is within the IU's jurisdiction.s.14,s.15</p> <p>s.14,s.15</p> <p>In addition, two external organizations, ICBC and Ernst and Young, also had copies of the ICBC Reports, but are outside of the IU's jurisdiction. Both entities have been advised of the incident and asked to undertake their own investigations, and have advised the IU of the findings of their investigations.</p>	<p>Conference call – dated January 26, 2018; s.14</p> <p>Letter to ICBC – dated March 9, 2018; Response from ICBC – dated May 7, 2018; Letter to Ernst and Young – dated April 23, 2018; Response from Ernst and Young – dated May 7, 2018.</p>
Can the IU reasonably investigate the incident?		
Is the situation or allegation sufficiently specific?	The circumstances of the incident are clear as it involves the unauthorized disclosure of confidential government information to the media. This information was subsequently published by	Vancouver Sun article – dated January 23, 2018; Vancouver Sun article – dated February 15,

	the Vancouver Sun. s.15	2018; Meeting Notes – dated January 26, 2018.
For complaints, has the allegation been assessed, and has the complainant put forward a valid prima facie case?	N/A	
Is relevant evidence available?	The IU consulted with the Office of the Chief Information Officer's Security Investigations and Forensics Unit and assessed the potential sources of evidence s.15 s.15	Call notes – dated January 31, 2018.
	s.15 Security Investigations indicated the sources of evidence outlined above would be available and accessible. s.15 s.15	
	s.13,s.15	
Can the IU reasonably expect to make a determination?	The IU has the resources to conduct the investigation, including sufficiently trained information incident investigators. s.15 s.15 s.15 s.13 s.13	

Identifiable risks		
What are the risks associated with the decision to move forward or not in the case?	<p>Although no specific risks associated with conducting an investigation have been identified, the IU has established processes that mitigate risks inherent in any investigative procedures, and must adhere to the principles of administrative fairness and its investigations must be free from actual or perceived bias.</p> <p>The risks associated with not moving forward include a loss of trust of government on the part of the public, as well as not addressing potential issues related to the secure and responsible management of sensitive information.</p>	

Recommendation:

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Rationale:

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The IU has sufficient resources to conduct the investigation, including suitably trained information incident investigators and access to relevant electronic evidence. | s.13,s.15

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s.13,s.15 Through its established investigative process, the IU will appropriately assess the issues that are within the scope of its jurisdiction, recognizing that this does not encompass individuals or organizations external to the BC Public Service s.13

s.13

Endorsement:



Matt Reed, A/Executive Director
Privacy, Compliance and Training
CIRMO

May 20, 2018
Date

Approval:

David Curtis
Assistant Deputy Minister
Corporate Information and Records
Management Office

Date

James Harvey
Assistant Deputy Attorney General
Ministry of Attorney General

Date

John Davison
Assistant Deputy Minister
Public Service Agency

Date

Nancy Bain
Assistant Deputy Minister
Ministry of Transportation and Infrastructure

Date

Steve Klak
A/Assistant Deputy Minister
Ministry of Finance

Date:

CONFIDENTIAL DRAFT

Terms of Reference

PCT Investigation 2018-0157

Date: May 22, 2018

Introduction

These Terms of Reference relate to the Privacy, Compliance and Training Branch (PCT) investigation into the disclosure of confidential government information related to ICBC's financial situation s.15
s.15 by Ernst and Young and described further below.

Background

On January 23, 2018, a Vancouver Sun article by Rob Shaw made reference to a draft report from December 23, 2014 (the 2014 Draft Report), which contained several pages outlining recommendations to financially stabilize ICBC and indicated that the final public report from 2015 did not include the recommendations. The consultant, Ernst and Young, was commissioned by the government of the time, and their review was led by the Ministry of Finance (FIN) and co-sponsored by the Ministry of Transportation (TRAN).

The ICBC portfolio was previously held by TRAN, but it was transferred to the Ministry of Attorney General (MAG) with the change in government. When the ICBC records were transferred s.15
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Authority to investigate

Chapter 12: Information Management and Information Technology Management of the *Core Policy and Procedures Manual* (CPPM) identifies information as a vital government asset. The CPPM defines an

information incident as “the collection, use, disclosure, access, disposal, or storage of information, whether accidental or deliberate, that is not authorized by the business owner of that information”.

PCT of the Corporate Information and Records Management Office (CIRMO) in the Ministry of Citizens’ Services has been mandated, on behalf of core government, to coordinate, investigate and resolve any actual or suspected information incident.

PCT will offer conclusions and recommendations to the public body involved in accordance with the CPPM and the Information Incident Management Process (IIMP). The public body bears ultimate responsibility for decisions related to the acceptance of PCT’s conclusions and recommendations and for initiating any further action that may be warranted on the basis of these conclusions and recommendations.

Government policies, which document PCT responsibilities respecting Information Incidents, include:

- The Core Policy and Procedures Manual [s.12.3.6(b)].
- The Information Incident Management Process (IIMP).
- The Process for Responding to Privacy Breaches.
- The Investigation Protocol (July 2017).

NOTE: PCT was formerly part of the Office of the Chief Information Officer, which the above listed policies refer to.

Scope

I. Incident response

The scope of the PCT’s investigation includes the coordination of activities the public body is required to take under Chapter 12 of the CPPM and the IIMP to resolve the information incident.

In this instance, the following are in scope:

1. Take appropriate action to contain the incident.
2. Following the investigative determination of the source of the unauthorized disclosure, issue forward-looking recommendations to prevent similar incidents from occurring in the future.
3. Additional actions in support, or on behalf, of the public body as may be appropriate in the circumstances.

II. Investigation

PCT and the ministries involved are also responsible for investigating whether any information incidents, including any privacy breaches, may have been committed and to determine the root cause of the incident. In this instance, this will include efforts to identify whether any government employee(s) may have released the records in question to the media or other sources, either directly or indirectly, and whether such action was authorized.

PCT and the ministries involved will seek to evaluate whether this incident involved a collection, use, disclosure, access, disposal or storage of government confidential information that was not authorized by the *Freedom of Information and Protection of Privacy Act* (FOIPPA) and/or applicable government policy.

The following are in-scope of PCT’s investigation:

1. Determining the cause of the disclosure of government information in relation to the ICBC Reports, authored by Ernst and Young, to the media and whether this was disclosed, either directly or indirectly, by a government employee, for example, through accidental loss and/or via other potential disclosure streams. This will necessitate a review of those employees who had access to the ICBC Reports, including:
 - a. Ministry of Attorney General.
 - b. Ministry of Transportation.
 - c. Ministry of Finance.
 - d. Any other government department that may have received a copy of the ICBC Reports.

The form and content of this review is described further in the attached Investigative Workplan.

2. Examining whether the involved ministries and other bodies complied with the requirements of FOIPPA and applicable government policy in the storage and handling of the ICBC Reports.

If any secondary issues are identified during the course of the investigation, PCT will present these issues to the Executive Oversight Committee for a determination as to how to address and resolve these issues. Dispositions may include expanding the scope of PCT's investigation (if the issues are within the mandate of PCT) or referring the issues to another agency (if the issues are outside the mandate of PCT).

Out of Scope

The following are out of scope of PCT's investigation:

1. Whether any government employees may have violated the *Standards of Conduct* for BC Public Service Employees.
2. Whether any employee of ICBC or Ernst and Young may have disclosed any version of the ICBC Report to the media, and/or whether any employee of ICBC or Ernst and Young may have violated their respective standards of conduct. Both entities have been asked to conduct their own investigations and have provided the results of their investigations to PCT.

3. s.14

Investigation Team

Lead Investigator:

Danielle Naylor, Senior Investigator, PCT

Co-investigator:

Ainslie Avery, A/Director, PCT

Executive Oversight Committee

CIRMO Representative:

David Curtis, Assistant Deputy Minister and
Chief Records Officer

Ministry Representative:

James Harvey, Assistant Deputy Attorney General, MAG
Nancy Bain, Assistant Deputy Minister and EFO, TRAN
Steve Klak, A/Assistant Deputy Minister and CFO, FIN

Public Service Agency Representative:

John Davison, Assistant Deputy Minister

Executive Oversight Committee Members will receive regular and periodic updates regarding the progress of the investigation, approve transitions between investigative phases, ensure that the Investigation Team conducts the investigation in accordance with current best practices, and resolve issues that may arise during the course of the investigation, including issues related to the scope and focus of the investigation. Delegation may occur due to exceptional scheduling conflicts that preclude standing members' participation; however, standing members will take the appropriate steps to ensure the delegated representative is in a suitable position to participate in advance of meetings.

Actions to Be Taken

The specific actions to be taken as part of this investigation will be documented separately in an Investigative Workplan, which will be updated as the investigation proceeds.

Reporting

At the conclusion of this investigation, the Investigation Team will provide a written report, including both incident response and investigative actions undertaken, and any other reporting materials needed to the Executive Oversight Committee, and other parties as directed by the Executive Oversight Committee.

Approval

Investigation Team

Danielle Naylor
Senior Investigator
Privacy, Compliance and
Training Branch

Date

Ainslie Avery
A/Director
Privacy, Compliance and
Training Branch

Date

Executive Oversight Committee

David Curtis
Chief Records Officer
Corporate Information
and Records
Management Office

Date

John Davison
Assistant Deputy Minister
Public Service Agency

Date

James Harvey
Assistant Deputy
Attorney General
Ministry of Attorney
General

Date

Nancy Bain
Assistant Deputy Minister
and EFO
Ministry of Transportation
and Infrastructure

Date

Steve Klak
A/Assistant Deputy
Minister and CFO
Ministry of Finance

Date

CONFIDENTIAL DRAFT

Information Incident Investigation Workplan

PCT File number: 2018-0157

Initial Draft:	January 30, 2018
Progressive Draft:	May 22, 2018

Purpose:

The purpose of this investigation is to identify the source of the disclosure of a confidential government report from 2014 to the Vancouver Sun.

Background:

On January 23, 2018, a Vancouver Sun article by Rob Shaw made reference to a draft report from December 23, 2014 (the 2014 Draft Report), which contained several pages outlining recommendations to financially stabilize ICBC and indicated that the final public report from 2015 did not include the recommendations. The consultant, Ernst and Young, was commissioned by the government of the time, and their review was led by the Ministry of Finance (FIN) and co-sponsored by the Ministry of Transportation (TRAN).

The ICBC portfolio was previously held by TRAN, but it was transferred to the Ministry of Attorney General (MAG) with the change in government. When the ICBC records were transferred s.15

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s.13,s.15

Approach:

Investigative efforts will focus on gathering evidence regarding the cause of the unauthorized disclosure, which will include efforts to trace potential disclosure streams, s.15

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The approach will include three phases:

Phase 1:

Phase 1 involves the completion of a preliminary assessment to confirm whether the incident is likely to fall within the jurisdiction of the Privacy, Compliance and Training Branch (PCT), and whether sufficient evidence exists to warrant conducting additional investigative activities. s.15

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Phase 2:

This phase will consider the mechanisms through which the disclosure may have occurred, including by

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Phase 3:

Phase 3 will involve the completion of a report as outlined in the investigation's Terms of Reference.

General:

The investigation will adhere to the provisions of the Joint Investigation Protocol (July 2017), which established a framework defining mandates and engagement practices between the following government investigation units:

- BC Public Service Agency (PSA).
- Office of the Comptroller General.
- Privacy, Compliance and Training Branch, Investigations Unit, Ministry of Citizens' Services.
- Security Investigations and Forensics Unit, Ministry of Citizens' Services.

In addition, the investigation will also seek legal advice from the Legal Services Branch (LSB) and MAG, as needed.

In conjunction with the Executive Oversight Committee, the Investigations Unit will continuously assess if the investigation should also be s.13,s.15

s.13,s.15

that is administratively and procedurally fair for

all parties involved. s.13,s.15

s.13,s.15 The Executive Oversight Committee will also reassess the information incident's tier rating and revise the workplan, as appropriate.

Workplan:

The below actions are contemplated as part of the investigation, though the specific activities may be adjusted as the investigation proceeds and additional information comes to light.

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Page 23 to/à Page 24

Withheld pursuant to/removed as

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From: [Avery, Ainslie CITZ:EX](#)
To: [Curtis, David CITZ:EX](#)
Cc: [Reed, Matt CITZ:EX](#); [Naylor, Danielle CITZ:EX](#); [Beuthin, Dayna G CITZ:EX](#)
Subject: 2018-0157 - speaking notes for DM meeting
Date: May 30, 2018 3:35:22 PM
Attachments: [2018-0157 DM Meeting - Speaking Notes \(May 31 2018\).docx](#)

Hi David,

As discussed, please find attached the latest draft of our speaking notes, which I have adjusted to reflect our conversation earlier today. If you have any suggestions, please let me know. Thanks!

Ainslie Avery, M.A.

A/Director, Investigations
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Information Incident 2018-0157 DM Meeting

May 31, 2018

- Thanks for meeting with us
- We have convened this meeting to seek your input on our approach to the investigation into the unauthorized disclosure of various reports related to ICBC
- We have been working with our Executive Committee—David, James, Nancy, Steve, and John—and at our last meeting, they expressed interest in getting your input as the Deputies responsible for the Ministries whose information is involved in this incident
- s.13,s.15

- As I understand you have been briefed by our Executive Committee, we will go through the background relatively quickly so we have ample time for discussion.

Roles and Responsibilities/Process – Ainslie

- Before we get into the background about the incident, I'd like to touch briefly on roles and responsibilities and the investigative process.
- For incidents such as this, PCT's standard practice is to establish an Executive Oversight Committee to provide strategic direction to the investigators. This committee is typically made up of ADM-level representatives, and includes representatives from CIRMO, potentially the PSA, and the Ministries whose information is involved in the incident.
- The Ministry whose information is involved in the incident is responsible for ultimate decision-making with regard to the investigation and the response to any recommendations made during the investigation, while CIRMO and the PSA are present on the committee to provide advice and guidance to the Ministry.
- In terms of the investigative process, it is also PCT's standard practice to conduct a preliminary assessment prior to undertaking a full investigation. Although substantial time has passed since the incident was reported to PCT, we are still in the preliminary assessment stage, as we have had to take additional steps to ensure that everyone providing strategic oversight to the investigation was free from actual or perceived conflicts of interest.
- Due to the complexity of the incident and of the considerations factoring into decisions regarding next steps, s.15 it has also been a challenging decision-making process, which contributed to our need to seek direction from you. It is our hope that at the outcome of this meeting, we will receive direction as to our next steps.
- That's a very light touch, as we want to leave time for discussion of the incident itself, but are there any questions on this?
- Any additional explanation of our process needed?

Background – Dayna

- As you've already been briefed, this will be a summary. I'd also draw your attention to the table provided as part of your package, as this described the key differences in the reports and their approximate dates of disclosure. We have also provided copies of the media articles that discuss the reports for your reference.
- On January 23, 2018, a Vancouver Sun article by Rob Shaw made reference to a draft report from December 23, 2014 (the 2014 Draft Report), prepared by Ernst and Young, which contained several pages outlining recommendations to financially stabilize ICBC and indicated that the final public report from 2015 did not include the recommendations. As reported to our team, s.15

s.15

- Following this article, government was contacted by s.15
- s.15 . At that time, government advised that an investigation was ongoing and that no further information could be provided.
- The ICBC portfolio was previously held by TRAN, but it was transferred to the Ministry of Attorney General (MAG) with the change in government.
- When the ICBC records were transferred from TRAN, s.15
- s.15
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- The MAG also advised that neither of these reports were approved for public release.
- s.15
- s.15 we took steps to attempt to gather information about the circumstances of this public release. In consultation with Information Access Operations (IAO), PCT confirmed that the ICBC Reports were not released through government's freedom of information (FOI) process.
- s.13,s.15

- When MAG reported the incident involving the 2014 Draft Report, s.15
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Work to date – Danielle

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- The preliminary assessment also looked at initial electronic evidence to try to identify immediate avenues of inquiry. However, none were identified.

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- With regard to ICBC and EY, our office sent letters to both agencies, asking them to undertake their own review and to advise PCT of the results. Both agencies have responded to advise that their reviews are complete and that they have no evidence to suggest that the disclosures came from their agencies.

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- s.13,s.15
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- PCT has prepared a Preliminary Assessment Report, Terms of Reference, and Workplan reflecting this as the preferred option—drafts are included in your packages. If a different direction is chosen, PCT will amend these and proceed accordingly.

Discussion – Ainslie

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From: [Naylor, Danielle CITZ:EX](#)
To: [Avery, Ainslie CITZ:EX](#)
Subject: 2018-0157 - Speaking notes
Date: May 30, 2018 1:43:23 PM
Attachments: [2018-0157 DM Meeting - Speaking Notes \(May 31 2018\).docx](#)

Danielle Naylor

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Information Incident 2018-0157 DM Meeting

May 31, 2018

- Thanks for meeting with us
- We have convened this meeting to seek your input on our approach to the investigation into the unauthorized disclosure of various reports related to ICBC
- We have been working with our Executive Committee—David, James, Nancy, Steve, and John—and at our last meeting, they expressed interest in getting your input as the Deputies responsible for the Ministries whose information is involved in this incident
- As I understand you have been briefed by our Executive Committee, we will go through the background relatively quickly so we have ample time for discussion.

Roles and Responsibilities/Process – Ainslie

- Before we get into the background about the incident, I'd like to touch briefly on roles and responsibilities and the investigative process.
- For incidents such as this, PCT's standard practice is to establish an Executive Oversight Committee to provide strategic direction to the investigators. This committee is typically made up of ADM-level representatives, and includes representatives from CIRMO, potentially the PSA, and the Ministries whose information is involved in the incident.
- The Ministry whose information is involved in the incident is responsible for ultimate decision-making with regard to the investigation and the response to any recommendations made during the investigation, while CIRMO and the PSA are present on the committee to provide advice and guidance to the Ministry.
- In terms of the investigative process, it is also PCT's standard practice to conduct a preliminary assessment prior to undertaking a full investigation. Although substantial time has passed since the incident was reported to PCT, we are still in the preliminary assessment stage, as we have had to take additional steps to ensure that everyone providing strategic oversight to the investigation was free from actual or perceived conflicts of interest.
- Due to the complexity of the incident and of the considerations factoring into decisions regarding next steps, it has also been a challenging decision-making process, which contributed to our need to seek direction from you.
- It is our hope that at the outcome of this meeting, we will receive direction as to our next steps. If the direction is to undertake an investigative process, we will collect and analyse appropriate evidence in keeping with our Terms of Reference and Investigative Workplan (drafts of which have been provided in your packages). If the direction is to conclude our work, we will adjust our Preliminary Assessment Report to reflect that the investigation was concluded at the end of the preliminary assessment phase.
- That's a very light touch, as we want to leave time for discussion of the incident itself, but are there any questions on this?
- Any additional explanation of our process needed?

Background – Dayna

- As you've already been briefed, this will be a summary. I'd also draw your attention to the table provided as part of your package, as this described the key differences in the reports and their approximate dates of disclosure. We have also provided copies of the media articles that discuss the reports for your reference.
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- When MAG reported the incident involving the 2014 Draft Report, s.15 s.15
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Work to date – Danielle

- s.15

- The preliminary assessment also looked at initial electronic evidence to try to identify immediate avenues of inquiry. However, none were identified.
- s.14

s.14

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- With regard to ICBC and EY, our office sent letters to both agencies, asking them to undertake their own review and to advise PCT of the results. Both agencies have responded to advise that their reviews are complete and that they have no evidence to suggest that the disclosures came from their agencies.

Discussion – Ainslie

- s.13,s.15

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 - Due to the complexity of the incident and of the considerations factoring into decisions regarding next steps s.15 it has also been a challenging decision-making process, which contributed to our need to seek direction from you. It is our hope that at the outcome of this meeting, we will receive direction as to our next steps.
- That's a very light touch, as we want to leave time for discussion of the incident itself, but are there any questions on this?
 - Any additional explanation of our process needed?

Background – Dayna

- As you've already been briefed, this will be a summary. I'd also draw your attention to the table provided as part of your package, as this described the key differences in the reports and their approximate dates of disclosure. We have also provided copies of the media articles that discuss the reports for your reference.
- On January 23, 2018, a Vancouver Sun article by Rob Shaw made reference to a draft report from December 23, 2014 (the 2014 Draft Report), prepared by Ernst and Young, which contained several pages outlining recommendations to financially stabilize ICBC and indicated that the final public report from 2015 did not include the recommendations. As reported to our team, s.15

s.15

- Following this article, government was contacted by s.15
s.15 At that time, government advised that an investigation was ongoing and that no further information could be provided.
- The ICBC portfolio was previously held by TRAN, but it was transferred to the Ministry of Attorney General (MAG) with the change in government.
- When the ICBC records were transferred from TRAN, s.15
s.15
-

- The MAG also advised that neither of these reports were approved for public release.
- s.15
s.15 we took steps to attempt to gather information about the circumstances of this public release. In consultation with Information Access Operations (IAO), PCT confirmed that the ICBC Reports were not released through government's freedom of information (FOI) process.
- s.13,s.15

- When MAG reported the incident involving the 2014 Draft Report, s.15
s.15
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-

Work to date – Danielle

- s.15

s.15

- The preliminary assessment also looked at initial electronic evidence to try to identify immediate avenues of inquiry. However, none were identified.
- s.14

s.14
s.14

s.14

- With regard to ICBC and EY, our office sent letters to both agencies, asking them to undertake their own review and to advise PCT of the results. Both agencies have responded to advise that their reviews are complete and that they have no evidence to suggest that the disclosures came from their agencies.
- s.13,s.15

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s.13,s.15

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-
- PCT has prepared a Preliminary Assessment Report, Terms of Reference, and Workplan reflecting this as the preferred option—drafts are included in your packages. If a different direction is chosen, PCT will amend these and proceed accordingly.

Discussion – Ainslie

- s.13,s.15

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- s.14

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s.13,s.15

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From: [Avery, Ainslie CITZ:EX](#)
To: [Curtis, David CITZ:EX](#)
Cc: [Biggs, Jackie CITZ:EX](#); [Van El, Wendy M CITZ:EX](#); [Reed, Matt CITZ:EX](#)
Subject: DM Meeting Materials (2018-0157)
Date: May 30, 2018 1:47:33 PM
Attachments: [2018-0157 Investigative Workplan - May 22.pdf](#)
[2018-0157 Preliminary Assessment Report and Recommendations - May 22.pdf](#)
[2018-0157 Terms of Reference - May 22.pdf](#)

Hi David,

On Wendy's advice, I'm sending over the PARR, TOR and WP for the DM meeting tomorrow (will have the speaking notes to you shortly) for clarification as to whether they should be distributed by the DMO or otherwise. I have marked them confidential and draft as per our discussion for further confirmation that these are for background only, and that they will be covered during the meeting.

If you'd prefer that I circulate these, please let me know and I'm happy to do so. Thanks!

Ainslie Avery, M.A.

A/Director, Investigations
Privacy, Compliance, and Training Branch, Ministry of Citizens' Services
PO Box 9412, Stn Prov Gov, Victoria BC V8W 9V1
Ainslie.Avery@gov.bc.ca
778-698-5843 (office)
250-589-7152 (cell)

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From: CITZ Deputy Minister, CITZ:EX
To: Kot, Jill CITZ:EX; Halls, Lori D PSA:EX; Eyfe, Richard J AG:EX; Main, Grant TRAN:EX; Wanamaker, Lori FIN:EX; Curtis, David CITZ:EX; Davison, John C PSA:EX; Harvey, James AG:EX; Bain, Nancy TRAN:EX; Klak, Steve M FIN:EX; Reed, Matt CITZ:EX; Mclean, Kenneth PSA:EX; Avery, Ainslie CITZ:EX; Naylor, Danielle CITZ:EX; Beuthin, Dayna G CITZ:EX
Subject: DM Mtg: Information Incident 2018-0157

Dial-in: s.15 s.17
Participant ID: s.15.s.17
Moderator: Jill

From: [Molyneux, Jennifer CITZ:EX](#)
To: [Avery, Ainslie CITZ:EX](#)
Subject: FW: DM Meeting May 31st - Information Incident
Date: May 31, 2018 9:20:06 AM
Attachments: [image001.png](#)

FYI – Barbara Carmichael will be attending today’s meeting on behalf of Richard Fyfe and James Harvey. The DM and David Curtis have approved this. As noted below, staff will need to ensure that there is no potential conflict with their attendance. Can you check please.

Thanks.

From: Cook, Jeannette CITZ:EX
Sent: Wednesday, May 30, 2018 1:47 PM
To: Engelbrecht, Maya JAG:EX
Cc: Molyneux, Jennifer CITZ:EX; Biggs, Jackie CITZ:EX
Subject: RE: DM Meeting May 31st - Information Incident

Hi Maya –

I’ve checked in with both the DM and David Curtis, ADM. A delegate is okay to attend the meeting, however, can you please provide the name of person who would attend. Staff will need to ensure that there is no potential conflict with their attendance.

Many thanks.

JC

Jeannette Cook | Director, Executive Operations
Deputy Minister’s Office | Ministry of Citizens’ Services
Ph: 250 387-8817 | **e:** jeannette.cook@gov.bc.ca

From: Engelbrecht, Maya JAG:EX
Sent: Wednesday, May 30, 2018 12:45 PM
To: Molyneux, Jennifer CITZ:EX; Cook, Jeannette CITZ:EX
Subject: DM Meeting May 31st - Information Incident

Good afternoon,

Unfortunately our ADAG James Harvey and our Deputy, Richard Fyfe are unavailable to attend, is it possible to send an alternate or reschedule, thank you.

Best regards,

Maya Engelbrecht

Executive Administrative Assistant

Office of the Assistant Deputy Attorney General

Ministry of Attorney General | Legal Services Branch

Phone: 250-356-9260 | Fax: 250-356-5111

Top-Work-Unit_sig1

 Please consider the environment before printing

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From: [Biggs, Jackie CITZ:EX](#)
To: [Cook, Jeannette CITZ:EX](#)
Cc: [Van El, Wendy M CITZ:EX](#); [Avery, Ainslie CITZ:EX](#); [Naylor, Danielle CITZ:EX](#); [Beuthin, Dayna G CITZ:EX](#)
Subject: FW: DM Mtg: Information Incident 2018-0157
Date: May 30, 2018 1:38:40 PM

Hi Jeannette,

Further to the below could you please advise who would be representing James and Richard so that Ainslie can ensure that there is no potential conflict with their attendance.

J

-----Original Message-----

From: Avery, Ainslie CITZ:EX
Sent: May 30, 2018 1:36 PM
To: Van El, Wendy M CITZ:EX
Cc: Biggs, Jackie CITZ:EX; Naylor, Danielle CITZ:EX; Beuthin, Dayna G CITZ:EX
Subject: RE: DM Mtg: Information Incident 2018-0157

Thanks--however we need to ensure that anyone providing input on this incident is free from conflict. I'd appreciate if the DMO can advise who they intend to send as soon as possible so we can see if they may have a potential conflict.

Ainslie Avery, M.A.
A/Director, Investigations
Privacy, Compliance, and Training Branch, Ministry of Citizens' Services
PO Box 9412, Stn Prov Gov, Victoria BC V8W 9V1
Ainslie.Avery@gov.bc.ca
778-698-5843 (office)
250-589-7152 (cell)

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-----Original Message-----

From: Van El, Wendy M CITZ:EX
Sent: Wednesday, May 30, 2018 1:34 PM
To: Avery, Ainslie CITZ:EX
Cc: Biggs, Jackie CITZ:EX
Subject: FW: DM Mtg: Information Incident 2018-0157

Hi Ainslie,

Just a heads up that James Harvey and Richard Fyfe are now unable to attend this meeting tomorrow and David said he is okay with them sending delegates as rescheduling may be too far out.

Jackie has let the DMO know to advise Richard and James' offices.

Thanks
Wendy

From: Van El, Wendy M CITZ:EX
Sent: May-22-18 1:42 PM
To: Molyneux, Jennifer CITZ:EX
Subject: RE: DM Mtg: Information Incident 2018-0157

Hi Jennifer,

It was suggested that Richard discuss this option with James Harvey. The whole purpose of the meeting was the ADMs wanted to brief the DMs have them discuss the issue.

Wendy

Wendy Van El | Executive Administrative Assistant | to David Curtis, ADM, CRO | CIRMO Ministry of Citizens' Services
Ph: 778 698 5861 | PO Box 9406, Stn Prov Gov, Victoria BC V8W 9V1

From: Molyneux, Jennifer CITZ:EX
Sent: Tuesday, May 22, 2018 1:38 PM
To: Van El, Wendy M CITZ:EX
Subject: FW: DM Mtg: Information Incident 2018-0157

Hi Wendy,

Can you check with David if Richard can send a delegate. Thanks.

-----Original Appointment-----

From: Richter, Connie AG:EX On Behalf Of Fyfe, Richard J AG:EX
Sent: Tuesday, May 22, 2018 1:36 PM
To: Molyneux, Jennifer CITZ:EX
Subject: Declined: DM Mtg: Information Incident 2018-0157
When: Thursday, May 31, 2018 4:15 PM-5:15 PM (UTC-08:00) Pacific Time (US & Canada).
Where: **S.15**

Good afternoon,

Please note that Richard Fyfe is not available at this time.

Is he permitted to send an alternate?

Connie Richter | Manager, Executive Operations
Deputy Attorney General's Office
Ministry of Attorney General
11th Floor, 1001 Douglas Street | Victoria BC V8W 9J7
• 250-387-1578

From: [Avery, Ainslie CITZ:EX](#)
To: [Cook, Jeannette CITZ:EX](#)
Cc: [McMullan, Padraig CITZ:EX](#)
Subject: Materials for DM Meeting (Information Incident 2018-0157)
Date: May 30, 2018 2:24:34 PM
Attachments: [2018-0157 Investigative Workplan - May 22.pdf](#)
[2018-0157 Preliminary Assessment Report and Recommendations - May 22.pdf](#)
[2018-0157 Terms of Reference - May 22.pdf](#)

Good afternoon,

Please find attached materials for tomorrow's DM meeting regarding Information Incident 2018-0157 (4:15-5:15). I've been told that your office will circulate these materials to attendees—we will bring hard copies as well. In circulating these materials, I'd appreciate if it could be conveyed that these materials are drafts based on our previous Executive Oversight Committee meeting, and are for background only as we will also review them during the meeting.

Attendees are: Jill Kot, David Curtis, Matt Reed, myself, Danielle Naylor, Dayna Beuthin, Lori Halls, John Davison, Ken McLean, Grant Main, Nancy Bain, Lori Wannamaker, Steve Klak. I understand we are still waiting for confirmation as to who will attend on behalf of AG.

If you have any questions or need anything further, please let me know. Thanks very much.

Ainslie Avery, M.A.

A/Director, Investigations

Privacy, Compliance, and Training Branch, Ministry of Citizens' Services

PO Box 9412, Stn Prov Gov, Victoria BC V8W 9V1

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From: [CITZ Deputy Minister, CITZ:EX](#)
To: [Curtis, David CITZ:EX](#); [Reed, Matt CITZ:EX](#); [Avery, Ainslie CITZ:EX](#); [Naylor, Danielle CITZ:EX](#); [Beuthin, Dayna G CITZ:EX](#); [Halls, Lori D PSA:EX](#); [Davison, John C PSA:EX](#); [Mclean, Kenneth PSA:EX](#); [Main, Grant TRAN:EX](#); [Bain, Nancy TRAN:EX](#); [Wanamaker, Lori FIN:EX](#); [Klak, Steve M FIN:EX](#); [Fyfe, Richard J AG:EX](#); [Harvey, James AG:EX](#)
Cc: [Van El, Wendy M CITZ:EX](#); [Tupper, Linsey PSSG:EX](#); [Bowman, Kimberley PSA:EX](#); [Verwoord, Cindy TRAN:EX](#); [Plamondon, Lea TRAN:EX](#); [Nicholson, Riley FIN:EX](#); [Richter, Connie AG:EX](#); [Engelbrecht, Maya AG:EX](#); [Molyneux, Jennifer CITZ:EX](#)
Subject: May 31 Information Incident 2018-0157 meeting materials
Date: May 30, 2018 5:08:30 PM
Attachments: [2018-0157 Investigative Workplan - May 22.pdf](#)
[2018-0157 Preliminary Assessment Report and Recommendations - May 22.pdf](#)
[2018-0157 Terms of Reference - May 22.pdf](#)

Good afternoon,

Please find attached materials for tomorrow afternoon's meeting regarding Information Incident 2018-0157.

These draft materials are based on the previous Executive Oversight Committee meeting and will be reviewed during the meeting.

Thank you.

From: [Beuthin, Dayna G CITZ:EX](#)
To: [Avery, Ainslie CITZ:EX](#); [Naylor, Danielle CITZ:EX](#)
Subject: RE: 2018-0157 DM Speaking Notes
Date: May 25, 2018 1:38:25 PM

No comments from my end. It is succinct but comprehensive from my perspective.

Thanks!

Dayna Beuthin
A/Senior Investigator
Privacy, Compliance, and Training Branch
Corporate Information and Records Management Office | Ministry of Citizens' Services
PH: 778-698-5840 | M: 250.507.6182 | E: dayna.beuthin@gov.bc.ca

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From: Avery, Ainslie CITZ:EX
Sent: Friday, May 25, 2018 13:37
To: Naylor, Danielle CITZ:EX
Cc: Beuthin, Dayna G CITZ:EX
Subject: RE: 2018-0157 DM Speaking Notes

Thanks—I edited this down a bunch. There was already a point in there re the ^{s.15}
s.15 Trying to
keep the level of detail low as this is for us to get direction generally, while the Executive Committee
itself would need more of the details and make some of the lower level decisions. Going to share
with Matt as well.

Thanks!

Ainslie Avery, M.A.
A/Director, Investigations
Privacy, Compliance, and Training Branch, Ministry of Citizens' Services
PO Box 9412, Stn Prov Gov, Victoria BC V8W 9V1
Ainslie.Avery@gov.bc.ca
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250-589-7152 (cell)

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From: Naylor, Danielle CITZ:EX
Sent: Friday, May 25, 2018 12:00 PM
To: Avery, Ainslie CITZ:EX
Cc: Beuthin, Dayna G CITZ:EX
Subject: RE: 2018-0157 DM Speaking Notes

Hey Boss,

I added a few bullets on securing an **s.15**

s.15 (We may not get to this or need to go there, but I've included it just in case. **s.15**

s.15 I modified the bullets a little bit to make them fit.)

Y:\PIU Files\01 - Investigation Files\2018\0001-0300\0157\Administration\Speaking Notes\2018-0157 DM Meeting - Speaking Notes (May 31 2018).docx

Thanks,

Danielle Naylor

Sr. Investigator
Privacy, Compliance, and Training Branch
Corporate Information and Records Management Office
Ministry of Citizens' Services
Danielle.Naylor@gov.bc.ca
778.698.5857 (office)
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From: Avery, Ainslie CITZ:EX
Sent: Friday, May 25, 2018 9:15 AM
To: Naylor, Danielle CITZ:EX
Cc: Beuthin, Dayna G CITZ:EX
Subject: RE: 2018-0157 DM Speaking Notes

Sure—can you add a couple of points? More as a placeholder—hopefully everyone else will take that away.

Ainslie Avery, M.A.

A/Director, Investigations
Privacy, Compliance, and Training Branch, Ministry of Citizens' Services
PO Box 9412, Stn Prov Gov, Victoria BC V8W 9V1
Ainslie.Avery@gov.bc.ca

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From: Naylor, Danielle CITZ:EX
Sent: Thursday, May 24, 2018 9:19 AM
To: Avery, Ainslie CITZ:EX
Cc: Beuthin, Dayna G CITZ:EX
Subject: RE: 2018-0157 DM Speaking Notes

Hey Boss,

I reviewed the notes – the only thing that stuck out to me was whether we wanted to present the option of **s.13,s.15** This was something we had discussed in the past initially with David and then with the EOC. Should we include a couple of points on that **s.13,s.15**

Danielle Naylor

Sr. Investigator
Privacy, Compliance, and Training Branch
Corporate Information and Records Management Office
Ministry of Citizens' Services
Danielle.Naylor@gov.bc.ca
778.698.5857 (office)
250.514.4695 (cell)

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From: Avery, Ainslie CITZ:EX
Sent: Wednesday, May 23, 2018 1:13 PM
To: Naylor, Danielle CITZ:EX; Beuthin, Dayna G CITZ:EX
Subject: 2018-0157 DM Speaking Notes

Hi guys,

I've put together speaking notes for the DM meeting next week here: [P:\PIU Files\01 - Investigation Files\2018\0001-0300\0157\Administration\Speaking Notes\2018-0157 DM Meeting - Speaking Notes \(May 31 2018\).docx](P:\PIU Files\01 - Investigation Files\2018\0001-0300\0157\Administration\Speaking Notes\2018-0157 DM Meeting - Speaking Notes (May 31 2018).docx). Could you guys have a look and let me know if you think I've missed

anything? I've greatly condensed the work done to date to make sure there's lots of time for discussion. I tried to cut down the background but if you have any suggestions for other pieces that could be cut, suggest away!

Thanks.

Ainslie Avery, M.A.

A/Director, Investigations

Privacy, Compliance, and Training Branch, Ministry of Citizens' Services

PO Box 9412, Stn Prov Gov, Victoria BC V8W 9V1

Ainslie.Avery@gov.bc.ca

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From: [Van El, Wendy M CITZ:EX](#)
To: [Avery, Ainslie CITZ:EX](#)
Subject: RE: DM Meeting Materials (2018-0157)
Date: May 30, 2018 1:56:04 PM

Jeannette Cook and copy Padraig McMullan (he is the document coordinator).

Thanks
Wendy

Wendy Van El | Executive Administrative Assistant | to David Curtis, ADM, CRO | CIRMO Ministry of Citizens' Services
Ph: 778 698 5861 | PO Box 9406, Stn Prov Gov, Victoria BC V8W 9V1

From: Avery, Ainslie CITZ:EX
Sent: Wednesday, May 30, 2018 1:51 PM
To: Van El, Wendy M CITZ:EX
Subject: RE: DM Meeting Materials (2018-0157)

Who is the contact at the DMO?

Ainslie Avery, M.A.

A/Director, Investigations
Privacy, Compliance, and Training Branch, Ministry of Citizens' Services
PO Box 9412, Stn Prov Gov, Victoria BC V8W 9V1

Ainslie.Avery@gov.bc.ca

778-698-5843 (office)

250-589-7152 (cell)



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From: Van El, Wendy M CITZ:EX
Sent: Wednesday, May 30, 2018 1:51 PM
To: Avery, Ainslie CITZ:EX
Cc: Biggs, Jackie CITZ:EX; Reed, Matt CITZ:EX; Curtis, David CITZ:EX
Subject: RE: DM Meeting Materials (2018-0157)

Hi Ainslie,

David is fine with you being the liaison with the DM's office. Okay for you to send the documents directly to the DMO.

I will print copies for DC.

Thanks

Wendy

Wendy Van El | Executive Administrative Assistant | to David Curtis, ADM, CRO | CIRMO Ministry of Citizens' Services

Ph: 778 698 5861 | PO Box 9406, Stn Prov Gov, Victoria BC V8W 9V1

From: Avery, Ainslie CITZ:EX

Sent: Wednesday, May 30, 2018 1:48 PM

To: Curtis, David CITZ:EX

Cc: Biggs, Jackie CITZ:EX; Van El, Wendy M CITZ:EX; Reed, Matt CITZ:EX

Subject: DM Meeting Materials (2018-0157)

Hi David,

On Wendy's advice, I'm sending over the PARR, TOR and WP for the DM meeting tomorrow (will have the speaking notes to you shortly) for clarification as to whether they should be distributed by the DMO or otherwise. I have marked them confidential and draft as per our discussion for further confirmation that these are for background only, and that they will be covered during the meeting.

If you'd prefer that I circulate these, please let me know and I'm happy to do so. Thanks!

Ainslie Avery, M.A.

A/Director, Investigations

Privacy, Compliance, and Training Branch, Ministry of Citizens' Services

PO Box 9412, Stn Prov Gov, Victoria BC V8W 9V1

Ainslie.Avery@gov.bc.ca

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From: [Van El, Wendy M CITZ:EX](#)
To: [Avery, Ainslie CITZ:EX](#)
Cc: [Biggs, Jackie CITZ:EX](#)
Subject: RE: DM Mtg: Information Incident 2018-0157
Date: May 30, 2018 1:37:26 PM

Ok will contact the DMO, thanks

Wendy Van El | Executive Administrative Assistant | to David Curtis, ADM, CRO | CIRMO Ministry of Citizens' Services
Ph: 778 698 5861 | PO Box 9406, Stn Prov Gov, Victoria BC V8W 9V1

-----Original Message-----

From: Avery, Ainslie CITZ:EX
Sent: Wednesday, May 30, 2018 1:36 PM
To: Van El, Wendy M CITZ:EX
Cc: Biggs, Jackie CITZ:EX; Naylor, Danielle CITZ:EX; Beuthin, Dayna G CITZ:EX
Subject: RE: DM Mtg: Information Incident 2018-0157

Thanks--however we need to ensure that anyone providing input on this incident is free from conflict. I'd appreciate if the DMO can advise who they intend to send as soon as possible so we can see if they may have a potential conflict.

Ainslie Avery, M.A.
A/Director, Investigations
Privacy, Compliance, and Training Branch, Ministry of Citizens' Services
PO Box 9412, Stn Prov Gov, Victoria BC V8W 9V1
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-----Original Message-----

From: Van El, Wendy M CITZ:EX
Sent: Wednesday, May 30, 2018 1:34 PM
To: Avery, Ainslie CITZ:EX
Cc: Biggs, Jackie CITZ:EX
Subject: FW: DM Mtg: Information Incident 2018-0157

Hi Ainslie,

Just a heads up that James Harvey and Richard Fyfe are now unable to attend this meeting tomorrow and David said he is okay with them sending delegates as rescheduling may be too far out.

Jackie has let the DMO know to advise Richard and James' offices.

Thanks
Wendy

From: Van El, Wendy M CITZ:EX
Sent: May-22-18 1:42 PM
To: Molyneux, Jennifer CITZ:EX
Subject: RE: DM Mtg: Information Incident 2018-0157

Hi Jennifer,
It was suggested that Richard discuss this option with James Harvey. The whole purpose of the meeting was the ADMs wanted to brief the DMs have them discuss the issue.

Wendy

Wendy Van El | Executive Administrative Assistant | to David Curtis, ADM, CRO | CIRMO Ministry of Citizens' Services
Ph: 778 698 5861 | PO Box 9406, Stn Prov Gov, Victoria BC V8W 9V1

From: Molyneux, Jennifer CITZ:EX
Sent: Tuesday, May 22, 2018 1:38 PM
To: Van El, Wendy M CITZ:EX
Subject: FW: DM Mtg: Information Incident 2018-0157

Hi Wendy,

Can you check with David if Richard can send a delegate. Thanks.

-----Original Appointment-----

From: Richter, Connie AG:EX On Behalf Of Fyfe, Richard J AG:EX
Sent: Tuesday, May 22, 2018 1:36 PM
To: Molyneux, Jennifer CITZ:EX
Subject: Declined: DM Mtg: Information Incident 2018-0157
When: Thursday, May 31, 2018 4:15 PM-5:15 PM (UTC-08:00) Pacific Time (US & Canada).
Where: Times Boardroom - 3rd Floor - 563 Superior (Ring 305 on lobby intercom)

Good afternoon,

Please note that Richard Fyfe is not available at this time.

Is he permitted to send an alternate?

Connie Richter | Manager, Executive Operations
Deputy Attorney General's Office
Ministry of Attorney General
11th Floor, 1001 Douglas Street | Victoria BC V8W 9J7
• 250-387-1578