# PRINCE EDWARD ISLAND LEGISLATIVE ASSEMBLY

Speaker: Hon. Francis (Buck) Watts                    Published by Order of the Legislature

## Standing Committee on
## Public Accounts

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**DATE OF HEARING:** 1FEBRUARY 2017                    **MEETING STATUS:** PUBLIC

**LOCATION:** COMMITTEE ROOM, J. ANGUS MACLEAN BUILDING, CHARLOTTETOWN

**SUBJECT:** BRIEFING ON   RECORDS RETENTION, POLICIES AND PROCEDURES

**COMMITTEE:**
>       James Aylward, MLA Stratford-Kinlock [Chair]
>       Jordan Brown, MLA Charlottetown-Brighton [Vice Chair]
>       Dr. Peter Bevan-Baker, Leader of the Third Party, MLA Kellys Cross-Cumberland
>       Kathleen Casey, MLA Charlottetown-Lewis Point (replaces Hal Perry, MLA Tignish-Palmer Road)
>       Bush Dumville, MLA West Royalty-Springvale
>       Sonny Gallant, MLA Evangeline-Miscouche
>       Matthew MacKay, MLA Kensington-Malpeque (replaces Darlene Compton, MLA Belfast-Murray River)
>       Chris Palmer, MLA Summerside-Wilmot

**COMMITTEE MEMBERS ABSENT:**
>       Darlene Compton, MLA Belfast-Murray River
>       Hal Perry, MLA Tignish-Palmer Road

**MEMBERS IN ATTENDANCE:**
>       Steven Myers, MLA Georgetown-St. Peters
>       Bradley Trivers, MLA Rustico-Emerald

**GUESTS:**
>       Education, Early Learning and Culture (Hon. Doug Currie, Kathleen Eaton, Jill MacMicken-Wilson);
>       Enterprise Architecture (Scott Cudmore)

**STAFF:**

Ryan Reddin, Clerk Assistant (Research, Committees and Visitor Services)

Edited by Parliamentary Publications and Services

The Committee met at 10:00 a.m.

**Chair (Aylward):** Ladies and gentlemen, I would like to call this meeting to order. We do have some special guests here this morning, so just before we get rolling, I'd like to call for a motion on the adoption of the agenda.

**Mr. Gallant:** So moved.

**Chair:** Thank you, Sonny.

Moving on to item number three and as I stated, we do have some special guests here today: Minister Currie, Jill, Kathleen and Scott. Thank you very much for coming in today.

We do have two separate briefings. The first one will be by Minister Currie, the Minister of Education, Early Learning and Culture, responsible for records management and Kathleen Eaton, Director of Libraries and Archives and Jill MacMicken-Wilson, our Provincial Archivist.

Following that presentation and any questions arising from the presentation by committee members, I'll ask at that time if there's any special requests for information from the minister. Then we'll take just a real short recess so that we can get set up for Mr. Cudmore's presentation and Minister Currie will be departing at that time as well. Then, we'll move on to Scott's presentation. Again, Scott is the Director of Enterprise Architecture, Information Technology Shared Services, ITSS, and Minister Roach of course had scheduled Scott to come in today.

Just a few housekeeping announcements: Again, as I try to remind everybody at the meetings, please put your stun guns on silent and refrain from having them on the table if at all possible, because if they are on vibrate the microphone picks up that vibration. Also, all questions please go through the Chair. Yes, when you're first starting to speak, if you could just introduce yourself via the microphones. These microphones aren't for amplification; they are only for recording purposes so that our Hansard staff knows who to record as speaking.

With that, I'll turn it over to Minister Currie for your presentation.

**Mr. Currie:** Thank you very much and I want to thank you, Chair and Vice Chair, MLA Brown, for the opportunity to present and allowing me to come in as a witness.

With us is Jill MacMicken-Wilson who is the Provincial Archivist and responsible for records management in my department. With her is Kathleen Eaton. I do want to compliment Jill and her leadership in the strategy that was presented in the fall sitting and we'll be speaking and responding to questions in respect to her work.

What we're going to see today is just sort of an overview of the changing needs of record management and the Auditor General clearly stated the need. We take the work of the Auditor General very seriously and very pleased to respond and must say that I was quite impressed with the turnaround time and response of the strategy and the commitment, whether it be in the infrastructure or whether it be in the staffing resources, to allow us to continue to build capacity to respond to the changing face of how we do our work in the Department of Education, Early Learning and Culture, which has the office of the provincial archivist with us.

Looking at policies – the legislation which will be brought in clearly defines the roles and responsibilities. It addresses capacity but it also puts another level of accountability into the expectations by government departments in how we do the work that we need to do.

We'll also have an opportunity to share progress to-date on what we have done in respect to, since the strategy has been presented. With that, I'll pass the opportunity for Jill. I want to thank her again – very committed, dedicated. Both her and Kathleen do great work in my department and this is a big day because sometimes there's a little bit of anxiety about coming into Public Accounts, but I said: They are all nice people; they are all good people. So we'll look forward to getting a real good dive into the provincial archivist and the record information management strategy moving forward.

**Chair:** Just before we do get into the presentation, I did neglect one other housekeeping point. We have two substitutions here today. Kathleen Casey is here in place of Hal Perry and Matthew MacKay is here in place of Darlene Compton. Just to the committee members, when we do get to motions or votes, please know that these two people do have substitution letters on record.

Thank you. It's all yours.

**Jill MacMicken-Wilson:** Thank you.

I'm Jill MacMicken-Wilson, Provincial Archivist. What I would like to present today is basically a brief background of what the role of the public archives is in records management in government. I'll talk a little bit about what a record is. I believe that that was a question that had come up in previous discussions. I thought I could clarify that from our perspective, and then talk a little about the recommendations that the Auditor General made and the response that we've made to those recommendations, including discussing the three-year strategy which you should all have before you, and the steps that we have taken to-date to start those activities.

The Public Archives and Records Office – often we're referred to as PARO since our name is so long – but under the mandate of the *Archives and Records Act*, PARO leads and coordinates the corporate RIM program for the Government of PEI. This involves developing policies, procedures, standards, processes. We provide records storage services for government departments and we provide training for all government employees that require RIM training, or, we assist departments in developing training that they can offer within. That is what our role is on a corporate level.

Government departments, agencies and commissions, etc., they are responsible for the records that they create. Our role is to help departments manage their records, but the responsibility for those records lies with the departments themselves.

What is a record? As I mentioned, that was a question, I believe, that came up. From our perspective a record, or a public record, is any kind of document that is created,

received or maintained by government as evidence and information of its legal and business activities.

Having said that, from a records management perspective, it is totally irrelevant what format that record comes in. A record is a record because of the content of the record, not because it's a photograph or a map or an email or a piece of paper correspondence. It is the content that makes a record a record. When we're dealing with records management in government, in helping departments deal with that, we help them write retention schedules based on the content of the record, not the format of the record.

Public records, specifically, are any records that are kept by a provincial officer or an employee in the course of his or her employment with government. Anything that we do in our daily activities, any records that we create, are the property of government, they are not the property of the individual.

With the Auditor General's report – and we did respond to questions from the Auditor General's office staff during the course of their investigation – they came up with two recommendations that obviously are directed specifically at records management. We have been doing things in our regular run of business that are dealing with those issues regardless, but we have solidified and formalized what those things are by the three-year strategy that we've created.

The first recommendation that was made that was specific to records management stated:

That the Public Archives and Records Office, in cooperation with public bodies, should monitor compliance with records management, policies and procedures and submit compliance reports to the minister of education.

In order to fulfill or to meet that recommendation, the three-year strategy that we've devised will help departments meet compliance. Without taking these steps they don't have the tools to meet compliance, so that's why we've devised these things. There are five main areas within the strategy that will help departments reach compliance.

The first one is: We are improving training for all departmental records staff and all government employees in general. The second step that we would take is: Increase staff resources for records management within departments.

The third is: A doc records retention schedules in all departments and public bodies. Many government departments have records retention and disposition schedules, but more need to be created. Government staff are creating new types of records all the time. As new types are created we need to write the schedules.

A records retention schedule basically tells us how long records should be kept. What it does, is it takes records through their life cycle. When a record is created and is used actively – so in the active phase – that would be a record that you would use in your office on a daily basis. Then records reach what we call a semi-active phase which means that you probably only access them maybe once a year or once every six months, or maybe once every 10 years. Those records can go to semi-active storage which costs less than keeping it in your prime office space. Then we have the records centre where we can help departments look after their records.

Then records reach what we call final disposition, and that means they are either slated to be destroyed or they have a stored value and they are thus transferred to the public archives, which is the other part of what we do in the Public Archives and Records Office. Then we decide what records have lasting historic value and then we maintain them and we assume ownership of them at that point in time.

Departments across the board – many of them have retention schedules, but many of them need more to be created so that we can legally destroy records when they're no longer of value to government.

The fourth step of the strategy is to implement an electronic records management system. That is something that we know we need. We are working toward it. The Public Archives and Records Office and ITSS have been examining a program called Alfresco and we're hoping to start a pilot project on that in the fall.

I should add, which I'm sorry I neglected to before, this three-year strategy was written by ITSS and the Public Archives and Records Office. It's been a joint effort, because although we see records by their content, we are very aware of the huge growth in electronic records. Basically, ITSS and PARO need to work together to figure out how to deal with those issues, so that's what we have done devising this strategy.

The last step of the strategy is to increase the level of secure space for government records, and that is paper and electronic. If we address these issues as set out in the strategy, we can help departments reach a higher level of compliance than exists today.

The second recommendation from the Auditor General was: That the minister of education as the minister responsible for the *Archives and Records Act* should take necessary action to enforce compliance with the act. We are in the process of revising our legislation. We've actually been looking at our legislation for a couple of years before the Auditor General's report came out, but we have been watching other jurisdictions very closely.

Saskatchewan, Nova Scotia and B.C. have all brought in new legislation in the last year or year and a half and I am in close contact with the other provincial and territorial archivists so we kind of follow each other in the activities that we're doing so we know that this process has been going on. In Nova Scotia, for example, it took three years for them to revise their legislation.

So rather than dive in right away, we've been watching what's been going on because we want to make sure that our legislation is in keeping with the rest of the country. This is actually the opportune time for us to be redoing the legislation and I think that it will give us mechanisms that will help enforce compliance which are not in the current legislation, so we're working on that as well.

The three-year strategy that you have before you – the goal of the strategy is to increase the level of RIM or records management compliance in government departments, agencies and commissions. I have gone through the list of stages in the strategy and

some of the things that we've done to-date that you might be interested in – one, is the *Archives and Records Act* has been – we're in the process of reviewing and revising that. I'm hoping that the revision will go to Legislative Council Office before the end of February and that piece of legislation will hopefully be introduced in the spring sitting of the House. I'm pretty confident that we're going to meet that deadline so it's coming along very well.

Once the legislation is passed we can then look at revising our policies, sorry.

**Ms. Casey:** Take a break, we don't mind.

**An Hon. Member:** (Indistinct)

**Jill MacMicken-Wilson:** It's (Indistinct). It's okay, thanks.

**Chair:** Sure yeah, if you want to take a few minutes just to –

**Ms. Casey:** Walk around.

**Jill MacMicken-Wilson:** It's okay.

**An Hon. Member:** It's the bottled water.

**Jill MacMicken-Wilson:** Sorry, my husband gave me his cold.

Once the legislation is passed we can move on to revising the policies, because as I said, all good policies should support the legislation that you've devised.

Another area that we are looking to make progress in it, starting in the new fiscal year, is increasing the resources of staff that are available to do records management. In the department of education itself, so under PARO, we will be hiring a full-time records analyst whose purpose will be to work with the departments to increase the number of retention schedules they have available.

The foundation of all good records management programs is the retention schedules. You can't have a successful program if you don't have those so they are a priority for us and the records analyst will be able to help the departments move that along more quickly.

The public records committee which approves retention schedules usually meets about twice a year, not always, depending on the number of schedules that are ready to go before committee. We met in October, we'll meet again in June and that tends to be the time of years that we meet to approve whatever schedules are ready for us.

All government staff will be required to have records management training. If the staff doesn't know what their obligations are they can't meet them, so we have tried in the last number of years to actually increase the level of training that we provide free. Probably since the early 2000s we've offered a three-day RIM program that mostly admin staff take but other staff do as well. We've devised a basic RIM program that will teach everybody in government, and all levels of government, what their individual duties are. Because although the departments are responsible for the records, every individual who creates government records has a responsibility for the records that they create and maintain, so we want to be sure that people understand what those responsibilities are.

Our first offering of this new course is on the 22$^{nd}$ of February. It will be kind of a pilot. We want to iron out the kinks and then we hope to offer it on a regular basis beginning in the new fiscal year and we're also looking at online modules and stuff because we have 10,000 people to reach. So we're doing that, and I have been doing more training with HR managers to make sure that they understand what they should be telling new employees coming in and what steps they should be taking for exiting employees.

Capacity to provide safe and secure storage – a secondary provincial records centre will open in Slemon Park hopefully in June, which will give us a 10-year capacity to look after, not just paper records of government, but other formats like microfilm, medical records, x-rays, you name it – any other type of record except electronic, could potentially go in the records centre.

Alfresco, as I mentioned, is being reviewed as the electronic records management system and that's going well and 1.6 million was awarded in the 2017-2018 capital budget for additional electronic storage and

management which we're really excited about.

The last piece of the section of the strategy that's important is the compliance and monitoring. We have in the past administered RIM assessments across government to find out where exactly departments are. We haven't always received a response. I'm happy to say that when we issued a request in late August for another RIM assessment, I'm happy to say that we have received those assessments from all public bodies. We will be reviewing that information and preparing a report that the minister will have for him when the House sits in the spring. I think it's really good to have that assessment right now because it will really tell us where everybody is and help us plan better for the future where we need to focus more resources and activities. That's what we have done to date.

If anyone has questions we'd be happy to answer them.

**Chair:** Matthew.

**Mr. MacKay:** I've got a few questions for the minister, Chair.

Starting off first, I'd like to thank you all for coming in. It's a lot of pressure, I'm sure, to sit in front of us all, but we do appreciate you taking the time to come in.

Minister, I just got a few questions here for you. Why do you feel you weren't interviewed by the Auditor General over this?

**Mr. Currie:** Well, I guess my response would be that the provincial office of archives and records came to the Department of Education, Early Learning and Culture in May of 2015. Maybe respectfully of the timelines – I can't speak for the Auditor General – I don't know why I would be interviewed by the Auditor General.

Today, we have two presentations. We have my responsibility which is archives and records management and we've got Scott Cudmore from IT Shared Services which falls under the responsibility of the Department of Finance.

**Chair:** Matthew MacKay.

**Mr. MacKay:** Also, minister, on numerous occasions you said you didn't know whose emails were deleted. The Auditor General's management letters relating to records management identified Chris LeClair and Melissa MacEachern as having no records provided to the auditor. How can you say you didn't know? Did you not receive the management letter from the Auditor General?

**Mr. Currie:** I was unaware of – as I said – anything that dealt with IT Shared Services, I would not have any interest or responsibility. My responsibility as the Minister of Education, Early Learning and Culture – I've been consistent with that since coming back into this role – has been on records information management.

The Auditor General – obviously the recommendations as we shared here today, I feel we're making progress. I fully support the Auditor General in the work that's being done. The challenge that government is facing, it's just about capacity. It's about our ability to do the work and that was clearly illustrated in the Auditor General's report, with the responses here today around staffing, dedicated staffing in departments, infrastructure, training, legislation. The legislation is about the accountability and to hold government departments to account, which has the responsibility of a report that will be presented to the Assembly.

**Chair:** Matthew.

**Mr. MacKay:** Just to verify: Did you receive a management letter from the Auditor General?

**Mr. Currie:** I read the Auditor General's report, yes.

**Mr. MacKay:** But you didn't receive a letter?

**Mr. Currie:** I may have; I can't recall getting a letter. I mean, I guess when it comes to my responsibilities in government, I focus on my responsibilities.

**Chair:** Matthew.

**Mr. MacKay:** Minister, when were you personally informed as the two identities of the senior officials who had no records; when was that brought to your attention?

**Mr. Currie:** Pardon?

**Mr. MacKay:** Of the officials, Melissa MacEachern, Chris LeClair, with no records, when was that brought to your attention? When was the first you've (Indistinct)?

**Mr. Currie:** Do you want to repeat the question again, please.

**Mr. MacKay:** When were you personally informed as to the identities of senior officials of whom no records were provided to the Auditor General?

**Mr. Currie:** As far as the names?

**Mr. MacKay:** Yes.

**Mr. Currie:** I was sitting at home on the evening of the last Public Accounts meeting and heard it on CBC.

**Mr. MacKay:** One more question for now, Chair.

When were you first made aware of the egaming scheme? When was that brought to your attention, do you remember?

**Mr. Currie:** My involvement with the egaming, I was the health minister so I wouldn't have any direct involvement or knowledge of the depth of that strategy in that investment.

**Mr. MacKay:** Final question, Chair.

Did you support the egaming scheme?

**Mr. Currie:** To be honest, when you – I've been at the government table, Cabinet for 10 years. When I have a responsibility I focus on my responsibilities. During that time the majority of my time has been in the ministry of health and wellness and that's been my complete focus to be honest.

**Mr. MacKay:** Thank you, minister.

**Chair:** Brad Trivers was next on the list there.

**Mr. Trivers:** Thank you, Chair. Thank you for your presentation so far.

My first question is: Do we know who was directly responsible for records management during the transition from premier Ghiz to Premier MacLauchlan. Who would that be?

**Jill MacMicken-Wilson:** Do you mean across government or do you mean specifically in the Premier's office?

**Mr. Trivers:** I would say maybe both.

**Jill MacMicken-Wilson:** During the transition between the two offices, for government as a whole, it would have been just continuation of the norm that the departments themselves were responsible for whatever was going on in their department. In the Premier's office, it would have been the Premier's office staff that would have been responsible for what was going on there.

When the election happened and there was a government re-org, then we would have played a bit of a role in helping the departments figure out which records had to go where. When you have one section of a department taken out and it's put with a different part of government, then we help the department separate the retention schedule so they know what records are supposed to go into which department. Then that department that received those records would then assume ownership and responsibility for the records.

**Chair:** Brad.

**Mr. Trivers:** Thank you; that makes sense.

In the Premier's office specifically, and also just in general, and I know there were re-orgs within the department as the new Premier laid things out and did whatever, but can you explain the records management process for a transition of Premiers in a little more detailed level? For example, is there staff that go in and they say: Okay, here's the Premier's office, we're going to look at all the records that are stored here and then we're going to decide which ones to keep and which one to carry forward and then follow the retention process with the other. How does it work?

**Jill MacMicken-Wilson:** I'm not sure if I know the whole story about how they do things in their office. I know that we did work with the former – I guess I'm not sure if her title was recording secretary – but she managed the Premier's papers. I know that she made sure that when the – say when premier Ghiz's first term ended – she made sure that she could separate what was the first term from when he was kind of starting fresh with the next term, kind of thing.

There is a retention schedule for ministerial records which includes the Premier's office since he's the first minister. The way that retention schedule works is that basically the records stay in the Premier's office during the term and then at the end of the term they move to the records centre for a period – is semi-active storage – where if the Premier's office needed to access them they could. At the end of that period they come to the archives for selective retention. I'm not sure if I've answered your question.

**Mr. Trivers:** That helps (Indistinct).

**Chair:** Brad.

**Mr. Trivers:** As you described earlier, thank you for that definition of records that you provided and how it's any piece of information that's produced and created and maintained.

When you talk about transitioning those records in the Premier's office, there's a whole wide variety there. Some are electronic, some are not, some are; would they all be converted to hard copy to make that happen in that case or are you talking about using – like you said, the records were taken –

**Jill MacMicken-Wilson:** We have taken – the paper files were moved from the Premier's office to the records centre.

**Mr. Trivers:** Okay.

**Jill MacMicken-Wilson:** Because we don't have an electronic records management system, the policy in government tends to be print paper because people may not be – if it's electronic and records are in individuals' email accounts or individuals' H drives, people who need to access those records may not be able to so that's why we tend to

print to paper. It is an archaic system, but until we have an electronic records management system there is no other way to effectively manage the records.

**Chair:** Another one, Brad?

**Mr. Trivers:** Yes, one of the things we have been exploring in our egaming questions was some emails and some records, really, that are missing. Does archives have any government records from Melissa MacEachern or Chris LeClair at all, any records at all for them?

**Jill MacMicken-Wilson:** We would not have them. They're too young; they are not old enough to have come to us.

**Mr. Trivers:** Okay.

**Chair:** One more and then I'm moving over.

**Mr. Trivers:** I don't know if you can answer this or not, but when was it discovered that no records remained in government for Chris LeClair and Melissa MacEachern, no records of any kind?

**Jill MacMicken-Wilson:** I would have no knowledge of that. When I learned that was when I read the Auditor General's report. I had no knowledge of that.

**Mr. Trivers:** So it was the individual departments that had informed the Auditor General there were no records available?

**Jill MacMicken-Wilson:** Yes. I assume that that's who informed them, but we would have no knowledge of that from our perspective.

**Mr. Trivers:** I do have more but if you want to come back –

**Chair:** Yeah, Jordan Brown is next on the list. I can come back to you.

**Mr. Trivers:** Great, thank you.

**Mr. J. Brown:** Thanks, Chair.

Jill, I was interested and if I misquoted you or misunderstood then my apologies, but I think early on you had made a statement that was something along the lines of: The three-year strategy will help meet compliance,

without taking these steps they cannot meet compliance.

**Jill MacMicken-Wilson:** Yes.

**Mr. J. Brown:** I'm just kind of curious in saying that, whatever we had before – I guess can you kind of give an indication of how that was working, practically speaking, and that's a pretty big statement which is basically it would be impossible to comply with the *Archives and Records Act* right now, I think if I understand that correctly.

**Jill MacMicken-Wilson:** The steps that are in the strategy are basically the fundamental things that have to happen to help a records management program work. By setting out that, and with a plan, that this is what we're going to address over the next three years, I believe that we are giving departments the tools and the resources to actually take the steps that need to be taken so that we are more compliant.

The Auditor General's report focused on specific areas in government and she had concerns about the records there, but that's not to say that there aren't other areas in government that are actually doing really well.

What the strategy will do will perhaps provide the resources that those departments that are maybe weaker in records management, it will provide them with a guideline of what they need to do, the support that they need to do those things and the resources to take those activities, to do those activities.

**Mr. J. Brown:** Overall, was it a surprise to you that there were missing – given there were 50 people that were interviewed through the Auditor General's process, is it a surprise to you that there was non-compliance with the *Archives and Records Act*?

**Jill MacMicken-Wilson:** I think that compliance has been very difficult for certain areas of government because they haven't had the resources or the support to do the work. When I work with the RMLOs, the records management liaison officers, I know that they are a group of people who are very committed to the jobs that they are trying to do. I think that by giving them

more resources they can actually do what they want to be able to do because they know this is what they need to be doing in their jobs, sort of thing.

I really don't know the specifics of the departments that were looked at for this case, like I don't have any personal knowledge of the issues that the Auditor General encountered with trying to get the records. Do I think that sometimes records are not kept in a way that they should be? I think that happens. I think that that happens because of the lack of resources. I think that the people I have been working with are very concerned that they're doing their jobs well, and I really believe that this strategy will help them do that.

**Chair:** Anything else?

**Mr. J. Brown:** You had mentioned the – I think you gave a number of 1.6 in the capital budget for next year but is there an overall costing that's been done for this new strategy?

**Jill MacMicken-Wilson:** I don't have those figures with me. I mean, the issues – what needs to have further resources are things like the staffing, the IT infrastructure. There is a cost to Alfresco to implementing that, but I don't have those with me right now.

**Mr. J. Brown:** Do you know, roughly speaking and maybe the minister can answer this question. I think you mentioned 1.6 and that's in the capital budget, so I presume that's probably for space and things like that.

**Jill MacMicken-Wilson:** Yes.

**Mr. J. Brown:** You had mentioned a number of different employees being hired on. Alfresco, I presume, would probably be a big ticket item given that it's operating software. Maybe Scott can answer that question better than you can, or maybe the minister can but –

**Mr. Currie:** Scott is here from IT Shared Services. Remember, there are two different discussions here. We've got records management and we have IT Shared Services. I think it's really important that questions around IT, emails, process, and protocols be directed to Scott's presentation.

That would be – just so we keep them so there is no overlap.

**Mr. J. Brown:** That's fair. I guess, minister just – and part of where I'm coming from to be blunt and honest is, we're sitting here, we're saying we're looking at different areas where we can save money in government and honestly, some of this stuff looks like pretty big ticket items and so I want to get a picture of it. If we're making recommendations that we're carrying on with this and it's not to say it's an important issue, but I think we want to have all of the factors on the table in terms of dollars and cents, what's this thing going to cost?

Maybe if you know kind of the archives and records part of it and Scott maybe can answer on the –

**Mr. Currie:** I can't speak for Scott. The infrastructure on IT – this whole discussion is really about in respect to the Auditor General's report is about modernization and there will be a cost to that, but there is a reality to that cost. We're basically responding to the changing demands on record management because of the way governments, not only in Prince Edward Island but in the region and across Canada, have to do business. The growth is substantial. As we talked about in the strategy, the issue was around capacity, the capacity for government departments to respond under Jill's responsibility, which has come into Education, Early Learning and Culture since May of 2015.

The challenge was that there was no legislative hammer, I guess for lack of a better script, is to hold government departments accountable. There will be, as of spring, the legislation gives the mandate and the responsibilities for the department on compliance so that's a good thing.

I'm very interested in how we continue to respond to the growth, but what the responsibilities are in education and early learning that provides oversight for the Provincial Archives Office, which is Jill. Training has already started so there has been – new staff have been brought in. They have been trained on protocol and procedures. The key thing is the legislation because it gives the ultimatum to government departments that they have to

comply. The other accountability piece, which will be that report, will be presented on an annual basis to the Assembly on government departments that are complying or not complying.

Staffing is a reality here. We're probably looking at three quarters of a million to $1million in staffing requirements to designate individuals that will be trained and coming to work every day with this mandate and responsibility.

Let's not kid ourselves that there's a price tag in a very competitive environment for educational needs, health care needs. I can't speak to the IT cost, but I would assume that those investments from an infrastructure perspective would be pretty significant.

**Chair:** Jordan.

**Mr. J. Brown:** Thank you.

You answered part of my question there and maybe all of it. Do you know your budget line item, I guess, from both a capital budget perspective and an operating budget perspective? Do you know year over year what it's gone up under, the Archives and Records Office?

**Mr. Currie:** I don't have that information in front of me. I don't know – unless Jill – as part of the management plan the requests have to go through the process through management plan.

Any comments on cost?

**Jill MacMicken-Wilson:** I'm not kidding – I'm not sure I understood that question. Do you mean that, has my budget line gone up every year?

**Mr. J. Brown:** I guess what I'm wondering is – I'm hearing here today that we're hiring, I think maybe we just heard five new people,  and there's 1.6 in capital being contributed to gather things like space in Summerside and that kind of thing. What I'm wondering is, overall what from the perspective of education and culture, what has that budget line item gone up by to account for this new initiative taking place, both from a capital and an operating perspective?

**Mr. Currie:** If I can just make a comment. There are two areas of new investment on the management panel will be – the space that will be rented that will be in our operational costs in Education, Early Learning and Culture, that will be one, for the expansion of storage space for our records and the second would be for staffing. I don't have an exact number but there will be positions that will be designated but that's all part of our management plan as we go into this budget process.

I know that from just sitting in the Assembly there has been some commitments to investment on the IT side, but that can be clarified through Scott's presentation.

**Chair:** One more Jordan.

**Mr. J. Brown:** Jill, you looked like you were going to say something maybe?

**Jill MacMicken-Wilson:** I wonder if I could perhaps put things in perspective a little bit.

A number of years ago I was asked to participate in a corporate business continuity management team. In that they identified five functions, or core functions in government. They were infrastructure, so transportation, payroll, communications, IT and records management. In order for government to function properly, those five areas need to function properly because they have an impact across the board.

For an example, there is a cost to improving records management but it is a core function of government, so without that cost government suffers.

A very easy specific example: I was recently asked to respond to a FOIPP request. Because of how my records are organized, it took me 15 minutes to find what I needed to do to respond to that. If you take 15 minutes of my salary that's probably only about $15. If my records were not in order and I didn't know how to find them – if it had taken me an hour that was costing the government $40; if it took me two hours that's $80.

Every day in government when people can't find what they need we're wasting government money. It also costs more

money to have records sitting around in prime office space then out at the records centre where at the current records centre, I think that we store a box of records for about $6.22 a year. If that box of records is sitting at the complex, well, that dollar amount has already gone up because that's prime office space.

If we have retention schedules that say: You keep it in your office for a year, then it goes to semi-active storage for a year, you've already dropped your cost. Then, if they're going to be destroyed after a certain period of time because they no longer have useful value, and you've destroyed them, you have again saved yourself money.

By not having a solid records management program, you're costing the government money every day. Investing whatever we need to, I think that within three years if you could get down to that nitty gritty and figure out what it was costing us to find our records, you've probably got your money back. I'm not sure if that –

**Chair:** Thanks, Jill.

Steven Myers –

**Mr. J. Brown:** Yeah, I have one (Indistinct) –

**Chair:** Yeah, I can put you back down; you had said you had a couple so I gave them to you.

Steve Myers is next on the list.

**Mr. Myers:** Thanks.

I have a question for the minister at the start. The last committee meeting, the last time this committee met, the auditor told us that Robert Ghiz had ordered the deletion of Chris LeClair's email account and he might not have heard about it because the media didn't cover it. It was a pretty significant find on our part that the Premier of Prince Edward Island ordered the email account deleted which meant that the records could no longer be found. When the auditor went looking she couldn't find the emails because actually the account had been deleted at the hands of the Premier.

The recommendation that the auditor gives is that the minister of education as the minister responsible for the *Archives and Records Act* should take necessary action to enforce compliance with the act.

My question is: How do you do that? If it's Wade MacLauchlan, how do you – because basically he's your boss – how do you go to the Premier and say: Stop - which is what the minister at the time would have to do in order to stop Robert Ghiz. Number one, you would have to have known about it; number two, then you have to tell your boss: You know what you're doing is immoral. How can you as a minister best handle that?

**Mr. Currie:** First of all, back to my point. When it comes to the conversation around emails and protocol, I mean Scott could broaden that response to that question when he does his presentation. In my role since May 2015, the minister of the day – I came in in January 2016 – those conversations, I believe, were had by the Auditor General. I guess my focus is to respond to the Auditor General's report to the recommendations, basically to the strategy.

I'm not really clear on the question about what the expectation that I would have or what my responsibility would be. Or, does that fall under my responsibility or would it fall under the minister responsible for IT Shared Services?

**Mr. Myers:** She says you because you're responsible for records. What in effect she is doing is saying that you have to act with more authority than you actually have. How do you handle that?

**Mr. Currie:** To the point that we shared in the strategy, the challenge that was clear was the inability to really raise the level of accountability on how we manage record management because the legislation doesn't allow or provide that as it currently sits. That has been a commitment and will be a commitment this spring.

I mean I fully support the discussion around accountability. I have no issue with government departments around compliance and through this whole discussion and through the Auditor General's work I think we'll see a much more modern version of records management from our shop.

Obviously, the expectation would be that IT Shared Services would have more clear defined roles and responsibilities as well.

**Mr. Myers:** One more question.

I guess it falls into the question that I was going to ask about records deletion. Given the fact that no matter what tool you put in place, it can still happen, no one can stop you from deleting your own emails and maybe it's a question for Scott during the IT part.

The question is – and it's come up at this table several times – will you as the minister then, given what you just told us, support a change in legislation to ensure that there is a penalty for breaking it? That's the way you're going to best ensure that you aren't expected to act in authority beyond your authority by telling the Premier to stop. You don't have to tell the Premier to stop if we can all agree that moving forward there would be a penalty under the act for not following the *Archives and Records Act*, then no one ever has to worry ever again because the courts will deal with it.

**Mr. Currie:** As I said, I'm very comfortable with being supportive of the accountability piece, but in order to have the accountability, I, as the minister, need to have the strength and the legislation. The legislation in its creation – there was significant jurisdictional scans in respect to legislation across the country. Jill can speak to the legislation and maybe examples of what that means in respect to MLA Myers' question.

This whole process – I've been in government for 10 years – I'm very familiar with the Auditor General. I think the Auditor General does tremendous work. If you look at the work and the recommendations that come from her reports, it's a way for government to continue to respond and push for change and even higher levels of accountability that we're all mandated to follow, particularly as ministers in our roles and our responsibilities.

Jill, do you want to speak to the legislation and some examples of that in maybe other jurisdictions?

**Jill MacMicken-Wilson:** Sure. We're still drafting the legislation so I'm not sure what the final outcome would be. But we are looking to put a section that does deal with accountability so that if there were willful destruction of records, that there would be some kind of penalty of that. Some of the jurisdictions across the country have brought in similar types of phrasing in the past, like Ontario has brought in a bill but it hasn't been passed yet. Saskatchewan and Manitoba and places like that, they brought in penalties so that it does become a criminal offense to destroy records without the proper authority.

It is the legislation that gives the authority for government to destroy records that are no longer of use and that's what the records retention schedules do. That is already set out in the legislation and it will remain in the legislation.

**Mr. Myers:** Thank you.

**Chair:** Thank you.

Next on my list I have Peter Bevan-Baker.

**Dr. Bevan-Baker:** Thank you, Chair.

Jill, I'm going to follow up on what you just said there. You mentioned that in the crafting of the legislation which is hopefully coming before the House in the next session that you have looked at other jurisdictions in Canada, other provinces.

To go back – to look backwards – at the time of the egaming scheme and the auditor's report from 2009 to 2013, was PEI legislation in this regard in the accounts retention and record keeping, was that in line in your opinion with other provinces?

**Jill MacMicken-Wilson:** Yes it was. Our current legislation came in in 2001 and I believe that Manitoba's and Northwest Territories' also came in at that time. In some ways we were ahead of the game. BC's legislation was – I think it was last revised in 1932 until just this past year.

The provisions in our act were very much in keeping with other jurisdictions. When we learned that some of the jurisdictions were looking at revising, we tried to follow that very closely. Bigger jurisdictions, obviously,

have more people, more staff to do these things, so we firmly believe in archives and records management that you don't reinvent the wheel, you share resources. They've been very good to share information about what they've been doing so we've watched it very closely knowing that at some point our legislation would need to be revised as well and now is the time to do that. But I do believe it was in keeping with the rest of the country at the time.

**Chair:** Peter.

**Dr. Bevan-Baker:** Thanks, Chair.

One of the explanations – and I'm not sure whether this is something that should go to Scott later but I'd like to bring it up now. One of the explanations for the inability to retain records was that we did not have the capacity, did not have the computer capacity to do that. Can you give me your opinion on that explanation?

**Jill MacMicken-Wilson:** I'm not sure if I want to (Indistinct) –

**Chair:** It's probably more suited towards our next presentation and set of questions then with Scott.

**Dr. Bevan-Baker:** Sure, that's fine.

**Chair:** Anything else, Peter?

**Dr. Bevan-Baker:** No.

**Chair:** Next I have Brad Trivers on the list.

**Mr. Trivers:** Thank you, Chair.

You talked about RIM assessments that you'd done. In 2009 there was a RIM assessment conducted under minister Docherty and what were the findings of that review? Do you recall?

**Jill MacMicken-Wilson:** For a specific department or the government as a whole?

**Mr. Trivers:** As a whole. Were the departments in compliance? Were there some –

**Jill MacMicken-Wilson:** Minister Docherty was never responsible for records management so I'm not sure.

**Mr. Currie:** (Indistinct) fall under (Indistinct) –

**Mr. Trivers:** All right, I thought that was the minister responsible at the time.

**Jill MacMicken-Wilson:** No. In 2009, we would have been –

**Kathleen Eaton:** Communities, cultural affairs and labour.

**Jill MacMicken-Wilson:** Yes, that's right, that's where we were then.

**Mr. Trivers:** Do you recall what minister was responsible then?

**Kathleen Eaton:** Minister Bertram.

**Jill MacMicken-Wilson:** Yes, it was Carolyn.

**Mr. Trivers:** What were the findings of the review at that time? I mean, just in general and any specifics you remember.

**Jill MacMicken-Wilson:** I couldn't talk about it with specifics; it's been a long time.

The kind of questions that we asked in the RIM assessments were things like: Do departments have specific RIM strategy for the department? Is there dedicated RIM resourcing? Who has responsibility? Is there a departmental policy? Although we determine kind of government-wide policies, each department has to adopt that to their own situation. At that point in time – is there a specific area that you wonder about?

Strategic plans, nobody really had a RIM strategic plan. Resourcing, nine out of the 14 indicated that they had RIM resourcing needs. The CPRS was in use by eight out of the 14 respondents. I would say that that's much higher now, but I don't know that for sure because I haven't assessed the RIM things. Nine out of 14 respondents indicated that they had operational file plans for at least 50% of their records. I am really looking forward to seeing what the change is to today when I review the new RIM assessments.

**Mr. Trivers:** Okay –

**Chair:** Brad, just a moment, the minister had indicated that he just wanted to make a comment on that.

**Mr. Currie:** Just to a couple of points here and back to MLA Myers' question. Really, to the Auditor General's report, the whole issue with department from department has been around the inability to provide capacity. That's one issue. The other issue is that I, as the minister, have responsibility and accountability to records information management, but I don't really have any authority to hold government departments to account.

It's a difficult situation but to the point that MLA Myers made is that with the legislation and the accountability which we now have to hold government departments account with the report coming to the Assembly, everybody in the Assembly has the ability to hold government departments to account.

It's really been a function of capacity and lack of legislation, lack of resources. In order to move forward to MLA Brown's comment, significant investment will be required – not only from records information management – but as you'll clearly be articulated, on the IT side.

The Auditor General report has clearly stated what we're mandated to do in our work plan and part of our work plan will be the strategy which has been activated and we're moving on it. It's been somewhat fragmented and disjointed.

**Chair:** Brad.

**Mr. Trivers:** I wanted to continue along on that line. It sounds like in that 2009 RIM assessment, it wasn't exactly a glowing review that sounds like, in many cases, half or just over half of the departments were in compliance.

Were the findings of this review shared with all departments and all ministers? I would assume the ministers responsible for those departments then were the ones who were responsible to take action to correct problems identified by that review?

**Jill MacMicken-Wilson:** The individual departmental RIM assessments are normally

shown to the deputy ministers of the department, I think, before they actually come to me. They would know the results of their assessment before they come to the provincial archivist.

**Chair:** Brad.

**Mr. Trivers:** The departments and the ministers of those departments knew that they weren't in compliance with the RIM assessment at that time because they provided the results of the review to you.

Can you provide this committee with a copy of the 2009 review? Is that something you can do? I notice you have (Indistinct) in your binder or some of the results (Indistinct) –

**Jill MacMicken-Wilson:** What I have in my binder is an overview of the – I have an overview of the results. The only reason I'm hesitating is because certain documents we assume are the ownerships of the department, so the RIM assessments to me they own them, just like the retention schedules are owned by the departments so I'm not sure if it's – I really don't know if it's more appropriate that they come from the departments or if they come from us. I don't know that.

**Chair:** I might add, too, that any requests for information normally we would do that at the end of our questions so we can bring that forward.

One more, Brad, and then I have to move over on the list.

**Mr. Trivers:** You mentioned earlier today that you did undertake another RIM assessment and review in 2016.

**Jill MacMicken-Wilson:** Yes.

**Mr. Trivers:** But, after 2009, what was the next review that you attempted to undertake?

**Jill MacMicken-Wilson:** We attempted to undertake another one in 2011.

**Mr. Trivers:** How did that go?

**Jill MacMicken-Wilson:** We did not get very much response to it.

**Mr. Trivers:** I'm interested in knowing which departments failed to respond to your request for information and that sort of thing in 2011.

**Jill MacMicken-Wilson:** I don't have that.

**Mr. MacKay:** Just make a request at the end.

**Mr. Trivers:** All right, thank you.

**Chair:** Matt Mackay is next on the list.

**Mr. MacKay:** Thank you, Chair.

Jill, I've just got three questions here. The Premier told the Legislature that you and him met 10 days of him becoming Premier. What topics were covered in this meeting?

**Jill MacMicken-Wilson:** It was a joint meeting with FOIPP and it was basically to give him an overview of records management and FOIPP in government and what the roles were.

**Mr. MacKay:** Did you provide a briefing to the Premier in relation to the violations of the *Archives and Records Act* and Treasury Board policy on records management?

**Jill MacMicken-Wilson:** No, I did not.

**Mr. MacKay:** Final question, Chair.

Did the Premier ask questions around the missing records related to egaming?

**Jill MacMicken-Wilson:** No. I have never had a conversation with him around the missing records from egaming.

**Mr. MacKay:** Thank you.

**Chair:** Bush Dumville is next on the list.

**Mr. Dumville:** Thank you, Chair.

In regards to accountability, do you believe that ITSS and records management should be under the same minister?

**Jill MacMicken-Wilson:** I am not sure how to respond to that.

**Mr. Dumville:** Maybe the minister would like to take that.

**Mr. Currie:** From the Auditor General's report and from the strategy, to the line of questions that have been coming to what you'll hear from Scott, with the change in the demand on records management on the electronic side which is IT Shared Services, I think it's a very legitimate question. It's a good question and it's a question that I think whole of government will need to evaluate, looking at more of a centralized entity for more integration between the two. When you talk about accountability there's easier oversight.

To MLA Trivers' points, it was very disconnected in respect to – but it all falls back to capacity. The departments just didn't have the capacity and in fairness to the director of provincial archives and records, she didn't have the legislative mandate to enforce compliance, so it's all part of the strategy to move forward.

**Mr. Dumville:** My next question is: Do you think records management is relying too much on individual departments? Do you have records-trained people in these different departments that could report to you?

**Jill MacMicken-Wilson:** That's complicated. There's a complicated answer to that. Ultimately, departments are responsible for their own records. I think that there is always opportunity for increased education and increased training for any staff. I do believe that departments that have full-time trained RIM staff are in a better position than those that don't have a full-time person. I'm sorry; I have lost my train of thought.

**Mr. Dumville:** That's okay. Take your time.

**Jill MacMicken-Wilson:** Whether we relied – I think departments are responsible for their records. I don't think that that's something that can change or should change. I think that the departments ultimately need to be responsible for what they create and maintain. I think that every government employee has that responsibility. I think the departments need more support in what they do and that's something that we're trying to address, to give them the support they need.

**Mr. Dumville:** Do you think there should be more – like records management taking more control in signing out records to departments rather than leave them right in the department? Because you said the retention schedule is the number one priority, but wouldn't finding records on demand be the number one priority?

**Jill MacMicken-Wilson:** It is and I do believe that the records need to remain in their departments while they're actively useful because then you're wasting more time trying to access them from somewhere else. Government departments are all unique in what their records needs are and I believe that they best understand what those needs are.

If you have, say, a lab at the QEH, they know best how they need to meet their records needs. They have certain national and maybe international standards that they have to follow that are very specific to that division or department so they are the ones that are best suited to be dealing with that, with a bit of help from a trained records management staff who can help them in broader terms. But, I think that records need to stay while they're active where they are.

**Mr. Dumville:** I guess that's my point, is the person in the department trained well enough, or that gives you the satisfaction that those records in those departments are being looked after properly?

**Jill MacMicken-Wilson:** I think that it varies across government. I think in some places the individual that's doing that is highly trained. In other places I think that there are departments that need more training.

**Mr. Dumville:** Now, you talked about looking at other provincial jurisdictions in regards to what they are doing with records.

**Jill MacMicken-Wilson:** Yes.

**Mr. Dumville:** Do you get any help or training from Public Archives Canada? Have you looked at the federal system and have you drawn any expertise from them?

**Jill MacMicken-Wilson:** Yeah. I sit on the National, Provincial and Territorial Archivists Council and I also sit on the Federal, Provincial and Territorial Records Committee, which both groups are bodies

that bring in those individuals from across the country. I'm probably in contact with both groups on a weekly basis and we do provide assistance to each other and information and sharing all the time. That information, I try to then disseminate across government to people who need information on specific topics that we address.

**Mr. Dumville:** Public Archives Canada, are they still putting on a one-month public archives course –

**Jill MacMicken-Wilson:** No.

**Mr. Dumville:** - records management? That's gone by the wayside?

**Jill MacMicken-Wilson:** That has been gone for over 20 years.

**Mr. Dumville:** Okay.

**Jill MacMicken-Wilson:** Yeah.

**Mr. Dumville:** Is there anything available you could send people on?

**Jill MacMicken-Wilson:** There is nothing available on PEI itself. There is no higher education for records management at either Holland College or at UPEI. There are different bodies across the country that offer distance education and we've shared that information with the records staff across government on numerous occasions. I'm not certain that anyone has decided to take any of them. There's a fairly decent introductory series of courses available, even through the New Brunswick Community College that would be of assistance to staff.

**Mr. Dumville:** Thank you. Thank you, Chair.

**Chair:** You're welcome.

Jordan Brown next.

**Mr. J. Brown:** Thank you, Chair.

Bush already partly asked this question, but I'm wondering: Is there a reason why archives and records would not be put in the same department as ITSS?

**Mr. Currie:** Well that's the question to MLA Dumville, that's something that is not

the reality but to the Member from Georgetown-St. Peters, around sort of a centralized entity around IT shared services and records information management, because they're two distinct entities right now. That would have to be a direction of government and right now that's not the reality.

**Mr. J. Brown:** I'm wondering, too, Jill, I think you had indicated earlier in your presentation that it was either not safe or not proper to carry the currently existing process out other than by printing emails. Am I correct in remembering that, I guess would be the first question?

**Jill MacMicken-Wilson:** It is. Printing to paper is the only way right now that we can ensure that the information is still available and is available to other people because it's in a central filing system. If we had electronic records management, which we're working on, then emails and other electronic records could be managed within that system. The people that should have access to those records could have access to those records and then we would not need to print paper the way that we do now.

**Mr. J. Brown:** Are we generally set up with a filing system for, as an example, emails that would be printed to paper?

**Jill MacMicken-Wilson:** See, this is where the confusion happens about doing records management based on format instead of doing records management based on content. If I had received an email that was talking about the Auditor General's report, that file – if I printed that email, I wouldn't file that in a filing system for email, I would file that paper in my Auditor General's file. So you always file to content, not to format. So whatever email I get, I'm going to file it in my paper filing system based on what the content of the email is and the way that I have my filing system set up and which is what we advocate for departments, is that your paper filing system, your electronic files – so if you have a G shared drive or a H personal drive and then you have your email, the folders in each system should be named the same.

When I was looking for briefing notes, I could go to my paper filing system and find the briefing note folder. I could go to my

computer directory and look for the briefing note folder and I would go into my email and look for the briefing note folder. I could find it in whatever format it was in.

**Mr. J. Brown:** That's an interesting point because I asked earlier, that question, and as I know it on GroupWise, because we use GroupWise as well, you can't even set up folders that would be ordered alphabetically and maybe Scott can tell me differently and I'd love that.

**Jill MacMicken-Wilson:** Mine are set up alphabetically and you can sort them. The capability is there.

**Mr. J. Brown:** I'd be interested to know how you do that and maybe we'll have that discussion offline sometime. But, it begs the question: Was there any kind of training available to – is there any kind of training available now or in the past to show people to do these things and is there staffing presumed to be there to do them?

**Jill MacMicken-Wilson:** We have always mentioned it in training that we've given. I think that it needs to be in training that's given to employees as soon as they walk in the door and the RIM basics program that we developed in our piloting in February, that is part of that training.

**Mr. J. Brown:** Finally, Brad and I think maybe Steven to a degree were asking questions about a changeover when we go through an election, basically. Is there a protocol related to a changeover where a chief of staff departs during that time?

**Jill MacMicken-Wilson:** There are no protocols that I'm aware of at this time. We deal with changeovers all the time and I think that there needs to be more informed guidelines about what steps should be taken, and that is one of the policies that we have written down to look at. I know that in Ontario just in the last two years they've come out with quite a comprehensive guidelines and procedures around that topic and it's actually a topic that has come up frequently in the last six months amongst my counterparts across the country. Like what is everybody doing when there is a transition?

**Mr. J. Brown:** Do you know what would have been done in the past? What would have happened with Peter McQuaid's emails when he left in 2007?

**Jill MacMicken-Wilson:** I don't know specifics. It's up to the departments to decide how they're dealing with that which is why I think there should be more of a standard guideline that everybody could follow when there is a transition in government and that's what we've been talking about at the national level.

**Chair:** Brad Trivers?

**Mr. Trivers:** Thank you, Chair.

My questions were answered.

**Chair:** Thank you.

Bush Dumville? Sorry, Chris Palmer.

**Mr. Palmer:** Thank you, Chair.

Thank you, Jill, for the presentation and I think the piece that I'd really like to get my head around is: Based on the recommendations from the Auditor General and your responses to those, are you satisfied as the provincial archivist that the records will be archived in the future course of business?

**Jill MacMicken-Wilson:** What do you mean by archived? Do you mean the records that belong to government will be maintained safely? Or do you actually mean archived, in that once they reach final disposition they're going to come to me at the archives?

**Mr. Palmer:** Both.

**Jill MacMicken-Wilson:** I think that if we can adopt the strategy and we can get departments on board working on that, then I feel much more confident that we can keep better track of government records and that maintaining them will be much easier for everyone to do. If that happens, then I will be confident that we will get at the archives, the records that do have lasting historical value and we will be able to safeguard them once they come to us.

**Mr. Palmer:** Thank you.

Thanks, Chair.

**Chair:** Thank you very much.

I guess that concludes the questions. At this time I'd ask the committee members if there was any specific requests for information that they would like to have (Indistinct).

Matthew MacKay?

**Mr. MacKay:** Thank you, Chair.

On the list of asks, I'd like the meeting materials from the archivist meetings with Premier MacLauchlan.

**Jill MacMicken-Wilson:** I can give you the Power Point, but I don't have – like there would not be minutes or anything.

**Mr. MacKay:** There's no minutes, right?

**Jill MacMicken-Wilson:** No, it was just –

**Mr. MacKay:** Whatever you would have would be sufficient; a copy of the 2009 RIM assessment? Documentation from further archived efforts to conduct RIM assessments after 2009?

**Jill MacMicken-Wilson:** Okay.

**Mr. MacKay:** Copies of the Premier's office records retention schedule for 2008 to 2015?

**Mr. J. Brown:** That's already been requested, hasn't it Chair?

**Mr. MacKay:** It might have been.

**Chair:** The AG always just refers us back to the pertinent department.

**Mr. MacKay:** Copies of any destruction orders that were authorized for the destruction of the records of Chris LeClair and Melissa MacEachern?

**Mr. J. Brown:** (Indistinct) definitely were.

**Mr. MacKay:** The final one: all government bodies who failed to respond to the 2011 RIM assessments. That's good for me, Chair.

**Chair:** Any other specific requests from committee members?

At this time, again, I'd like to thank you very much for coming in today. We are going to take a very short recess so that Mr. Cudmore can get set up.

Just in closing, Jill, I hope you're feeling better real soon.

**Jill MacMicken-Wilson:** Thank you.

**Chair:** Thank you very much.

[Recess]

**Chair:** Folks, I'll ask you to take your seats so we can get rolling here again in a moment. Just so that everyone is aware, Jill is going to continue to sit in just in case there are some questions on the back and forth between the two. I appreciate that.

The first presentation and questions, I guess, took a little bit longer than I had anticipated. Originally, we had scheduled to go until about12:00 p.m. There is another standing committee meeting this afternoon that I've been told by several committee members that they are attending. Not that we're looking to go that late, but I guess what I'd like to know from committee members is if we did have to go until about 12:15 p.m., encroaching on 12:30 p.m., would that be fine?

**An Hon. Member:** Keep her going.

**Chair:** Perfect.

**Mr. J. Brown:** Chair, do we have Mr. Cudmore? Is there a different (Indistinct) that we're supposed to –

**Scott Cudmore:** First of all, I'll assure you my presentation is only about 10 minutes.

**Chair:** Sorry, do you have handouts or is it just the –

**Scott Cudmore:** I don't have handouts but I have supplied an electronic copy.

**Chair:** Thank you.

**Scott Cudmore:** I'd like to begin my presentation, perhaps, by introducing myself

to the committee, or in some of the MLAs' case, reintroducing myself. I got the honour of working with some people here.

First of all, I guess, first things first. I was born here on Prince Edward Island. I've lived here all my life and I've made a career out of information technology on Prince Edward Island. I received my degree in computer science from Acadia University in 1986. I'm shading myself a little bit there, but not too much.

Shortly after I received my degree, I started in information technology at the Unit 3 school board and that's another name from the past. For the past 30 years exclusively, I've worked in information technology. I serve government as the Director of Enterprise Architecture. That is a group of people that provides government with strategic recommendations, with regard to information technology and its use within government. The other function that we have is in information security. We're the folks that are responsible for protecting government's information systems.

One of the reasons why I'm here today is because as part of that group, we would conduct forensic examination of hard discs. We've been trained in exactly what capabilities are there and how one would go about doing that.

I guess my role here today is hopefully to provide the committee with some clarity on government's email system, which is GroupWise. I'm going to describe – at a reasonably high level – but I will warn you I might delve into some technical terms as we move along – how that GroupWise email system is set up, how it works, how email accounts are set up and then how we disclose of email accounts.

One of the themes that came out during Jill's presentation is the accountability of the individual for records management. This is a pretty familiar window to anybody who has used GroupWise before. It allows you to read email and send email, but it also introduces one of the ways in which emails can be removed or deleted from the system. It will also introduce a theme that is going to come up in my presentation as well, many times.

Probably everybody who has used email knows that if you highlight an email and hit the delete key on your keyboard, the email is removed from the active list of email, but it's placed into something called the trash bin.

On this particular picture – which is a training picture by the way – this is not a live email account and that's one of the reasons why the emails are from 2008. It's an older tutorial. You can see there is a trash bin in the lower left hand corner that indicates that there are seven emails that have been removed from the active email stream. Those emails are still there in the system and they will actually be removed until the user performs a function that's called emptying the trash. You right click on the folder and then say: Empty the trash.

Even when you do that, those emails are actually physically removed, they're deleted from the active email system, but there's still an opportunity to get those emails back through the use of a backup. I'm going to get to a lot more about backups a little bit later on in the presentation. How backups work, and how much of a backup we would keep from an IT perspective.

One of the things that IT Shared Services does is – and has been doing for quite a number of years – is we participate in an employee exit process. So when an employee leaves government, there are certain things that should be done that IT Shared Services is responsible for doing. This process has been in place since the early 1990s.

It involves, first of all, ensuring that there is a secure environment on the network. So if you were no longer an employee with government, our policy is, and should be, that you no longer have access to government resources, such as email or your account on the network. This process is initiated by the department that the user, our user, reports to or works for.

Typically, the guts of the process are is that somebody fills out a form removing a disposition on the user's information. I'm going to focus on email since that's really the topic of conversation. When a department fills that form out, they really

have two options with regards to the disposition of email and email accounts.

One is called disabling the email accounts. That's an IT term because it's been used in other communications and it may have a more specific meaning in those communications. I'm going to focus on what it means to Information Technology Shared Services and IT. At a bare minimum, one of the things we should do when an employee leaves government is disable their email account so they no longer have access to email.

I'm not sure if anybody around the table has used webmail, the webmail access that we have. You can basically exactly go to our website and log in through the email system, so you don't actually have to be physically located. Obviously we need to remove that.

When we disable an account, what that means technically, is that no one in the email system will have access to that account except for a system administrator of GroupWise themselves, or we have another special type of access called a proxy. All a proxy is, is it allows somebody else other than the previous owner or the owner of the account to gain access to that account. When the account is disabled, you can no longer send email, you can no longer – sorry, you can only read the email.

One of the reasons why a department would want to have that proxy access is in a transition of responsibilities, for example, where emails were used to conduct business. If somebody leaves, somebody else comes along and takes their place, replaces them, it's often necessary for that individual who's replacing the person to have that access to those emails.

When an email account is disabled, it can always be re-enabled and restored. In other words, disabling the account does not remove any email.

At some point in time, when we've disabled an account, government has a vested interest in deleting those accounts, and my next slide is going to, hopefully, give you some indication of why government is interested in deleting emails electronically. This is a graph of data growth globally for the last 14 years, and the unit here – when we talk

about storage capacity, some of the terms that might be familiar to committee members might be megabytes, gigabytes and terabytes. If you go to Best Buy, for example, you can see terabyte drives. The figures here are in something called exabytes, which means a billion gigabytes.

So literally, the globe is now awash in data, and the rate of growth of that data is increasing. As you can see, it's exponential. There are reasons for that, right? Technology in general follows this trend. We can talk about RAM in computers; we can talk about processing speed. Most technology follows this curve.

What I'm going to show you next is the government of Prince Edward Island's data storage and data usage, and you can see that it is pretty much the same, except in its scale, to that global pattern. There's two types of data represented here on this graph. The data in blue represents files, word files, spreadsheets, day-to-day working files, text files, basically everything else except for that red stuff, and the red stuff is email.  You can see through this particular graph that email is starting to take more and more of our storage space on a year-per-year basis.

We anticipate that that growth will continue, and so the bar for 2017 is going to be even higher. In Jill's presentation, she had mentioned the investment that government is going to make in 2017-2018 for storage capacity to the amount of $1.6 million. Because this rate of growth will continue, that $1.6 million will probably have to be invested, yet again, in a period of about three to four years. We're projecting – and it's only a projection at this particular stage – that the investment in 2019-2020 will probably be in the $2.4 million range. We are talking about significant cost to government in its use of electronic files.

With this as sort of the backdrop of major issue, this is not something that is specific to Prince Edward Island. All data centres across all provinces – and in fact, all data centres on the globe – have this as an issue. It's estimated that probably in 2025 the supply of storage will not be enough to meet the demand for storage, and that will be a significant crisis in information technology. We have exciting jobs in information technology in terms of challenges.

One of the ways that we try to limit this growth is through the deletion of information that is no longer useful or no longer required, whenever possible. This is where the deletion of email comes into play when we're talking about an exiting employee. The deletion of email is actually a pretty common practice because of this particular issue.

One of the questions that I believe I heard asked in a previous committee meeting was: Why don't we simply keep email forever? That's primarily the main reason, the cost of storage.

The other issue that we have with an ever growing number of email in our system is that our system has a certain capacity. Again, when we start to reach the limits of that capacity there's performance degradation in the email system and there is instability that occurs. We've experienced instabilities in our email system over the last number of years, which I'm sure everybody has experienced, and it's not a very good situation from an email perspective.

The other thing that we're trying to maintain and control the cost of is licensing. Currently, we have about 10,000 active users in our email system and we have about 4,000 disabled accounts. Government has invested in licensing email to a very specific number of email users and it is around, more or less, 14,000. A license for a GroupWise email account, there are various types of licenses that you can buy, but for a standard user license is about $250. We're trying to contain that cost and you can kind of do the math, 14,000 users, $250. That's another significant investment that government has made in information technology.

If you disable an account you're still using a license. If you delete an account, then somebody new can be added without any additional cost to government. That's another reason why, from an information technology perspective, we're interested in maintaining that ability to delete accounts that are no longer used.

A lot of the space that is being used in email are copies, both from a records management perspective, but in actuality. The example I will give you is, is that Public Service Commission broadcasts or sends out job opportunities to all staff through email. That email is actually found in all of the mailboxes in all of the post offices of every employee in government who gets those notifications. There's a lot of duplication in the amount of space that we're using and clearing out the email accounts from an information technology perspective makes some sense. We've been doing this since very much the dawn of email in the early 1990s.

This is where we kind of get into the technical part of the discussion and I'll try to keep this at a reasonable level. This is what GroupWise actually looks like on the inside. It's a little bit different than what one might expect using email and I'm going to get into just very briefly how the email system source emails and accounts. This is basically a snapshot of the GroupWise system on disc. It's composed simply of a bunch of folders and directories and inside those folders or directories are specific files.

One of the common perceptions about email is that each email is stored in a separate file. That is not the case; that's not the way the email system works. One of these folders contains one file for every account holder. That file is used to store all the email, all calendar events, etc., which we call records. I don't want to confuse that with record from records management, but each email is a record, each account is a record, each calendar event is a record, etc., usually stored in a single file that never gets deleted from the hard disc. The file's contents can be removed, but the file itself is there on the disc. It could be empty. If you have an empty inbox, you have an empty file. That will become very important when we talk about retrieval, like how can we retrieve from a hard disc when all emails have been deleted.

When we actually delete an account, the records for the email system are marked for deletion as they are with the trash bin example that I talked about prior to this. The records themselves remain in the directory structure until a process called a compression is actually done.

What a compression does is it attempts to gain back disc space and some of the storage that we were talking about earlier and it also allows the email system to speed up a little

bit. So we're gaining performance by doing this process and we're gaining space. What compression does is it actually removes the emails from the system. They are removed at that particular point from the file that still resides on disc. That way, if you think about what was described to me as somebody crushing a car, you're removing space that is being used and you gain back space on disc.

At that particular point it is pretty much impossible to retrieve the emails from the disc. Forensically, it is possible to restore files that have been deleted from disc if you get to them in a specific amount of time. The longer the amount of time it goes on, the harder it is and the less likely it is that you're going to be able to retrieve any useful information.

When you delete something on a computer disc it is placed in something called a free list of space. The next time another program that's running your computer needs disc space it will go to that free list. As time progresses, more and more of that free list is being overwritten with new data.

Once the data has been overwritten it is virtually impossible to get that data back. If we were having this discussion 20 years ago, there would be a method to actually read the hard disc itself and determine what changes were made, and therefore gain that information back, but that is impossible in this day and age because of the capacity in the hard discs.

The other thing I need to say here is that we would run one of these compressions about once a month. In the time period since we're talking about, there have been many of these compressions that have actually taken place; again, for operational necessity if nothing else.

Based on our knowledge of how files are restored for forensic evaluation, we did inquire with the manufacturer of the discs if there is absolutely any way that we could go back and restore the information that had been overwritten. Their response to us was: Given the amount of time, it's impossible. That is why we would say the retrieval of the information at this stage is pretty much an impossibility.

There's another aspect to this and that is backing up the system. IT Shared Services has a running policy that data should be backed up and it should be backed up on a periodic basis. We also have the practical reality that you can't keep these backups forever, so the backups for the email system work in the following fashion.

I've got an image of a rolodex file here because backups for email are stored in something called a rotary or rotational file and it works exactly the way a rolodex card deck would that has 365 cards in it, one for each day of the year. If we were starting from scratch and we didn't have any email backed up at all, the first day that we did a backup we'd write that day's emails on the rolodex card. The next day we'd write the next day and so on until we had 365 days of backup.

Right? So what happens when we have 365 days of backup? We flip to the first card and we overwrite all of the emails on that card, so in that way we always maintain 365 days or one year of email backup that we can restore back to. The reasons that we limit it to one year are pretty much exactly the same as the reasons why we're interested in having email accounts that are no longer being used deleted: cost of storage, plus if you backup any longer than that one year period, you start to see diminishing returns on the reason that you're doing the backup.

One of the things that has to be said is that the purpose of a backup is not records management. It's disaster recovery and it was designed exactly for that purpose, that we backup the data in case something happens to that data and we want to return it. So an accidental deletion, for example, we would have a year's backup in order to restore that information back.

This is not uncommon. We're pretty much following every other jurisdiction in Canada with that, and one year is basically an industry standard with regards to backups. That is another reason why we say given the amount of time that has passed, we would not have a viable backup for the email system prior to, for today, February 1st, 2016. Tomorrow it'll be February 2nd, 2016. The backups actually occur automatically. There's no intervention here and there's nobody to say: Stop here. Right? It just

keeps on rolling pretty much like that rolodex in terms of our ability to recover.

The other thing that I should mention with regards to records management is that the GroupWise email system was never designed to be a records management system and it probably never will be a valid records management system. We need some other piece of software, and Jill has mentioned that in her presentation as an electronic records management system which we've determined should probably be Alfresco.

The reason that we chose Alfresco as a potential is fiscal rather than functional. What we would call in IT a tier one records management system has a dollar value for implementation of anywhere between $6 million and $8 million. A lot of that is licensing. So these are very expensive pieces of software. Alfresco is a document management system with records management functionality that falls under a group of software called open source software. There's no licensing cost for open source software.

Where the cost is is in support, so if you're maintaining and supporting that system, you want the makers of that software available to answer questions or help you with any issues that might come up. The cost of that is considerably less, so we believe as part of the go forward strategy that using Alfresco will allow us to implement records management within the Government of Prince Edward Island for considerably less than what historically it would have cost.

**Chair:** Scott, sorry, just a quick question.

**Scott Cudmore:** Sure.

**Chair:** How far along are you in your 10 minute presentation?

**Scott Cudmore:** I'm done. I'm done (Indistinct)

**Chair:** All right.

**Scott Cudmore:** The one thing you should know about IT people –

**Chair:** Ten minutes stretched to 25 pretty quickly.

**Scott Cudmore:** Yes.

**Chair:** I know I do already have a couple of committee members that have questions.

**Scott Cudmore:** Sure.

**Chair:** First is Matt.

**Mr. MacKay:** Thanks, Chair. Thanks for coming in, Scott. My first question, I guess, were you interviewed by the Auditor General at any point?

**Scott Cudmore:** No, I was not.

**Mr. MacKay:** So the auditor interviewed three senior officials at ITSS during her audit. Why were you not interviewed by the auditor?

**Scott Cudmore:** On a day to day capacity I would have very little to do with the email system other than being a user, but I do have – and one of the reasons why I'm here today is as the director of Enterprise Architecture, because of the role, I have to have a fairly broad based knowledge of technical implementations and I know about files and file systems, the email system itself, and I would have perhaps discussed the technical nature of the email system with the individuals who were interviewed, but I would also have very little to do with the process that I described in terms of – we get the form and there's a disposition indicated on the form to say: Delete. But, I'm aware of that process.

**Mr. MacKay:** I guess here's another question: Why would Minister Roach have sent you to committee instead of one of the three officials that were audited to discuss the deleted emails?

**Scott Cudmore:** Again, it's because of the technical knowledge that I have. It was felt that I would be perhaps better prepared to answer any technical questions that the committee might have. I can certainly answer questions about the process, why the process is there. I can also answer questions about the retrieval of information that has been deleted and that was a topic that had come up in committee, and I'm also versed in forensic analysis on hard disc so again, it was more towards the technical nature of

questions rather than records management, for example.

**Mr. MacKay:** I guess my thought process, what I was hoping for today, is to find a little more in depth of what was discussed with the auditor, right? Like, would you have any idea when Robert Ghiz requested for the deletion of Chris LeClair's email account?

**Scott Cudmore:** (Indistinct)

**Mr. MacKay:** You would have no recollection of dates or anything of it?

**Scott Cudmore:** It wouldn't be a recollection. It would have never crossed my –

**Mr. MacKay:** Right, okay. That's it for now, Chair.

**Chair:** Brad Trivers is next on the list there.

**Mr. Trivers:** Thank you, Chair. My question is – obviously there's a lot of issues you talk about with the current GroupWise email system and it's been in place for a long time and it's done a good job, but one thing we found is that there actually was an RFP that was issued in 2008 for a corporate email archive solution that would address a lot of the issues with GroupWise and a lot of the functional issues as well that PARO had brought up, so things like recovering lost and deleted emails, low disc space on email servers and things that are more specific to GroupWise like shortcomings with native archiving, even the lack of policies.

It looks like the RFP was issued with a closing date of September 17th, 2008, but it's unclear to me if the RFP was ever awarded and I was just curious as to why that wouldn't be, because I think we could be much further ahead right now in our solution base if maybe the RFP had been ordered. I'm just curious how that –

**Scott Cudmore:** I believe that archive solution that was identified through the RFP was actually installed and tried and it was discovered not to meet, certainly, the needs of records management, as I recall. So it was discontinued.

**Mr. Trivers:** Can you elaborate on that, perhaps?

**Jill MacMicken-Wilson:** Sorry, my memory from –

**Unidentified Voice:** 2008.

**Jill MacMicken-Wilson:** - is not the best. What I remember was that one of the things that we need in a proper electronic records management system is the ability to build in the retention schedules right into the system; so that say, if you wrote an email and it should be deleted in like five years, if that's filed properly in the system, when that five year deadline comes up the system will pop up and say: Do you want to delete this record now? That capability was not available in the archiving solution so it did not meet our RIM needs in any way more than the way system already worked.

**Mr. Trivers:** Okay, Chair?

**Chair:** One more, Brad.

**Mr. Trivers:** Will the Alfresco solution that you're looking at for electronic records management actually handle emails as well, or will they just keep records? I mean the email records, will they have to be sort of manually put into Alfresco or will it be integrated with your email solution; and supplementary to that, I was wondering if you'd considered any cloud solutions instead of Alfresco? For example, offered by Google, you know their famous Google Docs solution or Open Office from Microsoft that potentially could have licensing advantages too with the different office suite of software that we use within government.

Those are my sort of one question.

**Chair:** (Indistinct) sales pitch.

**An Hon. Member:** (Indistinct) question.

**Mr. Trivers:** Yeah, so Alfresco is email integrated with it, and then have you considered cloud solutions?

**Scott Cudmore:** Email is not integrated with Alfresco out of the box. We're working on that. One of the key items to the success of any electronic records management

system is ease of use. You have to integrate it in with the user's daily work so it can have all of the functionality that you need, but if the users will not use it then you're no further ahead. We believe that we can integrate GroupWise in with Alfresco because you can drag and drop an email into Alfresco and that's where we're going.

Now, on cloud –

**Mr. Trivers:** Yeah.

**Scott Cudmore:** - the Government of Prince Edward Island is currently working through a cloud strategy. There are some issues with cloud, so data sovereignty is one that our provincial archivist will have some issues with.

**Mr. Trivers:** I'm familiar with that issue.

**Scott Cudmore:** Right, yeah, so it is being considered but we are moving probably I would say somewhat slowly and cautiously, but purposely cautiously on that front.

**Mr. Trivers:** Okay, I just want to make one last comment on that since we're at this (Indistinct)

**Chair:** Real quick because time is running.

**Mr. Trivers:** Yeah, it is just that based on the fact that some of these cloud solutions like Microsoft where we already have licenses for their entire office suite, as well as their integration of email and everything all together plus the different cost per user, plus the outsourcing – I don't know, it just seems like a massive opportunity to save money, have a better solution, replace GroupWise, have an electronic records management system, and it feels to me like we're going to an interim solution when we're probably going to have to move to a solution like that in the future. I wanted the committee to take that into account perhaps in their recommendations to the Legislature.

Thank you.

**Chair:** Sonny Gallant is next.

**Mr. Gallant:** Thank you, Chair. I would like to thank you both very much for your presentations, very informative. Scott, my question is to you and Jill used one of the

words but we're talking disabled, delete, semi-active, inactive – different terminology about emails. You had indicated after 365 days if something is deleted it's gone. Is that correct?

**Scott Cudmore:** That is correct.

**Mr. Gallant:** You cannot –

**Scott Cudmore:** It is no longer possible to restore from backup after that 365 days.

**Mr. Gallant:** There is no possible way you can retrieve that information?

**Scott Cudmore:** Specifically, with regards to email, no. We've investigated it, all options with regard to restoring emails and that –

**Mr. Gallant:** And is that only for the deleted ones? Is that for the inactive? Is that like –

**Scott Cudmore:** Disabled?

**Mr. Gallant:** Yeah, disabled? If somebody didn't use their email (Indistinct)

**Scott Cudmore:** No. The disabled email remains on the system, so it's still there. I'd mentioned there were 4,000 disabled accounts so that their emails are still available.

**Mr. Gallant:** Okay. My next question is: How long do you folks keep information? Is it for eternity? Is it for seven years, five years, 10 years?

**Jill MacMicken-Wilson:** It really varies depending on what the record is. When we create retention schedules we take three things into account. We take into account any existing legislation that dictates that that particular record needs to be kept for a certain length of time. We look at industry standards or whether there are national guidelines or national standards that certain parts of government have to meet. We use that to determine retention and we also look at the basic day to day operating needs of the system.

So financial records, many of those records would be active for the current fiscal year and after another seven years they can

normally be deleted or destroyed because – and that's based on Canada Revenue Agency guidelines, that they want records – you can get audited for seven years so that would determine that retention.

On the other hand, say in the department of environment, you might have case files on the building the Confederation Bridge so I think that the bridge is supposed to exist for, what? Maybe 100 years? It would be practical operationally to keep any records about that bridge for as long as that bridge exists. So in that case, the retention for those particular files might be that the records are active as long as the bridge exists and then you would move into a semi-active period or a destruction period.

There's no way to create one retention schedule for all government records. There are too many variables. Some may be destroyed in a year, some might be 100.

**Mr. Gallant:** Thank you.

**Chair:** Bush Dumville.

**Mr. Dumville:** Thank you, Chair.

Scott, do we have a practical policy? I know like in regards to emails, I know in the old days you'd have to sit down and write a memo to hold somebody accountable. Now you can hold people accountable pretty well with emails but there's always instant actioning and we're using it as a new communication tool with day to day meetings and interaction. Is this nuisance messaging from a storage perspective? Is there any action taken to say: Hey guys, you know this is just bogging us down. I mean, it's such a great tool, but from a storage point of view it must be a nightmare.

**Scott Cudmore:** Right. The majority of use in email – and I hope I didn't give that impression – it is business related, but there is always overhead in terms of what you're suggesting of nuisance email. That can be: What are we having for dinner? That sort of thing –

**Mr. Dumville:** Meet you at Tim's.

**Scott Cudmore:** Right, exactly, those are sort of non-government – you can correct me if I'm wrong, Jill – they would not be

government business related records, right? There's really no way to enforce saying: Don't do that. So it will happen.

Now, we do have something called an acceptable use policy which all of our users sign off on and what that acceptable use policy does is it basically says these are the acceptable uses for government's information technology that the infrastructure, your laptop, the network, disc storage and all of that is primarily provided by government for business purposes.

The reality of the situation is that you must assume there will be some incidental or personal use, I think, of that. It adds to the burden of our storage but it's not – it's not by any means the main cause.

**Mr. Dumville:** Yeah, because our lives are not restricted – like we're community active. We're in different organizations and it's pretty hard to separate (Indistinct)

**Scott Cudmore:** Sure. I couldn't – if you were to ask me what percentage, I couldn't tell you that. There would be no way to find out.

**Mr. Dumville:** But, our storage policy is impractical because of usage such as this?

**Scott Cudmore:** Well, yeah. Again, as I say the driver of that, the increasing data storage, is overall use. It's not that one use. That might be a way to ease that growth rate but probably not a lot, in my opinion. I don't know the numbers. I'm speculating.

**Mr. Dumville:** Thank you, Chair.

**Chair:** Peter Bevan-Baker.

**Dr. Bevan-Baker:** Thank you, Chair.

I'd like to talk – thank you, Scott, by the way, for that. I learned a lot. I'd like to talk about the cost of storage. You mentioned that has become prohibitive. I understand within GroupWise that we have a finite number of licenses and therefore as people move through government and retire, or whatever, that those accounts are removed, deleted. Is there a way of storing the data, emails which are created in GroupWise, somewhere else and is that done?

**Scott Cudmore:** Somewhere other than the GroupWise system or disc storage?

**Dr. Bevan-Baker:** Yeah, as I understand it the costs or one of the limitations in storage is the fact that we only have so many accounts available to us unless we want to spend more money.

**Scott Cudmore:** Yes.

**Dr. Bevan-Baker:** Therefore, the way you deal with that is to delete those accounts. But, would it be possible, either prior to or in combination with that deletion, that those emails be stored on another device outside of GroupWise?

**Scott Cudmore:** We're actually exploring that as a possibility and to MLA Trivers' comments with regards to cloud, that was one of the other options that we're looking at and that is for email that is not – when I use the word active here, what I mean is it shows up in that window, that it's not archived. What happens right now is, is that 14 days after an email has been received and shows up in your main window, it actually gets auto archived into a, still within the email system, into something called an archived file which is also backed up for a year. That archive currently resides on a different type of storage than the email that is active, is being stored in.

There's no probable reason why that archive could not be stored on another type of media like a cloud-based system. I don't want to get too technical, I know. I'm sort of delving into the details, but yes that is being explored. The costs are comparable; that's the main issue. In other words, you're still going to pay for that additional storage.

**Chair:** Go ahead, Peter.

**Dr. Bevan-Baker:** A couple of places I could go here, Chair, and I know we're getting tight on time but I want to follow up on something Jill mentioned about how all records are not equal and that some require to be retained for longer than others based on various criteria. Who distinguishes – who is responsible for distinguishing the criteria for how long a particular record should be kept? Is that the individual who generates it?

**Jill MacMicken-Wilson:** They would have some input into it. The retention schedules are written by the departmental RMLO or RIM coordinator in conjunction with the staff at the Public Archives and Records Office. The individual who writes the schedule does the research to find out if there is legislation or standards and talks to the individual using the records to figure out how long they probably need to have it on hand. The RMLO then writes the schedule.

We work with them on it to see whether we think it's okay, perhaps suggesting longer or shorter retentions. Then the decision on whether something has archival value, that it has lasting historical value, that's my decision. They will give me suggestions, but then in the end I will decide whether I agree or not.

Then once we are happy with the schedule and once the department is happy with the schedule, then we take it to the public records committee where they review the schedules and as a group we then decide whether we're going to approve it or not approve it. It's a process. It's not one individual, really, that does that.

We get input as much as we can, and the way that the public records committee is set up, the members of it are coming from all different backgrounds so we get a lot of different perspective in the room so that hopefully we are all – by the end of the day we have the whole picture of possibilities of why we might need records for a certain length of time.

**Chair:** Peter, any other questions?

**Dr. Bevan-Baker:** Final question, Chair.

**Chair:** Yeah, go ahead.

**Dr. Bevan-Baker:** I understand that when an email account is deleted that all of the emails within that account are gone, but of course there is a recipient for each email that was sent. Can you explain whether it would be possible – and this question was asked at the previous public accounts meeting but I didn't get the answer – that email which arrives at somebody else's inbox, presuming they are still working for government and have an active email account, would that email still be retrievable?

**Scott Cudmore:** You're talking about what happens in the reply? The email would be as well in there. If I communicate with you through email and we reply back and forth –

**Dr. Bevan-Baker:** Yes.

**Scott Cudmore:** - you often see a thread in the email. For somebody who is active as a user now who received an email from one of the individuals whose emails were deleted, it would still be in their email box. We have investigated the possibility of doing that and the cost was relatively significant to do that.

**Dr. Bevan-Baker:** Chair?

**Chair:** One more.

**Dr. Bevan-Baker:** Just to clarify then –

**Scott Cudmore:** Sure.

**Dr. Bevan-Baker:** It would be possible if costs were not prohibitive to retrieve emails from the two deleted accounts that we are talking about here in this Public Accounts Committee?

**Scott Cudmore:** My understanding, from listening to the Auditor General at the previous Public Accounts Committee, is that the Auditor General was aware of that and had actually received some of that communication from individuals whose email accounts were provided to the Auditor General.

One of the things to realize in terms of the scope is that we have 10,000 active users. That translates into 131 million records in our current email system and you would need to be able to narrow that down to which active email accounts should be investigated, should be looked at.

**Chair:** Jordan Brown is next.

**Mr. J. Brown:** Thank you, Chair.

I guess I can maybe start off by asking this question: Do you know specifically in relation to Chris LeClair or Melissa MacEachern if their email accounts were deleted or disabled?

**Scott Cudmore:** I wouldn't know directly. My understanding is that their email

accounts – the request that came through to IT Shared Services was to delete the accounts.

**Mr. J. Brown:** How long would the emails be left on the server after that would have happened?

**Scott Cudmore:** They would have been available for retrieval probably for a month. I don't have exact – I don't have the timeline, but they probably would have been available for retrieval, in a mark for deletion state, for a month and then after that there would have been a backup available for a year after that actual compression of the emails.

**Mr. J. Brown:** Is that the normal course of events for any employee that there was a request to delete their emails?

**Scott Cudmore:** That is the normal course of events. The actual process of deletion is mostly automatic and the assumption on the part of IT Shared Services at the time was that records had been retained according to records management policy.

Our process at the time did not take records management into consideration and of course – so then in foresight after the fact, we recognized that there was a weakness in that process and so we have modified that exit process just slightly to include the sign-off of records management staff to the deletion of the email.

**Mr. J. Brown:** Typically when somebody – I guess from your end of things, if you could kind of explain the process in a practical way – so somebody leaves government. Presumably at some point in time there is a request to delete their emails or email account which goes to you guys and then the emails ultimately are deleted, as you just described. But, can you – what are the practical triggers or actions that happen there? Are there timelines? Is there a timeline if Jordan leaves government today, how long before my account would be disabled and deleted and all that?

**Scott Cudmore:** I actually don't have any information regarding the averages on that. We could certainly attempt to provide that if requested. Typically, it will vary. It depends on the HR organization of the department. It

depends on a variable number of things. At some point we would receive a filled-in form called an employee removal request. That would get sent to our service centre and our service centre would fulfill the request.

**Mr. J. Brown:** And how many people in government can delete emails from the system?

**Scott Cudmore:** Technically? There's probably 26.

**Mr. J. Brown:** And –

**Scott Cudmore:** And they're technicians. They're IT workers who are familiar with the GroupWise system and have access and authority to do that.

**Mr. J. Brown:** So they're all at ITSS or something like that?

**Scott Cudmore:** They are.

**Mr. J. Brown:** Can I ask just one more question?

**Chair:** Sure.

**Mr. J. Brown:** Do you have an expected, I guess, cost for the implementation and operation of Alfresco?

**Scott Cudmore:** We were talking about the records information strategy, or do you want it specifically the IT costs or –

**Mr. J. Brown:** Maybe you could give me an – just in terms of the plan that's been developed here, is there a planned cost associated with that both operationally and from a capital perspective?

**Scott Cudmore:** Yes. The overall costs, and these are not exact figures by any stretch of the imagination, is approximately $5 million. Now, that's broken down operationally and in capital. The capital is about $392,000. What that represents is the actual cost of Alfresco, additional infrastructure in terms of hardware, so you'd need a server in order for Alfresco to run and that server has to have additional disc space, etc. Then there is the support that you're going to receive with Alfresco, so all of that is included in that capital cost.

Then there's an operational cost of additional resources, both on the records management side but also on the information technology side. Somebody is going to need to administer this electronic records management system, so there's an allocation in the operational budget for that position.

**Mr. J. Brown:** Do you have any idea how many new positions would be required to fulfill this mandate?

**Scott Cudmore:** From an IT perspective we were looking at one full-time equivalent. Jill would have to answer the –

**Jill MacMicken-Wilson:** On the records management side there are, eventually over the three years, there would be one records analyst. Eventually we would need a second records centre clerk because we have the second facility in Summerside and then we need more RIM staff for the departments and I'm not sure – last conversation – I'm not sure how many exactly that was. Right now there are I think four full-time RIM staff and then the rest are various levels of part-time staff in the other departments.

**Chair:** Okay, Steven Myers.

**Mr. Myers:** Thank you. I just want to go back to the deletion recovery thing. Based on what you told us, it can't be recovered, and is it your understanding that if the RCMP forensic unit had access to the server – or your backup server, because as you explained, backups would also have a stored record of information – that neither server would be, the RCMP wouldn't be able to retrieve from either server this information?

**Scott Cudmore:** Typically, what the RCMP would do is when you – and I can give you a technical –

**Mr. Myers:** Yeah?

**Scott Cudmore:** - reason why. Because the email itself is stored in an operating system file, in a special binary format, and my apologies to the rest of the committee, it manages the allocation and de-allocation of space within the GroupWise system.

What the RCMP's forensic unit would do is on an operating system level, when you

delete a file – so if I have a consumer-based drive and this is what they're experts at doing, a lot of people believe when you delete a file from your computer, home computer, it's gone. But it's not.

All the operating system does is there's a directory entry with the file name. It marks the first character in that directory entry with a deleted tag, right? And the way in which the files are stored on the hard disc are in blocks of information and those blocks could be all over the hard drive. They don't have to be sequential. They are linked together in a linked list of blocks that says: This is that file.

When you delete the file, that linked list of blocks is placed on a free list, okay? Now, if you get the hard drive a couple of days or even a couple of months, it depends on the usage on the hard drive, the data from the file is still in that linked list and all you have to do is say: Okay, I'm going to create a new directory entry and link it to that list and my file has just been restored. Now that's been a technology that has been available for quite some time.

The issue is when those linked lists are to get overwritten so as time progresses and the time is variable, it depends on the activity on the disc, those blocks will start to get overwritten and then you're only going to get a partial recovery. Eventually, all of those free blocks will be overwritten and it's virtually impossible –

**Mr. Myers:** Yeah. And –

**Scott Cudmore:** – at that particular point in time.

**Mr. Myers:** That makes perfect sense, so on the GroupWise side that link list would get overwritten much more than on your backup side because you're really only talking about that being overwritten once a year.

**Scott Cudmore:** Well the backups, unfortunately, is still a single file. Remember we talked about the rolodex, so that file is actually being overwritten constantly. It's like a piece of paper, right, that you tape together into a roll and then you just keep writing on that roll. Eventually you reach where you started. You're going to continue to rewrite that. So practically,

there's only a year's worth of data in that one file.

**Mr. Myers:** Right.

**Scott Cudmore:** Depending on the data per day, that file grows or shrinks.

**Mr. Myers:** Okay.

**Scott Cudmore:** The other thing to be aware of, of course, is that when you're talking about email there's daily activity, right, that's the problem.

**Mr. Myers:** Definitely on the email side, yeah there is.

**Chair:** Okay Steven, any other questions?

**Mr. Myers:** Just one more and I guess it's for Jill. It has to do with the Treasury Board policy. It appears when I read it that the Premier's office itself isn't covered. They aren't outlined in the document and they don't actually have an archiving person listed where all of the rest of them did. Did they get removed from the act when he changed the act?

**Jill MacMicken-Wilson:** No, no. The act very clearly indicates that the Premier is – the Premier's office is an office of government. Therefore, under the act it is covered under the act. The Premier's activities in the Legislature, as all of your activities in the Legislature or all of your activities in your constituencies, those records that you create in those areas are not covered under our legislation. But the Premier's office, because it is an office of government – basically he's the first minister, right?

**Mr. Myers:** Right.

**Jill MacMicken-Wilson:** All of the records that he creates as Premier within government, not within the Legislature but within government, are covered under our legislation. There was – in no way was it even suggested that he was removed from the legislation. The RMLO vacancy in the Premier's office right now was because the individual that looked after the records retired in June and that position has not been permanently filled yet so we don't – we have the RMLO that deals with the

Executive Council Office is now sort of acting and dealing with the Premier's office, but that's just an HR issue.

**Chair:** Thank you.

I have one person left on the list, and I'm sorry, we'll have to cut it off there. Matt MacKay, just –

**Mr. MacKay:** I just have one –

**Chair:** – two questions or one.

**Mr. MacKay:** One final question: I was just wondering, Scott, who in the department carried out the deletion of the emails of Melissa MacEachern and Chris LeClair?

**Scott Cudmore:** I'm not aware. I can't answer that.

**Mr. MacKay:** There's 26 that have the authority to do that.

**Scott Cudmore:** No, you may have misinterpreted. They technically – somebody has to initiate the deletion process in the email system.

**Mr. MacKay:** Right.

**Scott Cudmore:** Typically that's an IT technician. When a request comes in, we have a ticketing system. The request would have been filled out by somebody within the department, and the deletion would have been authorized by somebody within the department who has the authority to make the decision to disable or delete.

The technicians at IT Shared Services are simply meeting a request; that's their job. They didn't make a decision about whether they were going to disable or delete. They were following a request, if you will. Because IT Shared Services is a service provider, we enable the deletion insofar as we do the technical work behind the scenes.

I mean there are 26 IT workers with the ability to service a request to delete email through a process that is pretty standard and goes on all the time.

**Mr. MacKay:** Just to clarify that: how many would have the authority to issue that request in the department?

**Scott Cudmore:** It depends on whose email is being requested to be deleted. We would look for a supervisor, or above, in that case. It has to be somebody in that supervisory chain, if you will.

**Mr. MacKay:** Thank you, Scott.

**Chair:** Vice Chair, I think, had a quick question for clarification.

**Mr. J. Brown:** This is pretty important, Scott, so please just indulge for a second, and the committee members. I just want to make sure that I have this correct. We can use the Chris LeClair examples.

There's a request that's filled out by – I don't know whether it's Chris LeClair or the Premier, but ultimately signed off by the Premier – for that account to be, I guess, deleted is the word –

**Scott Cudmore:** Correct.

**Mr. J. Brown:** – and that then goes to somebody at ITSS, am I –

**Scott Cudmore:** Correct.

**Mr. J. Brown:** – and that somebody is one of those 26 people?

**Scott Cudmore:** It would eventually land in one of those 26 people's hands, correct.

**Mr. J. Brown:** My understanding is they then batch those requests to delete and one time a month they're put through?

**Scott Cudmore:** Well, the actual deletion of the account can occur anytime. The compression – remember we talked about the compression – that actually removes the record would probably take place once a month.

**Mr. J. Brown:** Then they're backed up for one year from the point that they hit that process.

**Scott Cudmore:** Correct.

**Mr. J. Brown:** Basically, no matter what, any quote-unquote deleted email is still there backed up for one year.

**Scott Cudmore:** For one year.

**Mr. J. Brown:** Plus whatever time it took to get there.

**Scott Cudmore:** Plus whatever time it took to get there, which, again, it could be almost instantaneous from the exit of the employee, but it could lag.

**Mr. J. Brown:** Did everybody get that?

**Chair:** Ladies and gentlemen, I'd just like to move on now, so is there any specific request for information –

**Mr. MacKay:** I would like some information.

**Chair:** Matt MacKay.

**Mr. MacKay:** A copy of the proxy request from Melissa MacEachern's account; a copy of Chris LeClair's employee removal form, approved by Robert Ghiz; a copy of the Melissa MacEachern employee removal form approved by Neil Stewart –

**Chair:** Scott, this is being recorded, too, so we –

**Scott Cudmore:** (Indistinct) I don't need to –

**Mr. MacKay:** The system entry log which shows the IT staff member carried out the account in relative to deletion of Melissa MacEachern –

**Mr. J. Brown:** Is that available, Scott? (Indistinct)

**An Hon. Member:** (Indistinct)

**Mr. J. Brown:** We'll let him answer the question.

**Scott Cudmore:** It might take some sifting through (Indistinct)

**Chair:** Is there anything else, Matt?

**Mr. MacKay:** Yeah, I got a few more: the systems entry log which shows the IT staff member carried out the account deletion of Chris LeClair –

**Mr. J. Brown:** Is that available?

**Scott Cudmore:** I can't answer yes or no. We'll have to search.

**Mr. MacKay:** A list of the work station ID numbers for every device used by Chris LeClair and Melissa MacEachern; the current location of all these devices used by Chris LeClair and Melissa MacEachern; and the final one, just following up on Jordan's question, I'd like a list of the email account removals that occurred under the Premier's office from 2009 to 2016, the date they were requested and the date they were carried out.

**Chair:** Peter Bevan-Baker also had a request for –

**Mr. J. Brown:** Could you just repeat that one? I didn't (Indistinct) that question.

**Mr. MacKay:** A list of email account removals that occurred under the Premier's office from 2009 to 2016, and the date they were requested and the date they were carried out.

**Chair:** Next, Peter Bevan-Baker.

**Dr. Bevan-Baker:** I'd like some guidance as to the practicality and the cost of this, but given that we've now found out that some of these emails may well be retrievable, assuming that the recipients are still active in government – you mentioned about the 10,000 users, but we can narrow that down considerably. We can eliminate 9,991 actually, because we know that there was a point person in each of nine departments involved in the egaming initiative. I would like to know the practicalities and the cost of looking for the emails that were exchanged between Melissa MacEachern, Neil LeClair and the seven other heads of department who were identified by the Auditor General as the point people.

**An Hon. Member:** Neil Stewart.

**Dr. Bevan-Baker:** Neil Stewart, excuse me. Sorry, I misspoke. Yeah. Sorry.

**Chair:** Thank you, Peter.

Any other specific requests for information?

Thank you very much, Scott. Thank you very much, Jill. Normally we'd take a short recess as we move on to new business, but

in interest of time we're going to keep on trucking here.

Under new business, is there any new business?

Matthew MacKay.

**Mr. MacKay:** I just would like to bring two motions to the floor, if that's possible now.

**Chair:** Sure, go ahead.

**Mr. MacKay:** I would like somebody from ITSS that was interviewed by the Auditor General to come in, that's related to the file, and discuss it. Scott done a great job presenting of how the system works, but I would like one of the three individuals to come in and explain the conversation that took place between them and the Auditor General.

As well, a second motion –

**Chair:** Let's just deal with one motion at a time, please. Thank you for your –

**Mr. MacKay:** No problem.

**Chair:** – eagerness to expedite things. So is there any discussion on this motion?

Jordan Brown.

**Mr. J. Brown:** I don't necessarily disagree with the premise of the motion, but a couple of things that I would point out: One is that we will have – I believe it's still the plan, Chair – to have Minister Roach come in, who is the minister responsible for ITSS. I think the first step would be to ask him the questions that you want to ask and see what answers you get before we look at calling additional witnesses.

I think beyond that – and I believe it was Brad had asked the Auditor General what her view of things was in terms of additional witnesses, and the quote from her was that: "For us to complete our work and issue the report, the work that we did was sufficient in terms of who we interviewed and the questions that we asked."

Again, I don't think we're here to audit the auditor. I think Scott gave pretty good answers to all the questions that I had on

those issues here today, and I think we have to be conscious of being productive with our time and looking at the Auditor General's report and the findings that she's made in there in relation to them and putting productive recommendations back to the Legislature.

I guess the question would be: What would be accomplished in having somebody else come in?

**Mr. MacKay:** Chair?

**Chair:** Go ahead, Matt.

**Mr. MacKay:** I just want to respond to that, I guess.

A lot of the questions that have yet to been answered – you know, Scott certainly done a great job on timelines and so forth, but we have no dates on when these emails were ever deleted. We have no information when all this took place; we're just going by guidelines. I would like to get a little further in-depth with it because the Auditor General has basically said she's received no records from these two and I just want to go through the proper protocol and ask the people in the proper area in ITSS what happened and how this all took place.

**Chair:** Chris Palmer.

**Mr. Palmer:** As a follow-up to that, I would assume that the requests for documents that we asked for, which were the orders from IT Shared Services and where they were signed off from, is going to give us that information, that whoever it is that actually executed upon those is probably going to just read those documents to us, so we'll get the information from them.

Furthermore, as Jordie had said, based on Jane's comments, she said: "For us to complete our work and issue the report, the work that we did was sufficient in terms of who we interviewed and the questions that we asked." So I don't know that we really need to ask the same questions over and we will get that supporting documentation.

**Chair:** We may get that supporting documentation.

**Mr. Palmer:** Well, we've requested it.

**Chair:** We may receive it. We may not receive it.

Jordan Brown.

**Mr. J. Brown:** Anyway, I think the point at the end of the day is that the request is premature and I think it's something that I would certainly ask the member that we deal with after we have Minister Roach in and we see what information we do or don't get back and I do think – and perhaps, Matt, I'm not sure if you were aware of this, but the Auditor General did answer some of those questions that you had just talked about in terms of saying that – I believe as an example, Melissa's email was under a proxy for five months and then the deletion request went in from Neil Stewart. I don't think she said exactly the person that it went to, and then it would have followed the normal process on from there, was the responses she got back when she asked the question.

I think a lot of that ground has been covered and I appreciate why you want to ask the question, but with the number of documents and witnesses and time that was put into all of this stuff, I just really think we have to be cognizant of what we're (Indistinct)

**Chair:** Okay, Matthew MacKay.

**Mr. MacKay:** Chair, we're not going to keep dragging on with this but I guess it's a piece of the puzzle that has yet to be answered so I've got no problem with Minister Roach coming in so why can't we do both? We'll get the minister in first. If he doesn't provide us with the proper information, we agree to take somebody in from ITSS that was interviewed by the auditor, a compromise.

**Mr. J. Brown:** I'll be prepared to consider the request after we get Minister Roach in.

**Mr. Myers:** You make it sound like you're the only one who has authority in this committee.

**Mr. J. Brown:** No, I just said I –

**Mr. Myers:** Lucky for us.

**Mr. J. Brown:** I'm not – I don't want to speak out of turn, but since he asked me I

said I would be quite prepared to entertain that request after –

**Mr. MacKay:** Well, I guess we've got to get this sorted so I've got no problem taking Minister Roach in first. If we don't get the proper answers that we ask, is the committee willing to take somebody in from ITSS after the fact?

**Chair:** Do you want to rephrase that motion then so that we can have a vote on it?

**Mr. MacKay:** Sure. We'll start off with a motion sending the minister a letter to come in and discuss to committee. If committee members are not satisfied with the results that Minister Roach has given, the committee agrees to take somebody from ITSS that was interviewed by the Auditor General in to speak.

**Clerk Assistant (Reddin):** I'm not sure that can properly be decided on. The committee has already sent a letter to Minister Roach and there's been communication with his office, but the committee has decided to wait until it has completed its review of the egaming report with –

**Chair:** The Auditor General.

**Clerk Assistant:** - the Auditor General before having Minister Roach appear.

**Mr. MacKay:** Okay, so Minister Roach has no plans to come in at any time soon as of right now?

**Clerk Assistant:** It's not a specified date yet, but (Indistinct) –

**Mr. J. Brown:** We have contacted him to say basically get geared up so it should be sooner than later.

**Chair:** But as the clerk has mentioned, that was the intent of the letter, is that Minister Roach would come in after we have finished reviewing the file with the Auditor General.

**Mr. MacKay:** Well, in saying that, then I think I'll stick to my original motion of bringing somebody from ITSS in that was interviewed by the Auditor General to present before committee.

**Chair:** Okay. Could you read that motion back then, clerk? We'll have a vote –

**Clerk Assistant:** Sure.

**Chair:** – on it and we'll move on.

**Clerk Assistant:** Mr. MacKay moves that someone from the IT Shared Services who was interviewed by the Auditor General should be invited to come in to discuss their conversation they had with the Auditor General in regard to the egaming audit.

**Chair:** Okay, Jordan had a comment.

**Mr. J. Brown:** I'd like to propose an amendment to the motion, Chair. I'd like to propose that the motion be amended to read that the request be considered following the presentation by Minister Roach.

**Mr. MacKay:** Chair?

**Chair:** Go ahead, Matt.

**Mr. MacKay:** My only fear with that is, and I've seen it happen at committee tables quite often, that when the time comes on the vote that it will be voted down and you're going to be satisfied with the minister's presentation here. So I've got no problem with the minister coming in, but I would like a separate – somebody from ITSS to come in and present to committee, regardless.

**Chair:** Prior to Minister Roach and the completion of our review with the Auditor General?

**Mr. MacKay:** No. No, I want it done before completion from the Auditor General.

**Chair:** Okay.

**Mr. MacKay:** There's a lot of unanswered questions.

**Mr. J. Brown:** What – Chair, if I might?

**Chair:** Yeah, Jordan.

**Mr. J. Brown:** I appreciate you're not an ongoing member on the committee, Matt, but the Auditor General has indicated that she's under pressure to get this done –

**Mr. MacKay:** Certainly.

**Mr. J. Brown:** - and the ALC report done before she has to release her report for this upcoming year, which is supposed to happen in March. So with the greatest of respect to your request, there's a lot of priorities that the committee needs to move through to get from here to there and that's why I'm indicating that I'd like to deal with that after we get the minister. In other words, after she's done of her report, after we have the minister's response to it and we see what we need from that.

**Mr. MacKay:** I just don't see how you can make a recommendation – Chair? I just don't see how you can make a recommendation without having all of the info in place.

**Chair:** Okay -

**Mr. Myers:** It's called whitewashing.

**Chair:** Ladies and gentlemen, I'm going to have the clerk read the motion that the member has put forward. We'll have a vote on it and we'll move forward.

**Ms. Casey:** There's an amendment.

**An Hon. Member:** (Indistinct) amendment.

**Ms. Casey:** Amendment first.

**Chair:** Yeah.

**Clerk Assistant:** I would suggest to the committee, it was phrased as an amendment but really it's a superseding motion so the original motion is: That someone from ITSS who was interviewed by the Auditor General come in and discuss their conversation with the Auditor General. The superseding motion is: That that motion be considered after the presentation by Minister Roach. So you should discuss the superseding motion now and decide on that.

**Mr. J. Brown:** I think we discussed it and (Indistinct) –

**Clerk Assistant:** If you discussed it then, if no one else would want to discuss it then it would be the time to vote on it.

**Chair:** Chris?

**Mr. Palmer:** I'm just looking for clarity. So, is the motion for me to vote yes or no to bringing in a witness based on some future evidence that I don't yet know is coming in and whether I'm satisfied with it or not?

**Clerk Assistant:** The motion would be: That the committee, following the presentation by Minister Roach, the committee consider inviting someone from ITSS to come in before the committee.

**Mr. Myers:** I'll help you when it comes time to vote.

**Mr. Palmer:** So we're going to vote on that now? Couldn't we have the minister in and then decide at that time whether we need someone to come in or not? That seems –

**Mr. J. Brown:** The motion now is to consider it then versus considering it now.

**Chair:** Okay so –

**Ms. Casey:** Can we read the motion?

**Chair:** Yes, please.

**Clerk Assistant:** The original?

**Some Hon. Members:** (Indistinct)

**Clerk Assistant:** Okay.

**Chair:** In the order of which we're voting on.

**Clerk Assistant:** Okay, in the order of voting. The superseding motion is: That the committee, following the presentation by Minister Roach, consider whether to invite someone from ITSS who was interviewed by the Auditor General to appear before the committee.

In effect what you're doing now is, according to this motion, would be to consider that later on. You're not saying now, yes we'll have (Indistinct) or no we'll have that ITSS person in.

**Chair:** All those voting in favour of this motion, signify by raising your hand. One, two, three, four, five. Okay, all those voting against the motion? Two.

**Clerk Assistant:** Carried.

**Chair:** Yeah, motion carried.

**Clerk Assistant:** (Indistinct) he had a second motion.

**Chair:** All right, and you had a second motion, Mr. Mackay?

**Mr. MacKay:** I would also like to call Mike O'Brien, the chair of the egaming committee, in as a witness as well.

**Chair:** Okay, just some clarification on that. I don't believe that Mike O'Brien was actually the chair of that committee. I believe it was Kevin Kiley.

**Mr. MacKay:** Okay. I'd still like to call Mike O'Brien in, basically to present on his involvement in the egaming (Indistinct)

**Chair:** Discussion?

**Mr. J. Brown:** Chair? Are those names that were mentioned by the Auditor General? There was one day I wasn't here before the House sat but –

**Chair:** Mr. O'Brien's name was mentioned by the Auditor General, but to the best of my knowledge Mr. Kiley's name was never mentioned.

**Mr. J. Brown:** Okay, so – I mean, I'm not sure, what are you looking to get out of that?

**Mr. MacKay:** Some information. Some lost information that there seems to be a lot of gray area in this file and I think we need to do the job as a committee and investigate so –

**Chair:** Okay, Chris Palmer had a –

**Mr. Palmer:** Has Mike O'Brien – was Mike O'Brien identified as one of the folks that the AG had interviewed?

**Chair:** Yes, he is.

**Mr. Palmer:** So back again, I hate to say this again but Jane had said: "For us to complete our work and issue the report, the work that we did was sufficient in terms of who we interviewed and the questions that we asked." So again, we want to redo her work?

**Mr. MacKay:** Nobody's redoing her work. We're just asking questions. I'd like a vote on that motion.

**Chair:** Any other discussion? Okay, if we could ask the clerk to read back the motion and we'll vote.

**Clerk Assistant:** Move that the committee invite Mike O'Brien to come in before the committee to present on his involvement in the egaming project.

**Chair:** All those in favour of this motion, indicate by raising your hand. Two. Those voting against this motion? The same, please raise your hand. Okay, motion defeated.

Thank you, any further new business? Please say no. Thank you. I'd like to now call for a motion for adjournment.

**Mr. J. Brown:** (Indistinct)

**Chair:** Thank you, Mr. Brown.

Committee adjourned.

The Committee adjourned