

Fw: Document Preservation

From: "Bromm, William (CAB)" <william.bromm2@ontario.ca>
To: "Orsini, Steve (CAB)" <steve.orsini@ontario.ca>
Date: Thu, 19 Oct 2017 21:22:47 -0400

This may be a bit premature. We don't have his letter yet, but I have prepared a draft response assuming the content. Before you take any formal steps, we should chat about the message it sends and also what they are really asking you to do - I do not think they are interested in public service records, but those of ministers' offices. We should think about initiating this before speaking with the PO. They are trying to equate this with the ongoing criminal trial, and sending a preservation notice could signal you agree and share their concerns.

Our preservation notices are usually connected to a legal disclosure obligation, and there is no such obligation at this point because no investigation has been commenced.

This was my draft below:

Thank you for your letter. I want to assure you that I take the Ontario Public Service's document disclosure obligations very seriously. You also have my complete assurance that we are committed to full cooperation with any Officer of the Assembly, including responding to requests for documents in a professional and timely manner. Despite the fact that a large volume of records were provided to the Office of the Auditor General, I am disappointed that the Public Service was not able to provide all of the requested documents, and have already taken steps to obtain assurances from every Deputy Minister with outstanding requests that every step is being taken to complete those requests as quickly as possible.

I want to assure you that any records of the public service related to these transactions will be properly preserved in accordance with our obligations under the Archives and Record Keeping Act. In that regard, I wish to clarify that as the Secretary of the Cabinet, I have no formal authority with respect to the production or preservation of records by Minister's Offices or their staff. However, I have shared a copy of your letter with the Premier's Chief of Staff and have every confidence they will take any steps required to ensure the proper preservation of their records.

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Glasberg, Irwin (MAG) <Irwin.Glasberg@ontario.ca>
Sent: Thursday, October 19, 2017 8:53 PM
To: Orsini, Steve (CAB)
Cc: Imbrogno, Serge (ENERGY); Thompson, Scott (MOF); Betzner, Lynn (CAB); Davidson, Steven (CAB); Bromm, William (CAB); Kwamena, Bofoa (CAB)
Subject: Re: Document Preservation

Thanks for the note

I will either present this information at the meeting tomorrow morning myself or invite a subject matter expert from my shop to do so and to also respond to questions on this topic.

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Orsini, Steve (CAB)
Sent: Thursday, October 19, 2017 8:37 PM
To: Glasberg, Irwin (MAG)
Cc: Imbrogno, Serge (ENERGY); Thompson, Scott (MOF); Betzner, Lynn (CAB); Davidson, Steven (CAB); Bromm, William (CAB); Kwamena, Boafoa (CAB)
Subject: Document Preservation

Irwin,

Could you please prepare the necessary direction to all affected ministries and agencies for preservation of relevant records.

Also, I would like you to describe at DMC tomorrow morning the process of record preservation that MAG typically invokes.

Thanks

Steve

And finally I've instructed my chief of staff to write the Secretary of the Cabinet to ensure that all correspondence pertaining to this matter is preserved in necessary precaution in view of past Liberal behavior in similar circumstances.

From: Kwamena, Boafoa (CAB)
Sent: October 19, 2017 4:03 PM
To: Orsini, Steve (CAB)
Cc: Davidson, Steven (CAB); Bromm, William (CAB); Foster, Robert (CAB)
Subject: FW: MEDIA EVENT: PATRICK BROWN REMARKS ON AUDITOR GENERAL'S REPORT

Transcript from today's press conference.

MEDIA EVENT: PATRICK BROWN REMARKS ON AUDITOR GENERAL'S REPORT

October 19, 2017

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Location:

10 a.m. / PC Caucus Room

Speakers:

Patrick Brown, PC Energy Critic Todd Smith

Media Attendance:

Print – 1

TV – 2

Radio – 0

Media Outlets:

Rushowy – Star; Lamoureux - Radio Canada TV; Rath - CHCH Television

Statement by Patrick Brown:

Well good morning. Good morning. Thank you for joining us today. I'm joined by my Energy Critic, MPP Todd Smith. There is a clear pattern of Liberal political corruption under Kathleen Wynne. After fourteen long years they've lost the ability to distinguish between the public interest and the interest of the Liberal Party of Ontario. To them they are one and the same.

[Speaking in French] After fourteen years, they have lost the ability to distinguish between the public interest and the interest of the Liberal Party of Ontario. For them, they are one and the same.

[Speaking in English] From the gas plant billings, to selling assets to ministers, to awarding subsidies to their donors no rule, no convention, no sense of proprietary stands in their way. They dispense with them all whenever it suits them. This week Ontario's Auditor General uncovered an appalling attempt to hide the true cost of four billion dollars. The cost of Kathleen Wynne's hydro rebate scheme. A price that would be paid by ratepayers. I want you to appreciate this four billion dollars that they seem to ignore and try to spin like it's nothing. Four billion dollars. That's four gas plants. That's, you know I think of how hard my community fundraised and worked to get the RVH, the new RVH and cancer centre. That's twelve regional cancer centres. That's 13,000 new hospital beds. That's 240 new schools. This is a terrible day because this is a tangible loss for the people of Ontario.

[Speaking in French] This week, Ontario's Auditor General revealed the appalling attempt to hide the true cost of four billion dollars from Kathleen Wynne's hydro rebate scheme, a price that will be paid by taxpayers. This is money we could use for schools and hospitals.

[Speaking in English] She concluded, the Auditor General concluded senior government officials knowingly ignored the government's own policy for preparing financial statements to create an unnecessary complex financing structure. This was designed to keep the true financial impact of its rate reduction scheme off the province's books.

More damningly the Auditor General said that the Canadian public sector accounting accountability standards are the standard for all federal and provincial governments of Canada and that the Liberal government has brushed aside these standards. It's unbelievable when you read the Auditor General's report and it says they made up their own account rules. It's unbelievable. The unavoidable and very strong suggestion that something highly improper has transpired. In the real world of ordinary people when you break the rules there are consequences.

[Speaking in French] In the real world, people avoid break the rules because they know that there are consequences.

[Speaking in English] If a publicly owned company attempted to deceive shareholders in the same way the perpetrators would face prosecution. What's further in her report, the Auditor General confirmed she still has not received all the documents that she has requested dating back to May 31, 2017. Those responsible should be held accountable. I'm therefore calling on the Information and Privacy Commissioner to investigate the apparent misconduct. The Ontario PC Caucus will also be calling for the IESO to appear before the Standing Committee on Justice Policy. And finally I've instructed my chief of staff to write the Secretary of the Cabinet to ensure that all correspondence pertaining to this matter is preserved in necessary precaution in view of past Liberal behavior in similar circumstances.

[Speaking in French] I have asked the commissioner to investigate these worrying events.

[Speaking in English] We do not have to accept political corruption as a matter of course in Ontario. It's time someone took a stand, drew a line in the sand and said enough. Kathleen Wynne and the Liberal Party of Ontario and their insider friends have to know the days in which they can break the rules to their own benefit are coming to an end.

[Speaking in French] The days of people breaking rules for their own benefit are coming to an end.

[Speaking in English] Thank you, merci and I'm happy to take any of your questions.

Question for Patrick Brown and Todd Smith:

Q. Lamoreaux [Speaking in French] The Liberals have said that all of the emails will be released by November 1st and that it will not cost \$500,000, as the Auditor General is saying, but it will cost at most \$70,000. Are you happy with this?

[Speaking in French] There is a big difference between these figures. And in this building, often the government has a different perspective than the Auditor General. But, the Auditor General is correct. They are independent, non-partisan.

[Speaking in English] You know this is an officer of the legislature. You have this role so that you can know the facts and when you have an officer of the parliament saying that the government is making up their own rules. That they are not being transparent they are

being secretive it's obviously very worrisome.

Q. Rath: Is there something criminal going on here?

Well let me say. First of all I don't think we have to accept political corruption as a standard in Ontario. The fact that there's a complete lack of transparency leaves a very strong impression that something improper has transpired. And that's why I'm supporting the general's request that we have the full disclosure and that's why I'm asking the proper precautions be taken so that missing correspondence doesn't go missing permanently.

Q. Rath: The Financial Accountability Officer this morning, saying right now actually is saying that Ontario has to either lower spending by six billion dollars a year or raise revenues by six billion dollars a year or essentially budgets are going to spiral into so much debt that we won't be able to handle, we won't be able to pay for anything in the province. How would you do that? How would you lower spending or would you raise revenue? What would you do?

Well our finance critic has pointed this out, that there is no balanced budget right now in Ontario. And that independent officers are all saying that that the numbers don't add up. And you know these new terms they're making up off budget debt or the new accounting rules that it doesn't wash in the real world. It's one of the reasons that I've been pushing across the province for a value for money audit. I don't believe taxpayers are getting good value for money with this government. And frankly if you look at some of the past Auditor General recommendations it leaves tremendous opportunity where taxpayer dollars could be spent more effectively. I'll give you an example on infrastructure. Remember that report last year? Where they said the overspend could be 25 percent because we don't measure performance, we don't measure outcomes. And of course there was that case that all you covered. Part of a truss on a bridge being built up upside down and then they give the same contract to a company that's never built a bridge another and bigger contract. The 403, that repaving happened every two years instead of every 15 years? There is a lot of waste at Queen's Park and I would got those recommendations of the Auditor General. I want to make sure that every single dollar we spend is spent in a manner that is transparent and effective.

Q. Rushowy: The Star's been trying to through FOI request get the Auditor-General to released e-mails between her and bureaucrats. Do you think she should release them? Because she has refused so far.

Well. I'm not. I wasn't aware request but I uhm, certainly it's the Auditor General's responsibility to expose the facts, to expose the truth. And where a government's been misleading I think that's their responsibility. Whether there should be emails disclosed from the Auditor General, I would suggest that whatever is the standard in other provinces will be a standard that we should follow here.

Smith: Do you mind if I add something to that? When Kathleen Wynne came on the scene back in 2013 she promised that we were going to have a more open and transparent government here. She claimed that things were going to be different. Here we are in the same mess we're in. So. The Auditor General is still waiting to get all the documents. You know. We heard yesterday two days ago actually in the Auditor

General's report that two million e-mails are out there on this issue, on the Fair Hydro Plan. She has 13000 of them. She's still waiting. She's still waiting for boxes full of e-mails to be turned over and we're waiting too, and that's why Patrick has brought in these initiatives today to try and get to the bottom of the truth on this scandal. Thank you. Thank you very much.

N.B.: Comments captured are not verbatim quotes

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