

Office of the Information and Privacy Commissioner
PO Box 9038, Stn. Prov. Govt.
Victoria, BC V8W 9A4

July 25, 2013

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Dear Commissioner Elizabeth Denham,

Please accept this Request for Review in regards to the refusal of the University of the Fraser Valley to respond in full to my access request. Here is a detailed timeline of events so far:

1. On December 18th, 2012, I mailed my access request to the University of the Fraser Valley (the "University"). I requested copies of the following records:
 - 1) Any memorandums of understanding, terms of reference, job descriptions and any other written agreements or contracts between the University of the Fraser Valley and the Government of Canada (including the Royal Canadian Mounted Police) in regards to the RCMP University Research Chair.
 - 2) Any memorandums of understanding, terms of reference, job descriptions and any other written agreements or contracts between the University of the Fraser Valley and other organizations regarding its crime research laboratory (also known as the Centre for Public Safety and Criminal Justice Research). These other organizations include, but are not limited to Sun Microsystems, Sun Microsystems Canada, i2 Inc, IBM, Government of Canada, Royal Canadian Mounted Police, and the Province of British Columbia.
2. On or about April 15, 2013, I submitted a Request for Review to your Office as I had not received copies of any records from the University of the Fraser Valley. A copy of this Request for Review and supporting documents is attached.
3. After your Office became involved, I received a package of documents from Rupe Sunner.
4. On April 29, 2013, I emailed Rupe Sunner and asked the University of the Fraser Valley to search their records again. I provided a list of specific documents to search for and I asked that the search be completed by May 7, 2013.
5. The reason I requested a May 7 deadline was because I was aware that Darryl Plecas held the RCMP University Research Chair at the University of the Fraser Valley. At the time, he was running as a candidate for Abbotsford South in the May 14 provincial election. My goal was to give the University an opportunity to conduct a second search while Mr. Plecas was still employed as the RCMP University Research Chair.

6. I received an email from her advising that the University would undertake another search but that the search would likely not be completed by May 7.
7. On July 3, 2013, Rupe Sunner contacted me by phone and explained that she had rechecked with every department. No new documents had been located.
8. At this point, I believe the following documents are outstanding:
 - a. A copy of the final, signed version of the "Crime Reduction Program UCFV & RCMP Protocol". The package of records that I received from the University included a document titled "CRIME REDUCTION PROGRAM EXTENSION - 2010 / UFV & RCMP PROTOCOL / AMENDMENT NO. 1". Because the University included a document amending the protocol, I believe the original protocol should have also been disclosed as part of the response to my access request. This document forms the heart of my access request because I am trying to learn about how the RCMP University Research Chair was set up and how it has operated for the past seven years. Its absence is therefore conspicuous.
 - b. A copy of the final, signed version of the document titled "CRIME REDUCTION PROGRAM EXTENSION - 2010 / UNIVERSITY OF THE FRASER VALLEY / FINANCIAL ASSISTANCE AGREEMENT / AMENDMENT NO. 1". The document the University has provided is unsigned. It seems reasonable to think that the University of the Fraser Valley would have signed copies of its own legal agreements. The University of the Fraser Valley is obligated to provide this document under the provisions of the Freedom of Information and Protection of Privacy Act.
 - c. A copy of the final, signed version of the document titled "CRIME REDUCTION PROGRAM EXTENSION - 2010 / MEMORANDUM OF UNDERSTANDING / AMENDMENT NO. 1". The document the University has provided is unsigned and I have no way to determine whether it is a draft of the agreement or the final version.
 - d. A copy of the final, signed version of the document titled "CRIME REDUCTION PROGRAM / UNIVERSITY COLLEGE OF THE FRASER VALLEY / FINANCIAL ASSISTANCE AGREEMENT". The document the University has provided is unsigned. It is labeled "dft2" indicating draft #2. Of particular concern is that Section 1.02 of the agreement states, "The schedules, which are incorporated into and form part of this Agreement are the following..." The document then lists Schedules A, B and C which are supposed to be attached to the legal agreement. Yet, Schedules A and B in the draft agreement provided by the University are simply blank pages.
 - e. A copy of the final, signed version of the document titled "BRITISH COLUMBIA / CRIME REDUCTION PROGRAM / MEMORANDUM OF UNDERSTANDING". The document provided by the University is unsigned. It is labeled "dft3" indicating draft #3. It seems reasonable to me that the


University of the Fraser Valley would be in possession of the final, signed version of this legal agreement, particularly as it forms Schedule A of the Financial Assistance Agreement mentioned above.

- f. I am still seeking copies of records of "Any memorandums of understanding, terms of reference, job descriptions, and any other written agreements or contracts between the University of the Fraser Valley and other organizations regarding its crime research laboratory (also known as the Centre for Public Safety and Criminal Justice Research)." As stated in my original access request, these other organizations include, but are not limited to, "IBM, i2 Inc, Sun Microsystems, Sun Microsystems Canada". I believe there is some kind of written agreement between the University of the Fraser Valley and Sun Microsystems because the Centre for Public Safety and Criminal Justice Research is described as "a Sun Centre of Excellence" on its web page (a copy is attached and the original version can be viewed at <http://www.ufv.ca/cjsr>). Likewise, I believe that Sun Microsystems of Canada, IBM, and i2 Inc. have written agreements with the University of the Fraser Valley because they are described as "partners" on the Centre for Public Safety and Criminal Justice Research web page (a copy is attached and the original version is available at <http://www.ufv.ca/cjsr/partners>). In addition, the agenda for the December 10, 2010 meeting of the University of the Fraser Valley Senate makes reference to partnerships between IBM, i2, SPSS and Sun Microsystems in relation to the Centre for Public Safety and Criminal Justice Research (the relevant excerpts are attached and the full agenda is available at <http://www.ufv.ca/media/assets/senate/agendas--packages/2010+12+10.pdf>).
- g. I believe the University is in possession of documents described above, but they simply do not want to give them to me. The records in question provide a legal framework for significant funding and sponsorship agreements between the University and various public and private partners. If the documents were truly missing, their absence would undermine the integrity and credibility of most of the criminal justice research conducted by the University during the past seven years.

I am respectfully asking your office to investigate the refusal of the University of the Fraser Valley to respond in full to my access request.

Please note that I am submitting this Request for Review as a private citizen and not as a representative of any organization.

Sincerely,

A handwritten signature in blue ink that reads "David Bratzer". The signature is written in a cursive, slightly slanted style.

David Bratzer