

Affidavit #1 of Sarah Armstrong
Sworn February 13th, 2012

MISSING WOMEN COMMISSION OF INQUIRY

IN THE MATTER OF C. WARD'S AMENDED NOTICE OF APPLICATION
DATED FEBRUARY 10 2012

AFFIDAVIT

I, Sarah Armstrong, Paralegal, of Suite 900 – 840 Howe Street, in the City of Vancouver, in the Province of British Columbia MAKE OATH AND SAY THAT:

1. I am a paralegal employed by the Department of Justice Canada (“DOJ”), in the City of Vancouver, in the Province of British Columbia. Since July 18, 2011, I have been assigned to assist the DOJ legal team in its representation of the Government of Canada at the Missing Women Commission of Inquiry (the “Commission”). As such I have personal knowledge of the matters and facts set out in this Affidavit, except where stated to be based on information and belief and where so stated I verily believe them to be true.
- I. Disclosure to the Missing Women Commission of Inquiry**
2. On December 2, 2010, the Commission wrote to Cheryl Tobias Q.C. and Jan Brongers to invite DOJ counsel, along with all other parties who had applied for standing, to a meeting with Commission counsel Art Vertlieb Q.C. and Karey Brooks to discuss the

anticipated Commission procedure. Attached as **Exhibit "A"** to this Affidavit is a copy of the December 2, 2010, letter.

3. I am advised by Jan Brongers that on December 3, 2010, Commission Counsel, Art Vertlieb Q.C., verbally advised Mr. Brongers, that the Royal Canadian Mounted Police ("RCMP") and Government of Canada had been granted standing for the Missing Women Inquiry. Commission counsel advised that the Vancouver Police Department ("VPD") and the Government of the Province of British Columbia had also been granted standing. Commission counsel further advised that a formal ruling on standing would be made at a future date when the Commissioner ruled on all the applications for standing. A letter to that effect, dated December 1, 2010, was received via facsimile on December 3, 2010, and is attached to this affidavit as **Exhibit "B"**. The Commissioner's formal ruling on standing was made on May 2, 2011.
4. On December 3, 2010, Mr. Brongers wrote to the Commission regarding the opportunity to meet with Commission counsel to discuss procedural issues. In this e-mail, Mr. Brongers stated that DOJ counsel was most interested in discussing how best to effect document disclosure to the Commission following the anticipated granting of participant status to the Government of Canada. Attached as **Exhibit "C"** to this Affidavit is a copy of the December 3, 2010, e-mail.
5. I am advised by Jan Brongers that on December 3, 2010, Mr. Brongers spoke with Commission counsel, Mr. Vertlieb, regarding the process of document disclosure. Mr. Brongers and Mr. Vertlieb discussed the possibility of using a "staged disclosure" process which would permit the Commission to access documents on the basis that they would not be passed on to the participants without first affording the owner of the document the opportunity to vet the document for privileged and sensitive information. DOJ counsel advised Commission counsel that this process was followed in the other inquiries such as the Air India and Arar Inquiries. Commission counsel asked DOJ counsel to provide the Commission with the disclosure protocol used by the federal Air India and Arar Inquiries.
6. I am advised by Judith Hoffman that on December 7, 2010, Ms. Hoffman and Mr. Brongers met with Mr. Vertlieb. During this meeting, DOJ counsel and Commission counsel discussed the process for document disclosure and the fact that the Commission would be willing to accept a "staged disclosure" process.
7. On December 7, 2010, Mr. Brongers provided Commission counsel with a copy of the document disclosure protocol employed for the Air India Inquiry. Attached as **Exhibit "D"** to this Affidavit is a copy of the December 7, 2010, e-mail.

8. I am advised by Mr. Brongers that on December 8, 2010, Mr. Brongers and Ms. Hoffman met with Mr. Vertlieb, John Boddie (Executive Director of Operations and Planning) and Jessica McKeachie (Research Counsel), and VPD counsel Sean Hern to discuss document disclosure. During this meeting, counsel discussed a possible document disclosure protocol which would provide that participants to the Inquiry may produce to the Commission all documents relevant to the Commission's mandate on the basis that no documents would be disclosed to other parties without that participant being given the opportunity to assert privilege.
9. I am advised by Mr. Brongers that on December 9, 2010, Mr. Vertlieb advised Mr. Brongers via email that the proposed document disclosure protocol discussed on December 8, 2010, was not suitable and would not be used. Attached as **Exhibit "E"** to this affidavit is a copy of the December 9, 2010, e-mail from Mr. Vertlieb to Mr. Brongers.
10. I am advised by Ms. Hoffman that on December 14, 2010, Ms. Hoffman and Mr. Brongers met with Commission counsel, Art Vertlieb Q.C., Karey Brooks and the Commission's Manager of Records and Empirical Research, Judy Thompson, to discuss the procedure for document disclosure.
11. On December 15, 2010, Ms. Tobias wrote to the Commission regarding document disclosure and the basis upon which the Government of Canada intended to effect disclosure for the purposes of the Commission. Attached as **Exhibit "F"** to this Affidavit is a copy of the December 15, 2010, letter and its enclosure entitled "Missing Women's Inquiry Vetting/ Disclosure Protocol". In the December 15, 2010, letter, Ms. Tobias explained that the Government of Canada is committed to responding to requests for disclosure as expeditiously as possible, but that the public interest requires that documents do not go to the many parties involved in the Inquiry without being reviewed first.
12. Foremost, Ms. Tobias noted that Project Evenhanded is an ongoing criminal investigation and that the Government of Canada must ensure that disclosure to the Commission in no way compromises that investigation. Ms. Tobias explained that Project Evenhanded identified over 1,100 persons of interest in the course of its investigations and received many tips from former and active sex trade workers. As the Project Evenhanded documents contain the names of these individuals as well as personal information for other witnesses, Ms. Tobias advised that this information must be redacted from the documents in order to protect the safety and privacy of those individuals. Ms. Tobias confirmed that Commission counsel had expressed an understanding and agreement with these concerns.

13. Ms. Tobias went on to explain that the Government of Canada's initial proposal was to effect disclosure through a staged process whereby documents would first be disclosed to the Commission, and then the Commission would review the documents and indicate which documents would be used in the Inquiry. The Government of Canada would then thoroughly vet the documents the Commission selected before their release to the other Inquiry participants. Ms. Tobias noted that while Commission counsel initially indicated a willingness to employ the process described above, it was the understanding of DOJ counsel that the Commission would now prefer that the Commission receive documents in a form that could be shared immediately with all participants. Ms. Tobias explained that the Commission's chosen process would require the Government of Canada to ensure that all the documents disclosed were thoroughly vetted prior to being disclosed to the Commission, and subsequently all the participants, which would slow the pace of disclosure.
14. Enclosed with the December 15, 2010, letter (and attached to this Affidavit as **Exhibit "F"**) was the DOJ's "Missing Women's Inquiry Vetting/ Disclosure Protocol" which set out the manner in which the Government of Canada intended to vet and redact the documents that would be disclosed to the Commission in order to address the concerns Ms. Tobias raised in that letter. Ms. Tobias explained that to ensure that the redactions did not obscure the investigative steps that were taken, the names of persons of interest and sex trade workers would be replaced with unique identifiers so that it would be apparent when certain people were the subject of investigative steps.
15. On December 20, 2010, Commission counsel, Karey Brooks, wrote to Ms. Tobias and Mr. Brongers to confirm that the Commission was in agreement with the DOJ's proposed Vetting/Disclosure Protocol. Ms. Brooks acknowledged that the vetting of documents prior to disclosure might slow the pace of disclosure and that the Commission was happy to receive documents through a rolling disclosure process. Commission counsel requested that DOJ counsel provide the Commission with "a topical document index with anticipated disclosure dates", which would allow Commission staff to plan and identify priority documents. Attached as **Exhibit "G"** to this Affidavit is a copy of the December 20, 2010, letter.
16. On December 24, 2010, Ms. Tobias wrote to the Commission in response to Commission counsel's request for a "topical document index with anticipated disclosure dates". Attached as **Exhibit "H"** to this Affidavit is a copy of the December 24, 2010, letter.
17. In the December 24, 2010, letter Ms. Tobias highlighted certain factors that made it difficult to provide a comprehensive list of all the documents in the Project Evenhanded

database along with an estimate of the anticipated disclosure dates. Ms. Tobias set out the factors influencing disclosure as follows:

- a. The vast majority of the information relevant to the missing women investigations is contained within the "E&R" computer database, which is structured on the input of tasks which are then linked to documents, information and persons relevant to those tasks. Ms. Tobias advised that there are 14,370 tasks in the Project Evenhanded database each of which has links to multiple investigators, persons of interest and documents.
 - b. The volume of documentation in Project Evenhanded is enormous. Ms. Tobias advised that the total number of pages in the database is close to 2 million, however, this figure includes documents that relate to the Pickton criminal proceeding on the six charges that proceeded to trial.
 - c. The number of individuals who contributed to Project Evenhanded is large and since its inception approximately 500 different officers have worked on Project Evenhanded. Ms. Tobias advised that while Project Evenhanded was in its initial stages (January 2001 to February 2002) approximately 25 to 30 officers were assigned to Project Evenhanded.
18. In the December 24, 2010, letter Ms. Tobias provided a preliminary list of anticipated disclosure and disclosure dates. The preliminary topical document list with anticipated dates was listed in the following priority order:
- a. Pickton Report to Crown Counsel: To be disclosed by the end of December 2010.
 - b. Coquitlam RCMP Documents Generated Prior to Project Evenhanded: Coquitlam RCMP files 97-10797 and 98-33107 to be disclosed mid-January 2011.
 - c. Pickton Report to Crown Counsel Source Documents: to be disclosed by the end of January 2011.
 - d. Provincial Unsolved Homicide Unit File: RCMP file 99-1252 to be disclosed by mid-February 2011.
 - e. Project Evenhanded Documents: Operation Plans and Briefing Notes, Memorandums of Understanding with the City of Vancouver Daily Logs for Project Evenhanded, Meeting Minutes for Project Evenhanded and Press Releases relating to Project Evenhanded by mid March 2011.
19. Ms. Tobias further explained that there were also several other more difficult categories of documents within Project Evenhanded that related to the specific investigative steps undertaken by the investigating officers. Ms. Tobias requested a meeting to discuss how best to produce the following categories of information given that there would be considerable vetting of these documents which would slow the pace of disclosure:
- a. Unidentified Human Remains;
 - b. File Reviews Prior to February 2002;

- c. Alley Murders Database;
- d. SIUSS Tip Sheets;
- e. Evenhanded Cases; and
- f. Valley Murders Database.

Ms. Tobias suggested that it might be more useful for the Commission to be provided with a summary of investigative steps taken rather than simply receiving documents from the above categories without context. As such, Ms. Tobias requested the opportunity to discuss with Commission counsel whether efforts would be better spent summarizing investigative steps with reference to key documents rather than producing every document in the above categories.

20. Further, in the December 24, 2010, letter Ms. Tobias addressed the disclosure of officer notebooks and RCMP policies. Ms. Tobias advised that given the number of officers involved in Project Evenhanded and the fact that the notes would be subject to significant vetting, it would be inefficient to use resources to review all the notebooks as much of the information from those notebooks was inputted into the E&R database. Ms. Tobias proposed to disclose those notes written by key investigators. Ms. Tobias further advised that the RCMP was working on identifying the policies relevant to the missing women investigations during the time frame in question and would disclose those policies to the Commission once they were identified.
21. On January 14, 2011, Ms. Tobias wrote to Commission counsel to clarify the process for disclosure requests made by Peel Regional Police Services' Deputy Chief Constable Jennifer Evans ("DC Evans"). Ms. Tobias expressed concerns regarding direct requests that DC Evans had made for documents. Ms. Tobias explained that the documents were being vetted to address privilege and confidentiality concerns so that they can be shared with all participants and that the documents DC Evans reviews should be the same documents available to all participants in the Inquiry. Ms. Tobias advised that given the massive volume of documents to be disclosed the disclosure process must be staged and priority documents identified for expeditious disclosure. Ms. Tobias noted that responding to separate requests from DC Evans would detract resources from the disclosure process and delay disclosure to the Commission. Ms. Tobias requested that future requests of DC Evans' for documents from the RCMP be made through Commission counsel. Ms. Tobias proposed a meeting to establish an agreement about the most effective way to provide DC Evans with access to the information she required. Attached as **Exhibit "I"** to this Affidavit is a copy of the January 14, 2011, letter.
22. On January 25, 2011, Mr. Vertlieb wrote to Ms. Tobias in response to Ms. Tobias' January 14, 2011, letter regarding the disclosure of documents to DC Evans. Commission counsel stated that the Commission was not opposed to DC Evans receiving

un-redacted material; however, Mr. Vertlieb went on to clarify that the Commission was willing to receive disclosure in a redacted format and that the basis for the redactions may later be subject to review. Attached as **Exhibit “J”** to this Affidavit is a copy of the January 25, 2011, letter.

23. On January 27, 2011, Mr. Vertlieb wrote to Ms. Tobias regarding disclosure from the Government of Canada. Commission counsel specifically enquired as to why no e-mail messages or internal communications related to the Pickton investigation were included in the preliminary topical document list contained in Ms. Tobias’ December 24, 2010, letter. Attached as **Exhibit “K”** to this Affidavit is a copy of the January 27, 2011, letter.
24. On February 1, 2011, Ms. Tobias wrote to Commission counsel in response to Mr. Vertlieb’s letter of January 27, 2011. Ms. Tobias advised that the preliminary document disclosure schedule provided in the December 24, 2010, letter set out the documents the Government of Canada identified as being those the Commission may be most interested in starting with in terms of disclosure. Ms. Tobias stated that the Commission had not yet indicated the specific types of documents that it would be interested in receiving and that DOJ counsel would be open to discussing with the Commission other specific classes of documents that are needed for the purposes of the Inquiry. Ms. Tobias repeated the request set out in the December 24, 2010, letter to set up a meeting with Commission counsel to discuss the document disclosure priorities beyond the preliminary schedule provided. Enclosed with the February 1, 2011, letter was a copy of the revised Vetting/Disclosure Protocol to be shared with all Inquiry participants. Attached as **Exhibit “L”** to this Affidavit is a copy of the February 1, 2011, letter, and its enclosure.
25. On February 2, 2011, Ms. Tobias wrote to Commission counsel in response to Mr. Vertlieb’s January 25, 2011, letter regarding whether the RCMP should provide DC Evans with un-vetted material. Ms. Tobias stated that providing DC Evans with material that could not be provided to the Commission or other parties to the Inquiry would be counterproductive for two principle reasons which were set out in the letter. In order to facilitate DC Evans’ work, Ms. Tobias proposed to amend the approach to document disclosure as follows:
 - a. In the case that DC Evans required documents over and above what is disclosed to the Commission, DC Evans was to send her requests directly to the RCMP;
 - b. DC Evans’ requests would be given the highest priority which, in turn, would mean that attention would be taken away from whatever material was being vetted at the time and directed to DC Evans’ request; and
 - c. DOJ counsel would then provide vetted versions of the material DC Evans requested to the Commission who would then promptly provide it to DC Evans. This process would ensure that the Commission would receive the material

subject to DC Evans requests and also that it could then be released to the other participants.

Ms. Tobias again requested a meeting with Commission counsel to discuss disclosure issues. Attached as **Exhibit "M"** to this Affidavit is a copy of the February 2, 2011, letter.

26. On February 4, 2011, Mr. Vertlieb wrote to Ms. Tobias to confirm acceptance of the proposals set out in the February 2, 2011, letter. Mr. Vertlieb stated that the Commission would be in a position to schedule a meeting to discuss document disclosure at the end of that month. Attached as **Exhibit "N"** to this Affidavit is a copy of the February 4, 2011, letter.
27. On February 17, 2011, Ms. Tobias wrote to Commission counsel to provide a revised Vetting/Disclosure Protocol. The new protocol provided for the redaction of the names of sexual assault victims from documents to be disclosed to the Commission. Ms. Tobias asked that the new protocol be provided to DC Evans, and counsel for all participants in the Inquiry. Attached as **Exhibit "O"** to this Affidavit is a copy of the February 17, 2011, letter. The Government of Canada's disclosure of documents to the Commission for its use and the participants' use has since been made subject to the February 17, 2011, Vetting/Disclosure Protocol.
28. On February 24, 2011, Ms. Tobias responded to Mr. Vertlieb's letter of January 27, 2011, regarding the disclosure of e-mail messages. Ms. Tobias explained that the principle reason relatively few RCMP e-mails had been disclosed was the limited use of e-mails in the 1997 to 2002 period. Ms. Tobias went on to explain that the policies governing the RCMP's retention of emails also explained the limited number of e-mails disclosed. Attached as **Exhibit "P"** to this Affidavit is a copy of the February 24, 2011, letter.
29. Enclosed with the February 24, 2011, letter, was a letter from Inspector Bruce Imrie regarding RCMP e-mail use and various RCMP policies with respect to the retention of e-mail. Inspector Imrie explained that much of the information that is communicated in RCMP e-mails is "transitory in nature" and according to RCMP policy such documents need not be retained. Inspector Imrie further clarified that e-mails that are not manually deleted by members are only retained on the e-mail servers for 90 days.
30. Also enclosed with the February 24, 2011, letter was a summary prepared by Corporal Yates of Project Evenhanded setting out Project Evenhanded's procedures and business rules for processing and retaining e-mails. Cpl. Yates explained in his summary that it was the responsibility of the individual investigators to determine whether a particular e-

mail should be retained and that if it was found to be relevant it would then form part of the investigational record.

31. On October 5, 2010, the “E” Division Criminal Operations Branch issued a force-wide broadcast to all RCMP members and employees, directing that every member and employee of the RCMP in possession of records, both electronic and hardcopy, or any other items relating to the police investigation of women reported missing from the Downtown Eastside of Vancouver between April 1, 1996, and December 9, 2007 was to secure and maintain all such records until further notice. This force-wide broadcast was circulated via e-mail by a paralegal on the DOJ legal team to the Commission and all the participants on February 9, 2012. Attached to this affidavit as **Exhibit “Q”** is a copy of the February 9, 2012, e-mail and attached October 5, 2010, force-wide broadcast.
32. Pursuant to the force-wide broadcast, detachment/unit commanders, as well as officers in charge or managers of sections and directorates, were similarly directed to ensure that any records or items under their care and control which may be related to the subject matter of the Inquiry be secured and maintained until further notice.
33. The force-wide broadcast stated that the direction was to be interpreted as broadly as possible, and included but was not limited to: memorandums, letters, e-mails, notes, notebook entries, documents, reports, operational or administrative files, facsimiles, telephone communication recordings, text messages or recorded radio contact notebooks, and, photographs.
34. I am advised by Ms. Hoffman that on March 8, 2011, Ms. Tobias and Ms. Hoffman met with Ms. Brooks and Mr. Boddie, to discuss document disclosure. The purpose of this meeting was to focus the disclosure plan initially set out in Ms. Tobias’ December 24, 2010, letter. Specifically, counsel discussed the different categories of document disclosure set out in the December 24, 2010, letter. The agenda for this meeting was drafted by DOJ counsel and provided to Commission counsel by letter dated March 7, 2011. Attached as **Exhibit “R”** to this Affidavit is a copy of the March 7, 2011, letter enclosing the March 8, 2011, agenda.
35. On March 18, 2011, Ms. Tobias wrote a letter to the Commission to confirm what was agreed to at the March 8, 2011, meeting regarding document disclosure. Attached as **Exhibit “S”** to this Affidavit is a copy of the March 18, 2011, letter. As a result of this meeting, Commission counsel agreed to the disclosure of the following document categories:
 - a. File Reviews: Given that the information contained in the file reviews may not be particularly useful and the significant vetting issues associated with these

documents, it was agreed that DOJ counsel would provide a detailed summary of the file review process together with a selection of the files reviewed under this process.

- b. Unidentified Human Remains: It was agreed that DOJ counsel would disclose documents generated up to February 2002.
 - c. 87 Cases in Project Evenhanded: Ms. Tobias explained that cases in Project Evenhanded are document collections specifically relating to each missing person on the missing women poster, Robert Pickton and other high profile witnesses. As each case was voluminous and would be largely duplicative of information provided within the Project Amelia files, it was agreed that the Commission would advise DOJ counsel if disclosure of specific cases or information within this collection was required after Commission counsel had reviewed the Project Amelia files.
 - d. Notebooks: Given the significant number of officers involved, it was agreed that the most sensible approach was to limit the product of officer notes to those notes written by key investigators. It was further agreed that the Commission would make targeted requests for notes of specific officers within defined time frames.
 - e. Alley Murders: It was agreed that the six files that Project Evenhanded obtained from the RCMP and VPD would be disclosed together with overview documents outlining the investigation undertaken by Project Evenhanded.
 - f. Valley Murders: It was agreed that as the Valley investigations are ongoing, DOJ counsel would disclose those portions of the files that can be disclosed and provide overview documents from the investigations.
36. In the March 18, 2011, letter Ms. Tobias further reviewed the Commission's priorities for disclosure, the anticipated disclosure schedule and the suggested resolution to the VPD vetting issue. Ms. Tobias confirmed the Commission's disclosure priorities as follows:
- a. Policies (highlighting policies relating to prostitution);
 - b. Notebooks from Specific Officers (on identification of specific officers by the Commission);
 - c. File Review Summary and a reasonably representative selection of files;
 - d. Alley Murders documents (six files and overview documents);
 - e. Valley Murder documents (extent still to be determined);
 - f. Unidentified Human Remains (documents up to 2002); and
 - g. Evenhanded Cases specifically requested by the Commission.

Ms. Tobias further confirmed that DC Evans' requests would take priority over the Commission's requests.

37. The Government of Canada proceeded to disclose documents in accordance with the agreement reached in the March 8, 2011, meeting and confirmed in the March 18, 2011, letter. Attached as **Exhibit "T"** to this affidavit is a copy of a chart created by a former employee of the DOJ to track disclosure provided to the Commission by the Government of Canada. I have kept the chart up to date since I began assisting the DOJ legal team on July 18, 2011. The chart is current to February 10, 2012. Each disclosure package provided to the Commission contained an index and/or a cover letter describing the contents of the disclosure package.
38. I am advised by Peter Sanford of Triage Data, the data solutions company which manages the Concordance database, that as of February 10, 2012, there are 109,965 pages of RCMP documents on the Concordance database. I am also advised that the total number of pages of documents on Concordance is 168,864.
39. Ms. Tobias wrote to the Commission providing updates on the status and estimated timeline for document disclosure on the following dates:
- a. April 1, 2011;
 - b. June 21, 2011;
 - c. July 22, 2011;
 - d. August 22, 2011;
 - e. August 26, 2011; and
 - f. September 13, 2011.

Attached collectively as **Exhibit "U"** to this Affidavit are copies of the above letters.

MISSING
WOMEN
COMMISSION OF
INQUIRY

1402 – 808 Nelson Street
Vancouver, British Columbia V6Z 2H2
Office: 604-681-4470
Facsimile: 604-681-4458

Email: info@missingwomeninquiry.ca
www.missingwomeninquiry.ca

December 2, 2010

Ms. Cheryl Tobias, Q.C., and Jan Brongers
Government of Canada
900 – 840 Howe Street
Vancouver, B.C. V6Z 2S9

Dear Ms. Tobias and Ms. Brongers:

Re: Discussion of Commission Procedure with Commission Counsel

The Missing Women Commission of Inquiry would like to invite parties and/or their counsel who have applied for standing an opportunity to discuss the anticipated Commission procedure with commission counsel, Art Vertlieb, Q.C., and Karey Brooks.

We anticipate holding these information sessions on December 14 and 15 at the Commission office (#1402 – 808 Nelson Street, Vancouver). We don't expect any session will be longer than one hour.


If you would like to attend at an information session, please advise me of the date and time convenient for you. Please also let me know if there is a specific issue you would like to discuss.

I can be reached by email at ewelch@missingwomeninquiry.ca or by fax at 604-681-4458.

Yours truly,
MISSING WOMEN COMMISSION OF INQUIRY



Elizabeth Welch

This is Exhibit "A" referred to in the
affidavit of Sarah Armstrong
sworn before me at Vancouver
this 13th day of February, 2012


MISSING
WOMEN
COMMISSION OF
INQUIRY

December 1, 2010

Cheryl Tobias, Q.C.
Department of Justice
BC Regional Office
900 – 840 Howe Street
Vancouver, BC V6Z 2S9

Dear Ms. Tobias:

Re: Standing

The Commissioner has granted standing to your client to participate fully in this Inquiry. A formal ruling will follow in due course once the matter of the standing of the remaining requested applicants is dealt with by the Commissioner in the New Year.

As with all participants, we will ask you and your client to sign Confidentiality Agreements concerning any documents provided to you by the Commission. Those will be forwarded under separate cover.

If you have any questions, please feel free to call me.

Thank you.

Yours truly,
MISSING WOMEN COMMISSION OF INQUIRY


Art Vertlieb, Q.C.
Senior Commission Counsel

This is Exhibit "B" referred to in the
affidavit of Sarah Armstrong
sworn before me at Vancouver
this 13th day of February, 2012

1402 – 808 Nelson Street, Vancouver, British Columbia V6Z 2H2
Office: 604-681-4470 Facsimile: 604-681-4458

Email: info@missingwomeninquiry.ca
www.missingwomeninquiry.ca

Harman, Malea

From: Brongers, Jan
Sent: 2010-Dec-03 10:26 AM
To: * Van Missing Women Inquiry
Subject: FW: Meeting with Commission Counsel

fyi

From: Brongers, Jan
Sent: 2010-Dec-03 10:24 AM
To: 'Elizabeth Welch'
Cc: Tobias, Cheryl
Subject: RE: Meeting with Commission Counsel

Dear Ms. Welch,

Further to your letter of yesterday, we would very much like to attend an information session with Mr. Vertlieb and Ms. Brooks as proposed.

Our preference would be to meet during the afternoon of December 14th at 3 p.m. or later. Alternatively, we are also available on December 15th.

With respect to specific issues, we are most interested in discussing how best to effect document disclosure to the Commission following the anticipated granting of participant status to the Government of Canada.

We look forward to hearing from you.

Yours sincerely,


Jan Brongers
General Counsel | Avocat général
Department of Justice | Ministère de la Justice
British Columbia Regional Office | Bureau régional de la Colombie-Britannique
840 Howe, Suite 900 Vancouver, BC Canada V6Z 2S9
jan.brongers@justice.gc.ca
Telephone | Téléphone 604-666-4353 / Fax | Télécopieur 604-666-4399
Government of Canada | Gouvernement du Canada

From: Elizabeth Welch [<mailto:ewelch@missingwomeninquiry.ca>]
Sent: 2010-Dec-02 4:57 PM
To: Tobias, Cheryl; Brongers, Jan
Cc: jthompson@missingwomeninquiry.ca
Subject: Meeting with Commission Counsel

Please see attached.

Thank you,

Elizabeth Welch
Missing Women Commission of Inquiry

This is Exhibit "C" referred to in the
affidavit of Sarah Armstrong
sworn before me at Vancouver
this 13th day of February, 2012


Harman, Malea

From: Brongers, Jan
Sent: 2010-Dec-07 3:28 PM
To: Colton, Loretta; * Van Missing Women Inquiry
Subject: FW: Missing Women Inquiry: December 8, 2010 Meeting

fyi

From: Brongers, Jan
Sent: 2010-Dec-07 3:27 PM
To: 'Art Vertlieb'; 'jboddie@missingwomeninquiry.ca'
Cc: 'Sean Hern'; Hoffman, Judith
Subject: Missing Women Inquiry: December 8, 2010 Meeting

Thank you very much for kindly arranging for today's meeting with Deputy Chief Evans and her colleagues at your offices.

As discussed, we look forward to continuing our discussion with a meeting to be held tomorrow (Wednesday, December 8) at 2:30 p.m., this time with counsel for the Vancouver Police Department, Sean Hern. Because Mr. Hern is in Victoria, we will call him so that he can participate by telephone. As we understand that you have yet to obtain a speakerphone for your offices, we would be pleased to host tomorrow's meeting at the Department of Justice office, located at 840 Howe Street, Suite 900.

Finally, to facilitate the discussion, please find attached a copy of the document disclosure protocol that was employed for the Air India Inquiry.

We look forward to seeing you again tomorrow,

Jan Brongers
General Counsel | Avocat général
Department of Justice | Ministère de la Justice
British Columbia Regional Office | Bureau régional de la Colombie-Britannique
840 Howe, Suite 900 Vancouver, BC Canada V6Z 2S9
jan.brongers@justice.gc.ca
Telephone | Téléphone 604-666-4353 / Fax | Télécopieur 604-666-4399
Government of Canada | Gouvernement du Canada




AI Protocol.doc

This is Exhibit "D" referred to in the
affidavit of Sarah Armstrong
sworn before me at Vancouver
this 13th day of February, 2012
[Signature]

Harman, Malea

From: Art Vertlieb [Art@verdos.com]
Sent: 2010-Dec-09 7:36 AM
To: Brongers, Jan
Cc: Karey Brooks; John Boddie; Jessica McKeachie
Subject: Disclosure

I have been reflecting on your concerns but what I thought would cover your concerns will not work for other reasons. The draft we gave you will not therefore work. What we did in Braidwood worked well and did not cause problems and I am comfortable with that approach. I think similar "privilege" concerns arose in the Cohen Commission and perhaps you can access how the subject was handled in that Commission? They are more similar than Arar and Air India where there may have been real national security concerns that may have justified the extraordinary step of allowing for "in camera" hearings. I can meet today at noon or Friday after 2.30. It might help if you have a list of documents so we can see what is actually involved. Thanks

This is Exhibit "E" referred to in the
affidavit of Sarah Armstrong
sworn before me at Vancouver
this 13th day of February 2012




900 – 840 Howe Street
Vancouver, BC
V6Z 2S9

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

December 15, 2010


By Email

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, British Columbia
V6Z 2H2

Attention: Art Vertlieb, Q.C. and Karey Brooks

Dear Sir/Madam:

Re: **Missing Women Commission of Inquiry**
Our File: 2-273772

This is Exhibit "F" referred to in the
affidavit of Sarah Armstrong
sworn before me at Vancouver
this 13th day of February, 2012


We write further to the various meetings and discussions we have had regarding document disclosure to the Commission and to set out the basis upon which the Government of Canada intends to effect document disclosure for the purposes of the Missing Women's Inquiry. The Government of Canada is committed responding to requests for disclosure as expeditiously as possible. At the same time, however, the public interest requires that documents do not go to the many parties involved in the inquiry without being reviewed.

There are several concerns which must be addressed in our document disclosure process. First and foremost, Project Evenhanded is an ongoing criminal investigation and we must ensure that disclosure to the Commission in no way compromises this investigative work. Further, Project Evenhanded has identified over 1100 persons of interest in the course of these investigations. In addition, Project Evenhanded has received many tips and information from former and active sex trade workers. The safety and privacy of these individuals may be compromised if these names are disclosed into the public domain. Of course, privileged information must also be protected.

The documents also contain the dates of birth, addresses, driver's license numbers, SINs and other personal information of witnesses or other private individuals. Typically, this information will not be relevant to the Commission's work, so we intend to redact this information from the documents in order to protect the privacy of those individuals.

You have told us that you understand and agree with these concerns. Our initial proposal to deal with them was to effect disclosure through a staged process whereby documents would first be disclosed to the Commission. The Commission would then indicate which documents would be used in the Inquiry. We would then thoroughly vet those documents for release to the other participants. While you initially indicated a willingness to use this approach, we understand that upon reflection, you would prefer that the Commission receive documents in a form that can be shared immediately with all of the participants. This will require us to ensure that the documents disclosed are thoroughly vetted prior to being passed on to the Commission and thereby, to all participants, which will slow the pace of disclosure.

We attach a document which sets out the manner in which we intend to vet and redact documents that will be disclosed to the Commission in order to address the above concerns. In order to ensure that the redactions of the names of persons of interest and sex trade workers do not obscure the investigative steps that were taken, the names will be replaced with unique identifiers so that it is apparent when certain people were the subject of investigative steps. As discussed yesterday, if the redactions in a particular document cause difficulties, we will be happy to review it and do our best to alleviate the concern.

In response to your request yesterday, we have asked the RCMP to prepare the Report to Crown from Project Evenhanded for disclosure. We have been assured that we will be in a position to provide this as well as the files relating to the 1997 Pickton attempted murder file and the Pickton Coquitlam Investigation files to you by mid-January.

Please let us know if you require any further explanation of the vetting procedures outlined in the attached document.

Yours truly,

A handwritten signature in cursive script, appearing to read "Cheryl J. Tobias".

Cheryl J. Tobias, Q.C.
Senior General Counsel

Enclosure

**Missing Women's Inquiry
Vetting/Disclosure Protocol**

1. This document is intended to set out the basis upon which the Government of Canada will disclose those documents in its possession that are relevant to the mandate of the Missing Women Commission of Inquiry.
2. The Commission wishes to receive documents in a state that can be disclosed to all participants.
3. The Government of Canada is committed to assisting the Commissioner to fulfill his mandate in a timely manner but must disclose documents consistent with applicable privileges and immunities and in a manner which will not jeopardize any ongoing criminal investigations or compromise the safety, privacy or other legitimate interests of sex trade workers, persons of interest and witnesses.
4. The Project Evenhanded database contains the names of former and active sex trade workers as well as over 1100 persons of interest who have been identified in the course of the various investigations at issue, some of which continue to be active investigations. The safety and privacy of current and former sex trade workers may be compromised if their names are disclosed. In addition, there are significant privacy concerns with identifying publically those individuals who have been identified as persons of interest in a criminal investigation. It is not in the public interest that this information be disclosed.
5. The documents may also contain personal identifying information (i.e. Drivers License numbers, addresses, SINs etc.) which is not relevant for the Commission's purposes. Where not relevant, this information should not be disclosed in order to protect the privacy of witnesses.
6. This will require that all documents be thoroughly reviewed before they are disclosed to the Commission in order to protect privileged information and ongoing criminal investigations as well as information which may compromise the safety of current and former sex trade workers and the privacy of persons of interest and other witnesses.
7. The documents to be disclosed to the Commission will be reviewed and either withheld or redacted in order to protect the following types of information from disclosure. Each redaction will be identified with the corresponding code.

Type of Information	Description	Code
Publication Ban	Information that may identify Pickton 1997 attempted murder victim	VIC97

Solicitor-Client Privilege	Where legal advice is sought and/or provided from DOJ or Crown Counsel	SCP
Litigation Privilege	Information created in contemplation of litigation commenced on April 23, 2002 in respect of the murder of Angela Joesbury and on September 19, 2002 in respect the disappearance of Helena Creison and in respect of any other litigation commenced during the course of the inquiry.	LP
Police Informer Privilege	Any information that might compromise the identity, safety or security of a confidential informant, police agent or protected witness	PIP
Police Investigative Techniques	Such as location or type of audio or surveillance and the manner of surreptitious entry to install it; aerial surveillance.	PIIT
Ongoing Investigation	Information that may reveal or compromise other ongoing investigations and/or identify persons of interest in those investigations.	OI
Section 37, <i>Canada Evidence Act (CEA)</i> : Information not in Public Interest to Disclose - Sex Trade Worker Names	The names of women associated with the sex trade should be removed in a manner that allows each particular sex trade	STW

	worker to be identified by a unique id number.	
Section 37, <i>CEA</i> : Information not in Public Interest to Disclose - Persons of Interest	The names of persons of interest should be removed in a manner that allows each particular person of interest to be identified by a unique id number.	POI
Section 38, <i>CEA</i>	Information that would be injurious to international relations, national defence or security	NS
Section 39, <i>CEA</i>	Information that would reveal a cabinet confidence	CC
Irrelevant Personal Identifiers	The dates of birth, phone numbers, addresses, drivers license numbers, SINs etc of any person in the database will be redacted. Only the digits themselves should be redacted so that the type of personal identifier is still apparent.	PID

7. The Commission recognizes that to avoid delay in the Inquiry process documents will be provided to the Commission in groupings as they become available rather than waiting for all document searches and reviews to be completed.

MISSING
WOMEN
COMMISSION OF
INQUIRY

1402 – 808 Nelson Street
Vancouver, British Columbia V6Z 2H2
Office: 604-681-4470
Facsimile: 604-681-4458

Email: info@missingwomeninquiry.ca
www.missingwomeninquiry.ca

December 20, 2010

BY EMAIL

Ms. Cheryl Tobias and Mr. Jan Brongers
Department of Justice
#900 - 840 Howe Street
Vancouver, BC V6Z 2S9

Dear Ms. Tobias, Q.C. and Mr. Brongers,

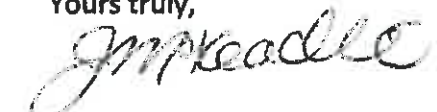
Thank you for your letter dated December 15, 2010.

I confirm we are in agreement with the Vetting/Disclosure Protocol.

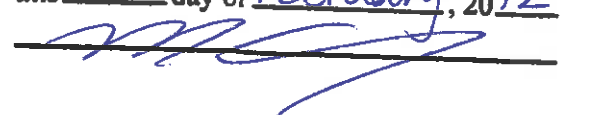
We understand that vetting documents prior to disclosure may slow the pace of disclosure, however, we know that your team will use its best efforts to produce documents in a timely way. As mentioned, we are happy to receive documents through a rolling disclosure process, whereby, for example, the Commission receives documents bi-weekly (as set out in paragraph 7 of the Vetting/Disclosure Protocol).. To this end, we would appreciate receiving a topical document index with anticipated disclosure dates so that the Commission staff can plan accordingly. It will also help us identify priority documents.

We look forward to receiving the Report of Crown and the 1997 Pickton attempt murder file by mid-January.

Yours truly,



~~for~~ Karey Brooks
Associate Commission Counsel

This is Exhibit "G" referred to in the
affidavit of Sarah Armstrong
sworn before me at Vancouver
this 13th day of February, 2012





900 – 840 Howe Street
Vancouver, BC
V6Z 2S9

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

December 24, 2010

By Email

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, British Columbia
V6Z 2H2

This is Exhibit "H" referred to in the
affidavit of Sarah Armstrong
sworn before me at Vancouver
this 13th day of February, 2012


Dear Mr. Vertlieb and Ms. Brooks:

Re: Missing Women Commission of Inquiry
Our File: 2-273772

Thank you for your letter of December 20, 2010 in which you confirm your agreement with the Vetting/Disclosure protocol set out in our letter of December 15, 2010 and request a "topical document index with anticipated disclosure dates". You have made this request to enable Commission staff to plan and identify priority documents.

We have since been consulting with Royal Canadian Mounted Police client officials and are pleased to provide with you with a preliminary anticipated document disclosure schedule organized on a topical basis. Prior to setting out this schedule, however, we feel it is important to alert you to certain factors that will impact upon the speed with which we will be able to provide documents and information.

First, as we explained at our December 14th meeting, the vast majority of the information relevant to the missing women investigations is contained within "E&R" computer databases. E&R software is a major case management tool which is structured upon the input of tasks which are then linked to documents, information and persons relevant to those tasks. Enclosed for your reference is a description of the fields in E&R which may help you to understand how E&R is organized. Currently, there are 14,370 tasks in the Project Evenhanded database, each of which has links to multiple investigators, persons of interest and documents.

Second, the volume of documentation in the Project Evenhanded database is enormous. While our previous understanding was that there were 1.2 million pages worth of documents in the database, we have recently learned that this number relates only to the documents that were disclosed for the Pickton criminal proceeding on the six charges that proceeded to trial. While we do not have an exact figure, our current understanding is that the total number of pages is closer to 2 million.

Third, the number of individuals who have contributed information to the Project Evenhanded database is also large. At our last meeting, you asked us to confirm how many police officers were involved in Project Evenhanded. We are told that, since its inception, over 500 different

officers have worked on Project Evenhanded. While in its initial stages (January 2001 to February 2002) approximately 25 to 30 officers were assigned, this increased significantly in the months that followed. Indeed, at its peak, between May 2002 to late summer 2003, there were 270 full time officers assigned to the file.

We provide this information to demonstrate that it is difficult at this stage to provide a comprehensive topical list of all of the documents in the Project Evenhanded database along with a reliable estimate of the anticipated disclosure dates. That being said, we have endeavoured to prepare a partial list and a preliminary disclosure schedule, as set out below.

A) Preliminary Document Disclosure Schedule

1. Pickton Report to Crown Counsel

As previously agreed, we will first provide you with the Report to Crown Counsel ("RTCC") which was prepared in relation to the Pickton investigation but was not forwarded to Crown Counsel as this will provide an overview of the Pickton investigation. We anticipate disclosing it by the end of December 2010.

2. Coquitlam RCMP Documents Generated Prior to Project Evenhanded

As previously agreed, we will then be providing you with the following additional documents by mid-January 2011:

- a) Coquitlam RCMP file 97-10797 in respect of 1997 stabbing incident on Pickton farm.
- b) Coquitlam RCMP file 98-33107 in respect of its investigation of Robert Pickton that commenced in 1998.

3. Pickton Report to Crown Counsel Source Documents

The RTCC makes reference to a number of source documents. We expect to be able to provide these to the Commission by the end of January 2011.

4. Provincial Unsolved Homicide Unit File

Related to the above documents is RCMP file 99-1252. This is the Provincial Unsolved Homicide Unit (PUHU) file which was opened when the Coquitlam RCMP sought assistance with interviewing Lynn Ellingsen. We expect to be in a position to provide this file by mid-February 2011.

5. Project Evenhanded Documents

As you are aware, Project Evenhanded began in January 2001. We suggest that the following documents will be of interest to the Commission as they provide an overview of the activities of this team:

- a) Operational Plans and Briefing Notes – operational plans are created for any major investigation and set out the work plan, resourcing and other operational considerations; briefing notes provide updates to management on investigative steps and resourcing issues.
- b) Memorandums of Understanding with City of Vancouver – these documents were prepared to create the Joint Forces Operation.
- c) Daily Logs for Project Evenhanded – this is a running log of the decisions, actions and major investigative steps taken during Project Evenhanded.
- d) Meeting Minutes for Project Evenhanded – these are minutes of the weekly meetings that were held by the investigative team (however, we are advised that minutes only started to be kept in August 2001).
- e) Press Releases relating to Project Evenhanded.

We propose to focus on disclosing the above documents as our next priority following disclosure of PUHU file 99-1252. We expect to be in a position to produce these documents by mid-March 2011.

B) Subsequent Document Disclosure

There are also several different types of documents within Project Evenhanded which relate to the specific investigative steps undertaken by the many police officers involved in these investigations. Before we can consider a schedule for the disclosure of these documents, we would like to discuss with you how best to produce these categories of information. Unlike the overview documents noted above, we expect that there will be considerable vetting that has to be done with respect these documents which will slow the pace of disclosure. It may well be that it is more useful to the Commission to have a summary of these investigative steps rather than simply receiving the documents without context. As such, we would like to discuss whether our efforts would be better spent summarizing these investigative steps with reference to key documents rather than vetting and producing each and every document within the following categories:

- a) Unidentified Human Remains – these documents were generated from work done in July to September 2001 to review 130 coroner files on unidentified human remains to identify those that were female or unidentified to get DNA profiles.
- b) File Reviews Prior to February 2002 – these are the documents generated by the work done by 8 to 10 officers within Project Evenhanded from the time of its inception to review previous solved and unsolved sex assaults and murders with a view to

identifying crime scene DNA and possible suspects. This work generated 200 files with exhibits from a review of cases in BC outside of Vancouver and 252 files with exhibits from a review of cases from the City of Vancouver. This process solved many previously unsolved murders and sex assaults (e.g., three murders from 1988 which occurred in the alleys of the Downtown Eastside were solved as a result of this work ["the Alley Murders"]).

- c) Alley Murders Database – a separate E&R database was created to house the documents related to the investigation of the Alley Murders and a dedicated team was assigned to this investigation. There will be some overview documents in this database similar to the overview documents described above for Project Evenhanded.
- d) SUISS Tip Sheets – these files originally came from the VPD Project Amelia SUISS computer system and were added to by the RCMP so it may not be apparent in all cases to an uninformed reader what part of the file was generated by the VPD versus the RCMP.
- e) Evenhanded Cases - there are 87 separate "cases" within the Evenhanded E&R database. Each case contains all of the documents associated with that case including witness statements, CPIC checks, officer notes, medical/dental records, arrest reports, line up records, welfare records, etc. Given that many of these cases are unsolved there will have to be significant vetting to protect ongoing investigations.
- f) Valley Murders Database – the documents relating to the investigation of the 1995 murders of Tammy Pipe, Victoria Younker and Tracy Olajide whose bodies were found near Agassiz and Mission are housed in a separate E&R database. This is an active, ongoing investigation so there will be unique and significant vetting issues associated with this file. Again, there will be some overview documents in this database which may describe the investigation more generally.

C) Other Potential Document Sources

Officer Notebooks

Each officer involved in Project Evenhanded is required to keep handwritten notebooks. Much of the information from these notebooks has been inputted into E&R. However, we are advised that the handwritten notes themselves have also been scanned into E&R. One of the main investigators on the file advises us that she alone has 80 Project Evenhanded notebooks. Given the number of officers involved, the volume of officer notes is staggering. We would also expect that these notes would have to be subjected to significant vetting. Accordingly, it is our view that it would be a grossly inefficient use of resources to review all of this mostly repetitive material and that a better approach would be to limit production to those notes written by key investigators. In any event, we would like to further discuss with the Commission how best to deal with this problematic category of documents.

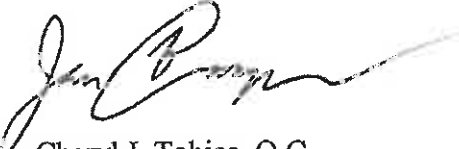
RCMP Policies

In addition to the E&R documents listed above, the RCMP is also working on identifying the policies relevant to the missing women investigations during the time frame in question with a view to disclosing these to the Commission. At this point, we are unable to say when we will be in a position to disclose these documents as the relevant policies are still being identified.

While we trust that this is responsive to the request you made in your letter of December 20th, we welcome any questions you may have. Furthermore, we strongly encourage you and your staff to consider attending at the Project Evenhanded office for the purposes of getting an orientation to its E&R database. In this way, you could get a better sense of how this tool is used to manage information and potentially identify other types of information that the Commission may be interested in.

Once you have had an opportunity to consider the above, we propose scheduling another meeting to discuss these issues. We look forward to hearing from you.

Yours truly,


for Cheryl J. Tobias, Q.C.
Senior General Counsel

JEH/ac

Enclosure

	Field	Definition
Task	ID	Unique Identifier for each task
	LASTUPDATE	Date & time of when task was last updated
	ASSIGNED2	Investigator who task is assigned to for completion
	ASSIGNEDBY	Investigator who has assigned out task for completion
	ASSIGNDATE	Date & time of when task was assigned
	DIARYDATE	Date & time of when task is due for completion
	CONCLUDED	Status of task
	DESCRIPTION	Short general description of task
	TASK	Description and details of task
	SUMMARY	Detailed summary of task
	RE	Subject or focus of task
	UPDATE WHO	Individual who last updated task
	PRIORITY	Priority level assigned to the task – default is 5
	SEC_LEVEL	Security level assigned to the task – default is 0
	To_MEDIA	Checkbox used to flag records for file specific purposes
	To_DAILY	Checkbox used to flag records for file specific purposes
	To_CROWN	Checkbox used to flag records for file specific purposes
	To_REPORTS	Checkbox used to flag records for file specific purposes
	ANALYSIS	Checkbox generally used to flag record as complete
	TEAMLEADER	Checkbox used to indicate review of task complete
	SIGNED_OFF	Checkbox used to finally conclude a task
	POC_CONTENT	Checkbox used to flag records for file specific purposes
	Task Action	ID
TASK_ID		Unique identifier of related task
LASTUPDATE		Date & time of when task action was last updated
ACTIONDATE		Date & time of when task action (i.e. work on the task) occurred
AUTHOR		Writer of task action
T_ACTION		Details of the work completed (i.e. Investigator's report)
ANALYSIS		Indicates appropriate links to for the Task Action have been completed
To_MEDIA		Checkbox used to flag records for file specific purposes
To_DEFENSE		Checkbox used to flag records for file specific purposes
To_DAILY		Checkbox used to flag records for file specific purposes
To_REPORTS		Checkbox used to flag records for file specific purposes
STATUS		Status of the Task Action (i.e. Still under investigation, ready for review, ready for conclusion)
POC_CONTENT		Checkbox used to flag records for file specific purposes
UPDATED_WHO		Last Person to update this Task Action Record.
ORIGINAL_ID		ID of Original Task Action (when Task Actions are vetted within E&R a copy is created with a new id, but this field will contain the ID of the Original Task Action -- if the same as the ID field, then no vetted version exists)
VETTING_STATUS		Contains the vetting status of the Task Action (i.e... Vetted Version, Original Version, Vetting not required)
Document		ID
	DOC_DATE	Date & time of document
	IS_COPY	Checkbox used for file specific purposes

WHEN_RECIEVED	Date & time document was received by investigators
SEC_LEVEL	Security level of document
TITLE	Subject or focus of the document
DOCUMENT_TYPE	Category of document (i.e., Invoice, witness statement)
DESCRIPTION	Short general description of document
HOW_RECEIVED	Agency, detachment department which provided document
SUMMARY	Detailed summary of document



Public Safety, Defence and Immigration
BC Region
900 – 840 Howe Street
Vancouver, BC
V6Z 2S9

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

January 14, 2011


By Email

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, British Columbia
V6Z 2H2

Attention: Art Vertlieb, Q.C.

Dear Mr. Vertlieb:

Re: **Missing Women Commission of Inquiry**
Our File: 2-273772

This is Exhibit "I" referred to in the
affidavit of Sarah Armstrong
sworn before me at Vancouver
this 13th day of February, 2012


On January 13, 2011 we learned that Deputy Chief Evans (DC Evans) had contacted the RCMP to advise that she will be in Vancouver on Wednesday, January 19 and would like to meet with the RCMP. We also understand that DC Evans has made requests for documents and information directly to various members of the RCMP. The RCMP wishes to cooperate and facilitate DC Evans inquiries so that she can carry out her work but also wishes to clarify the basis upon which information will be shared.

Further to Mr. Brongers' discussion with Ms. Brooks on January 13, 2011, we also confirm Ms. Brooks' advice that DC Evans will be acting as an independent expert who will be providing opinion evidence to the Commission. Ms. Brooks also indicated that the Commission wishes DC Evans to be entirely independent and does not wish to direct DC Evans in the manner in which she carries out her mandate.

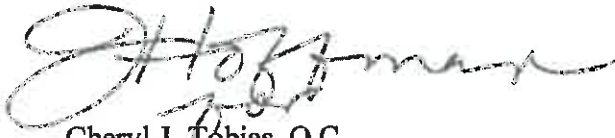
Despite your letter of December 6, 2010 in which you stated that the review by DC Evans would be confined to the Terms of Reference including the Pickton investigation and other missing women investigations in British Columbia, we remain unclear as to the particular questions upon which DC Evans will be asked to opine and the exact scope of the evidence she will be providing to the Commission. As we require this clarification in order to anticipate the nature and extent of the information DC Evans may require from the RCMP, we would appreciate hearing from you in this regard at your earliest convenience.

We raised concerns with Ms. Brooks regarding the direct requests that DC Evans has made for documents given our agreement that document disclosure from the RCMP to DC Evans would be made through the Commission. Our concerns in this regard are twofold. First, the documents that are being disclosed to the Commission are being vetted to address privilege and confidentiality concerns so that they can be shared with all participants. The documents that DC Evans reviews should be the same that will be available to the participants in the Inquiry.

Secondly, given the massive volume of documents that we are dealing with, it is imperative that the document disclosure process be governed by a staged process in which priority documents are identified and disclosed expeditiously. Responding to separate requests from DC Evans would detract resources from this process and delay disclosure to the Commission. In future, we would ask that DC Evans direct her requests for documents from the RCMP through Commission counsel.

The RCMP have proposed a meeting between DC Evans, RCMP representatives and Department of Justice counsel on Wednesday morning to establish mutual understanding and agreement about the most effective way to provide her with access to the information she needs. We would welcome an opportunity for such a meeting and look forward to hearing from you.

Yours truly,

A handwritten signature in cursive script, appearing to read "Cheryl J. Tobias".

Cheryl J. Tobias, Q.C.
Senior General Counsel

cc: Inspector Andrew Koczerzuk


MISSING
WOMEN
COMMISSION OF
INQUIRY

1402 – 808 Nelson Street
Vancouver, British Columbia V6Z 2H2
Office: 604-681-4470
Facsimile: 604-681-4458

Email: info@missingwomeninquiry.ca
www.missingwomeninquiry.ca

January 25, 2011

Cheryl Tobias, Q.C.
Department of Justice
BC Regional Office
900 – 840 Howe Street
Vancouver, BC V6Z 2S9

This is Exhibit "J" referred to in the
affidavit of Sarah Armstrong
sworn before me at Vancouver
this 13th day of February, 2012


Dear Ms. Tobias:

Re: Your letter dated January 14, 2011

I write in response to your above-noted letter. I will deal with the issues that you raise in the same order as your letter.

With respect to DC Evans, we confirm the statements in your second paragraph. That is, DC Evans is independent of the Commission and we are not directing her efforts. To that end, we were allowing DC Evans to make her own arrangements with the RCMP for certain disclosure items. However, DC Evans understands that any information that becomes a basis of her evidence or forming any opinions must be from a source that will be included in the evidentiary record of the Commission.

We were advised that in her direct contact with the RCMP she has been asked if she would be willing to receive un-redacted documents. It is our understanding that if this occurred such un-redacted material would not be made available to Commission staff and other participants in that form. We understand that there was even a discussion whether she would sign a Confidentiality Agreement on this issue and she was considering this. We have no objection to same.

Despite this police to police dialogue the position of this Commission on disclosure is simple. With respect to our staff and participants, we are willing to receive disclosure in a redacted format. The basis for the redactions may later be subject to review.

Ms. Cheryl Tobias
January 25, 2011
Page 2

To address your third paragraph we can advise you that at this stage DC Evans will be assisting the Commission respecting the conduct of "missing women investigations" as defined in our Terms of Reference. Simply put, she will be reviewing the action of police forces in BC with respect to the Pickton investigation as it occurred between January 23, 1997 and February 5, 2002.

As well, DC Evans may assist the Commission in fulfilling other parts of our Terms of Reference that are not the subject of formal hearings.

In your fourth paragraph you describe the vetting process that is underway by the RCMP in anticipation of these documents ultimately being disclosed to all participants. By separate letter we have requested an updated code of redactions from you for distribution to participants.

In the fifth paragraph you request that DC Evans direct her requests for documents through Commission counsel and we will arrange for that.

We understand that the meeting you discussed in your last paragraph did not occur. We of course would have no objection should it occur in the future.

Thank you.

Yours truly,
MISSING WOMEN COMMISSION OF INQUIRY



Art Vertlieb, Q.C.
Senior Commission Counsel

**MISSING
WOMEN
COMMISSION OF
INQUIRY**

1402 – 808 Nelson Street
Vancouver, British Columbia V6Z 2H2
Office: 604-681-4470
Facsimile: 604-681-4458

Email: info@missingwomeninquiry.ca
www.missingwomeninquiry.ca

January 27, 2011

BY EMAIL

Ms. Cheryl Tobias, Q.C.
Department of Justice
#900 – 840 Howe Street
Vancouver, BC V6Z 2S9

This is Exhibit "K" referred to in the
affidavit of Sarah Armstrong
sworn before me at Vancouver
this 13th day of February, 2012



Dear Ms. Tobias:

Re: RCMP Disclosure Documents

Thank you for your letter of January 25, 2011 and the enclosed DVD containing documents relating to Coquitlam RCMP Files #97-10797 and #98-33017, and the Pickton Report to Crown Counsel (not submitted).

In your letter, you refer to the Vetting/Disclosure Protocol which has been updated since the December 15, 2010 Vetting/Disclosure Protocol we received and had agreed to. Would you please provide us with a copy of the revised Protocol so that we may share it with the Commission's Hearing Participants?

Because of the recent FOI releases to the media by both the RCMP and the VPD I have felt it necessary to review the disclosure that we have received from both organizations. With respect to the RCMP and the DOJ I note the following:

- On October 22nd 2010 the DOJ provided us with a redacted version of the "Williams Report"
- On October 26th, 2010 we were provided with a redacted version of the appendices to that report;
- This disclosure was provided on the basis of our assurance that they would remain confidential;
- We were told that the redaction needed reviewing to ensure that it was consistent with new vetting codes that were being established;
- It was suggested that after Participant status was formally granted to the RCMP that the revised redactions may in fact lessen from what had been done in anticipation of litigation;
- On December 1st, 2010 we advised you that the RCMP (and others) had been granted Standing and reasons would follow;
- Since then we have waited for a revision of the "Williams Report" disclosure until we recently saw it disclosed in some redacted form to the media.

This recent disclosure through the media caused me to re-examine the Preliminary Document Disclosure Schedule contained in the DOJ letter of December 24th, 2010 and this raised the following:

- Why are there no email messages or internal communications related to the Pickton investigation included in your Schedule?
- In reviewing your most recent disclosure we have only identified one internal staff email;
- Is there more disclosure coming that will contain email and other forms of internal communication with respect to the three files contained in the January 25th disclosure that we have received?
- I note that under the Project Evenhanded section of your Schedule, there is no mention of the "Williams Report".
- When will this report (and appendices) be disclosed to us?

As you know I am troubled by the manner in which this Commission is receiving disclosure from the RCMP. I am now wondering if it would be more efficient for both of us to dissolve the informal basis upon which we have been relying upon for disclosure from the RCMP and obtain a formal Summons from the Commissioner for disclosure.

Thank you.

Yours very truly,



Art Verlieb QC

Senior Commission Counsel



Public Safety, Defence and Immigration
BC Region
900 - 840 Howe Street
Vancouver, BC
V6Z 2S9

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

February 1, 2011


By Email

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, British Columbia
V6Z 2H2

Attention: Art Vertlieb, Q.C.

Dear Sir:

Re: **Missing Women Commission of Inquiry**
Our File: 2-2/13772

This is Exhibit "L" referred to in the
affidavit of Sarah Armstrong
sworn before me at Vancouver
this 13th day of February, 2012


I write further to your letter of January 27, 2011.

Disclosure Protocol

As requested, we enclose a revised Vetting/Disclosure Protocol that can be shared with all participants. The protocol provides that some information in the documents is subject to statutory disclosure restrictions (code STAT). This includes wiretap authorizations and the content of intercepted communications as well as information relating to sealed search warrants; ss. 183, 197 and 487.3 of the *Criminal Code*; identifying income tax information; s.241, *Income Tax Act*; and information that is contained in the national DNA bank; *DNA Identification Act*.

A new code (DTB) has also been added to redact personal information obtained from queries to police databases (i.e. CPIC, PIRS, PRIME and NCDB) relating to individuals who are entirely unconnected with the investigation but may have a similar name to the person about whom information was requested.

Williams Report

As you are aware the Williams report was prepared independently of Project Evenhanded for the purposes of responding to two civil actions commenced against the RCMP. Given that the documents were already disclosed to the Commission on October 26, 2010, albeit in a form not consistent with the current vetting protocol, we did not include it in our December 24th schedule. However, it was always intended that the appendices would be disclosed once they were revetted to correspond to the inquiry protocol. The version that was disclosed to the media pursuant to an *ATIP* request contains redactions made pursuant to that legislation which are more extensive than the redactions made in the version already disclosed to the Commission.

With respect to the Williams report appendices provided on October 26, 2010, we enclose a table which sets out the disclosure status of each appendix. You will note that some appendices previously provided to you contained no redactions. Those which contained redactions were vetted using pre-existing codes utilized for purposes other than the inquiry.

As you know, the Williams appendices are being revetted in accordance with disclosure protocol established for the inquiry. It should also be noted that several of the appendices are contained within files that have been disclosed to you over the past month and as such, have already been revetted. The remaining documents are in the process of being revetted and we expect to be in a position to provide the Commission with these documents by early next week.

Once all the Williams appendices have been revetted, for ease of reference, we will provide the Commission with one disc containing the report and the newly revetted appendices.

Question regarding Preliminary Disclosure Schedule

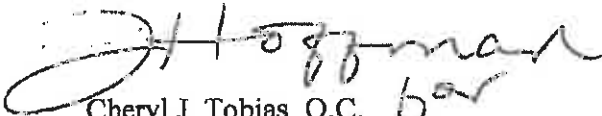
The purpose of the preliminary document disclosure schedule provided on December 24, 2010 was to set out the documents we identified as being those the Commission may be most interested in starting with in terms of disclosure. As stated in our letter, it was a partial list and it is focused on the documents relating to day to day operational work on the missing women investigations.

As far as the three files disclosed to you on January 25, 2011 are concerned, we have not entirely exhausted the search for documents, particularly those of an administrative nature, not ordinarily located on an investigative file. Individual members may also have retained additional information. We expect that these documents will be disclosed once we have been able to canvas individual witnesses.

You have raised several questions regarding emails. We are currently consulting with the RCMP regarding their email retention policies for the time period in question as well as the business rules and practices regarding how emails were placed on files or otherwise archived by individual members. We should be in a position to provide that information to you shortly.

Until now we have not heard from the Commission as to the specific types of documents that you are interested in receiving. We have always been open to discussing with the Commission what other specific classes of documents are needed for the purposes of the inquiry. As such we repeat our request set out in our December 24, 2011 letter to set up a meeting to discuss the document disclosure priorities beyond the preliminary schedule we provided.

Yours truly,


Cheryl J. Tobias Q.C. bar
Senior General Counsel

JEH/ac
Enclosures

February 1, 2010

Missing Women's Inquiry
Vetting/Disclosure Protocol

1. This document is intended to set out the basis upon which the Government of Canada will disclose those documents in its possession that are relevant to the mandate of the Missing Women Commission of Inquiry.
2. The Commission wishes to receive documents in a state that can be disclosed to all participants.
3. The Government of Canada is committed to assisting the Commissioner to fulfill his mandate in a timely manner but must disclose documents consistent with applicable privileges and immunities and in a manner which will not jeopardize any ongoing criminal investigations or compromise the safety, privacy or other legitimate interests of sex trade workers, persons of interest and witnesses.
4. This will require that all documents be thoroughly reviewed before they are disclosed to the Commission in order to protect privileged information and ongoing criminal investigations as well as information which may compromise the safety of current and former sex trade workers and the privacy of persons of interest and other witnesses.
5. The documents to be disclosed to the Commission will be reviewed and either withheld or redacted in order to protect the following types of information from disclosure. Each redaction will be identified with the corresponding code.

Type of Information	Description	Code
Publication Ban	Information that may identify Pickton 1997 attempted murder victim	VIC97
Solicitor-Client Privilege	Where legal advice is sought and/or provided from DOJ or Crown Counsel	SCP
Litigation Privilege	Information created in contemplation of litigation commenced on April 23, 2002 in respect of the murder of Angela Joesbury and on September 19, 2002 in respect the disappearance of Helena Creison and in respect of any other litigation commenced during the course of the inquiry.	LP
Police Informer Privilege	Any information that might compromise the identity, safety or security of a confidential informant, police agent or protected witness	PIP

Police Investigative Techniques	Such as location or type of audio or surveillance and the manner of surreptitious entry to install it; aerial surveillance.	PIT
Ongoing Investigation	Information that may reveal or compromise other ongoing investigations and/or identify persons of interest in those investigations.	OI
Section 37, <i>Canada Evidence Act (CEA)</i> : Information not in Public Interest to Disclose - Sex Trade Worker Names	The safety and privacy of current and former sex trade workers may be compromised if their names are disclosed. The names of women associated with the sex trade should be removed in a manner that allows each particular sex trade worker to be identified by a unique id number.	STW
Section 37, <i>CEA</i> : Information not in Public Interest to Disclose - Persons of Interest	The names of persons of interest should be removed in a manner that allows each person of interest to be identified by a unique id number. There are significant concerns with identifying publically those individuals who have been identified as potential persons of interest in a criminal investigation, especially when those people proved not to be relevant to the investigation.	POI
Section 38, <i>CEA</i>	Information that would be injurious to international relations, national defence or security	NS
Section 39, <i>CEA</i>	Information that would reveal a cabinet confidence	CC
Other Statutory Exemptions	The following statutes prohibit the disclosure of: (a) information submitted to the court to obtain a wiretap authorization as well as any information that may identify the targets, the content of the intercepted communications or the existence of such communications; ss. 187 and 193 of the <i>Criminal Code</i> (b) in respect of sealed search warrants, any information relating to the warrant, production order or authorization; s. 487.3 of the <i>Criminal Code</i> (c) any information that is contained in the	STAT

	<p>national DNA Data Bank; ss. 4 and 6 of the <i>DNA Identification Act</i></p> <p>(d) taxpayer information that directly or indirectly identifies the taxpayer to whom the information relates; s. 241 of the <i>Income Tax Act</i></p>	
Irrelevant Database Query Results	<p>Personal information obtained from queries to police databases (i.e. CPIC, PIRS, PRIME and NCDB) relating to individuals who are entirely unconnected with the investigation but may have a similar name to the person about whom information was requested will be redacted.</p>	DTB
Irrelevant Personal Identifiers	<p>The dates of birth, phone numbers, addresses, drivers license numbers, SINS etc of any person in the database will be redacted. Only the digits themselves should be redacted so that the type of personal identifier is still apparent.</p>	PID

6. The Commission recognizes that to avoid delay in the Inquiry process documents will be provided to the Commission in groupings as they become available rather than waiting for all document searches and reviews to be completed.



Public Safety, Defence and Immigration
BC Region
900 - 840 Howe Street
Vancouver, BC
V6Z 2S9

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

February 2, 2011

Via Email

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, British Columbia
V6Z 2H2

Attention: Art Vertlieb, Q.C.

Dear Sir:

Re: Missing Women Commission of Inquiry
Our File: 2-273772

We write further to your letter dated January 25, 2010 regarding the question of whether the RCMP should provide DC Evans with unvetted material.


Since DC Evans met with the RCMP, we have reconsidered and concluded that providing DC Evans with material that we cannot provide to the Commission or the other parties is counterproductive:

1. despite the instruction that she not base her opinion on such material, there are bound to be questions about whether she may have done exactly that;
2. other parties, such as the families of the missing women, may wish to have one or more of their own experts review the material and advise the parties and would naturally expect to have access to the same material;

We are of the view that DC Evans' credibility may be undermined and the usual criticism of the police investigating the police given unnecessary fuel.

We wish to facilitate, not impede, DC Evans' work and intend to do everything possible to provide her promptly with the material she needs. To that end, we have decided to amend our approach to disclosing documents:

1. we will suggest to DC Evans that, if she needs documents over and above what has already been or will imminently be disclosed to the Commission, she send her requests directly to Inspector Andrew Koczerzuk of the RCMP (with, if you wish, a copy to you);

This is Exhibit "M" referred to in the affidavit of Sarah Armstrong sworn before me at Vancouver this 13th day of February, 2012


2. we will give her request the highest priority. This means that we will turn our attention from whatever is being vetted at the time to the materials she requests;
3. we will provide the vetted version of the material she requests to you as we have been doing, understanding that you will make it available to her promptly. This action will also ensure that the Commission has this material and can release it to the other parties as it sees fit;
4. should she find that she does require material that is redacted under the current protocol, she will tell Insp. Koczerzuk and we will reconsider our position on that material.
5. If redaction is still necessary we will contact you and hope that we can work together to resolve the issue. This may require consideration of various alternatives, such as releasing the material to counsel only on an undertaking not to disclose to their clients, any possible means of having that material before the Commission under seal, or any other appropriate means that we can together devise.

As mentioned in my previous letter, we suggest a meeting to discuss disclosure issues. If you have any concerns about our intended course of action as described in this letter, we could discuss them as well.

I note also that we had at least one conversation with Ms. Brooks about discussing the wording of the undertaking you intend to request from the parties after the standing applications. We look forward to doing so.

Yours truly,



Cheryl J. Tobias Q.C.
Senior General Counsel

JEH/ac

MISSING
WOMEN
COMMISSION OF
INQUIRY


1402 – 808 Nelson Street
Vancouver, British Columbia V6Z 2H2
Office: 604-681-4470
Facsimile: 604-681-4458

Email: info@missingwomeninquiry.ca
www.missingwomeninquiry.ca

February 4, 2011

BY EMAIL

Ms. Cheryl Tobias, Q.C.
Department of Justice
#900 - 840 Howe Street
Vancouver, BC V6Z 2S9

This is Exhibit "N" referred to in the
affidavit of Sarah Armstrong
sworn before me at Vancouver
this 13th day of February, 2012


Dear Ms. Tobias,

Re: Your Letter of February 2, 2011

Thank you for your letter dated February 2, 2011 and the two enclosed DVDs containing the Provincial Unsolved Homicide Unit File 99E-1251, the Project Elderberry File and the first batch of the Pickton RTCC Source Documents. We look forward to receiving the second batch of the Pickton RTCC Source Documents.

We accept your position with respect to Deputy Chief Evans receiving unredacted documents from the RCMP.

We also accept your proposal set out in numbers 1 – 5 of your letter.

We expect to be in a position to schedule a meeting to discuss document disclosure at the end of this month.

We appreciate your comments with respect to the confidentiality agreement for participants (and undertaking for counsel) and anticipate providing you with a copy to review next week.

Thank you.

Yours truly,



For Art Vertlieb, Q.C.
Senior Commission Counsel



Public Safety, Defence and Immigration
BC Region
900 - 840 Howe Street
Vancouver, BC
V6Z 2S9

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

February 17, 2011


By Email

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, BC
V6Z 2H2

Attention: Art Vertlieb, Q.C.

Dear Sir:

Re: **Missing Women Commission of Inquiry**
Our File: 2-273772

This is Exhibit "0" referred to in the
affidavit of Sarah Armstrong
sworn before me at Vancouver
this 13th day of February, 2012


We write further to our letter on February 1, 2011.

It has come to our attention that documents that are in the process of being prepared for disclosure to the Commission contain the names of sexual assault victims who were not associated with the sex trade. Under the previous vetting rules, these names would be redacted only if the victim was a sex trade worker. Obviously, similar concerns arise regarding disclosing the identity of sexual assault victims who are not sex trade workers. As such, the enclosed further revised disclosure protocol provides that these names will be redacted and replaced with the code VICTIM.

We would ask that the revised protocol dated February 17, 2011 be provided to counsel for all participants as well as to Deputy Chief Evans.

Yours truly,



Cheryl J. Tobias Q.C.
Senior General Counsel

Enclosure

February 17, 2011

Missing Women's Inquiry
Vetting/Disclosure Protocol

1. This document is intended to set out the basis upon which the Government of Canada will disclose those documents in its possession that are relevant to the mandate of the Missing Women Commission of Inquiry.
2. The Commission wishes to receive documents in a state that can be disclosed to all participants.
3. The Government of Canada is committed to assisting the Commissioner to fulfill his mandate in a timely manner but must disclose documents consistent with applicable privileges and immunities and in a manner which will not jeopardize any ongoing criminal investigations or compromise the safety, privacy or other legitimate interests of sex trade workers, persons of interest and witnesses.
4. This will require that all documents be thoroughly reviewed before they are disclosed to the Commission in order to protect privileged information and ongoing criminal investigations as well as information which may compromise the safety of current and former sex trade workers and the privacy of persons of interest and other witnesses.
5. The documents to be disclosed to the Commission will be reviewed and either withheld or redacted in order to protect the following types of information from disclosure. Each redaction will be identified with the corresponding code.

Type of Information	Description	Code
Publication Ban	Information that may identify Pickton 1997 attempted murder victim	VIC97
Solicitor-Client Privilege	Where legal advice is sought and/or provided from DOJ or Crown Counsel	SCP
Litigation Privilege	Information created in contemplation of litigation commenced on April 23, 2002 in respect of the murder of Angela Joesbury and on September 19, 2002 in respect the disappearance of Helena Creison and in respect of any other litigation commenced during the course of the inquiry.	LP
Police Informer Privilege	Any information that might compromise the identity, safety or security of a confidential informant, police agent or protected	PIP

Type of Information	Description	Code
	witness.	
Police Investigative Techniques	Such as location or type of audio or surveillance and the manner of surreptitious entry to install it; aerial surveillance.	PIT
Ongoing Investigation	Information that may reveal or compromise other ongoing investigations and/or identify persons of interest in those investigations.	OI
Section 37, <i>Canada Evidence Act (CEA)</i> : Information not in Public Interest to Disclose - Sex Trade Worker Names	The safety and privacy of current and former sex trade workers may be compromised if their names are disclosed. The names of women associated with the sex trade should be removed in a manner that allows each particular sex trade worker to be identified by a unique id number.	STW
Section 37, <i>Canada Evidence Act (CEA)</i> : Information not in Public Interest to Disclose – Sex Assault Victim Names	The security and privacy of former sex assault victims who are not associated with the sex trade may be compromised if their names are disclosed. Accordingly, these names will be redacted.	VICTIM
Section 37, <i>CEA</i> : Information not in Public Interest to Disclose - Persons of Interest	The names of persons of interest should be removed in a manner that allows each person of interest to be identified by a unique id number. There are significant concerns with identifying publically those individuals who have been identified as potential persons of interest in a criminal investigation, especially when those people proved not to be relevant to the investigation.	POI
Section 38, <i>CEA</i>	Information that would be injurious to international relations, national defence or security	NS
Section 39, <i>CEA</i>	Information that would reveal a cabinet confidence	CC
Other Statutory Exemptions	The following statutes prohibit the disclosure of: (a) information submitted to the court to obtain a wiretap authorization as well as any information that may identify the targets, the content of the intercepted communications or the existence of such communications; ss. 187 and 193 of the <i>Criminal Code</i>	STAT

Type of Information	Description	Code
	<p>(b) in respect of sealed search warrants, any information relating to the warrant, production order or authorization; s. 487.3 of the <i>Criminal Code</i></p> <p>(c) any information that is contained in the national DNA Data Bank; ss. 4 and 6 of the <i>DNA Identification Act</i></p> <p>(d) taxpayer information that directly or indirectly identifies the taxpayer to whom the information relates; s. 241 of the <i>Income Tax Act</i></p>	
Irrelevant Database Query Results	Personal information obtained from queries to police databases (i.e. CPIC, PIRS, PRIME and NCDB) relating to individuals who are entirely unconnected with the investigation but may have a similar name to the person about whom information was requested will be redacted.	DTB
Irrelevant Personal Identifiers	The dates of birth, phone numbers, addresses, drivers license numbers, SINS etc of any person in the database will be redacted. Only the digits themselves should be redacted so that the type of personal identifier is still apparent.	PID

6. The Commission recognizes that to avoid delay in the Inquiry process documents will be provided to the Commission in groupings as they become available rather than waiting for all document searches and reviews to be completed.



Public Safety, Defence and Immigration
BC Region
900 - 840 Howe Street
Vancouver, BC
V6Z 2S9

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

February 24, 2011

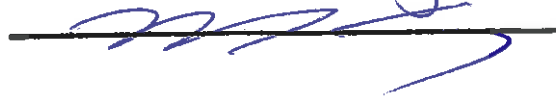
By Hand

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, British Columbia
V6Z 2H2

Attention: Art Vertlieb, Q.C.

Dear Sir:

Re: Missing Women Commission of Inquiry
Our File: 2-273772

This is Exhibit "P" referred to in the
affidavit of Sarah Armstrong
sworn before me at Vancouver
this 13th day of February, 20 12


In your letter dated January 27, 2011, you raised some questions with respect to the disclosure of email messages. We write further to our letter dated February 1, 2011, to provide you with further information with respect to the RCMP's email policies in general and the way in which email was used and retained by Project Evenhanded investigators in particular.

The principal reason why there have been relatively few emails disclosed to date is because, as you can no doubt appreciate, the use of email in the period between 1997 and 2002 was much more limited than it is today. Therefore, it should come as no surprise that the Coquitlam files which were disclosed to you on January 25, 2011, did not contain many emails.

The policies which govern the RCMP's retention of emails also explain why a relatively small number have been disclosed so far. As stated by Inspector Bruce Imrie, Acting Regional Informatics Officer, in his letter to Ms. Tobias dated February 8, 2011, the RCMP's email system was implemented in or around 1995 as an "administrative communications system and was not designed for operational communications purposes." Inspector Imrie's letter can be found on the enclosed CD.

As stated in the first page of Inspector Imrie's letter, much of the information that is communicated in RCMP emails is "transitory in nature." According to RCMP policy, transitory documents need not be retained. Of course, not all emails are transitory; it was and continues to be the responsibility of individual members to print off those emails that qualified as a record and to place the hard copy on the file or electronically archive it on a separate storage device. We have included the various RCMP policies with respect to the retention of email in the enclosed CD.

As described by Inspector Imrie, and in accordance with RCMP policy, emails which had not already been manually deleted by a member are retained on the servers for a "maximum of 90

days." Back-ups of the email servers are made but they too are "overwritten" after 90 days. Therefore, unless a member took steps to retain a particular email, emails from the time periods in question will have been deleted long ago in accordance with the RCMP's policies. This also means that there is no central repository from which all RCMP emails from the relevant time periods can be retrieved. All RCMP members who may potentially be witnesses at the inquiry, including those investigators involved in the Coquitlam files disclosed on January 25th, have been asked to preserve all copies of relevant documents including any relevant emails which they may have saved apart from the files we have already disclosed.

Cpl. Yates of Project Evenhanded has prepared a summary of Project Evenhanded's procedures and business rules for processing and retaining emails. This summary is also contained in the enclosed CD. As described by Cpl. Yates, since the beginning of Project Evenhanded it has been the responsibility of the individual investigators to determine whether a particular email should be retained and this remains the case today. Cpl. Yates explains that when Project Evenhanded first began, there was no formal process for the handling of emails. In general, if an investigator determined that a particular email was relevant then that email would form part of the investigational record and the investigator would either document its contents in a report or print it for the file.

Cpl. Yates also explains how Project Evenhanded's procedures have evolved since 2001. In 2003, Project Evenhanded adopted a more formal process with respect to the retention of emails. At this time, investigators began to save emails into the E&R database. In addition, the investigator would compose a task action in E&R which stated that an email had been received and that a copy would subsequently be imported into E&R. Although this process has changed slightly since 2003 as described by Cpl. Yates, Project Evenhanded investigators continue to import emails into E&R and the decision to do so is at the discretion of each investigator. It is possible to extract emails from E&R but doing so without providing the other information to which these emails are linked will not provide the full context.

We expect that more emails will be disclosed as the disclosure process continues. We have not included emails in the document disclosure schedule because any emails that have been retained on the files will be disclosed with those files and as mentioned above, disclosing emails from E&R without the related context will not be useful.

We trust that the above information and the enclosed material answers the questions you raised in your January 27th letter.

Yours truly,



for:
Cheryl J. Tobias Q.C.
Senior General Counsel



Unclassified

Acting Regional Informatics Officer
Pacific Region
5255 Heather St.
Vancouver, B.C.
V5Z 1K6

Your File Votre référence

Ms. Cheryl Tobias, QC,
Department of Justice Senior Counsel
Missing Women Commission of Inquiry

Our File Notre référence

2011-02-08

Dear Ms. Tobias,

Re: RCMP E-mail Systems and Policy

I have been requested to provide some clarification with respect to the policies and technical procedures which are used by the RCMP regarding the handling of electronic mail (e-mail).

The RCMP employs Novell GroupWise as its e-mail software application. This system was initially implemented in the RCMP circa 1995. The e-mail system was implemented within the RCMP as an administrative communication system and was not designed for operational communications purposes. The use of the e-mail system has through time has evolved to include both operational and administrative information. Electronic processes to fully incorporate these needs, both operational and administrative, have not kept pace and current policy is to print an e-mail which qualifies as a record and incorporate the paper copy as other 'hard copy' documents are treated in the operational or administrative file processes. E-mail is not by definition a records management system. Information which is communicated thereon may be transitory in nature or for other reasons does not qualify as a 'record'; but at the same time information thereon may qualify as a record in either an operational or administrative records system.

The retention policy for e-mail is to retain messages on the servers for a maximum of 90 days. The servers are configured to purge older messages once the 90 day maximum has been reached. This occurs unless this function has been manually overwritten, which requires a technician with appropriate system authorization.

Overwriting of the auto purge however, is typically done for special or unique investigation purposes. With that being said however, individual users can also delete messages, at any time, which effectively removes them from the server immediately notwithstanding the 90 day waiting period. Archiving, as a function, has been enabled on the system allowing individuals a greater length of time to retain e-mails. This action does not comply with RCMP policy.

When an investigation is performed to retrieve e-mail information, a copy is made of the post office in question. On occasions we have had overlapping investigations making it possible to retrieve information that is greater than 90 days old, this however does not happen often.

The backup policy for the RCMP in BC is to backup all e-mail data for 90 days. Our backups are a snap shot of our systems at any given point in time. As an example let us say that the server backs up everyday at five o'clock in the afternoon. All messages that have not been deleted, on or before five o'clock, will be stored on the back-up. If for example someone was to delete a message at four o'clock, this message will not be part of the back-up as it will have been deleted before the backup process begins. Most of our post offices are backed up each evening and retained for 90 days before the back-up media is overwritten.

Should you have further questions or require additional information, please do not hesitate to contact me.



Bruce Imrie, Inspector
Acting Regional Informatics Officer
Pacific Region

Office: 604-264-2013
e-mail: bruce.imrie@rcmp-grc.gc.ca

Project Evenhanded Procedures/Business Rules for processing and retaining emails

The following information will attempt to describe how emails were handled from the early stages of Project Evenhanded to the current process. It should be noted that throughout the investigation it was left to the discretion of the individual investigator whether or not to include the email.

When Project Evenhanded first started there was no formal process to handle emails. If an e-mail was deemed relevant by the investigator, the e-mail formed part of the investigational record. The e-mail was either documented in the report by the investigator or the e-mail was included in the investigation in its native format. The process became more formalized in approximately 2003 where the Global E&R business Rules stated that all documents and correspondence including e mails that went into E&R were printed/copied by the investigator and then scanned in as a document. The Investigator was required to compose a Task Action stating he/she had received an email and that a copy had been forwarded for uploading into E&R.

In 2007 the e-mail business rules were streamlined which allowed for the e-mails to be processed electronically. This process eliminated the step of the investigators having to photocopy the document (e-mail) and eliminated the step for the information processor to manually scan the document (e-mail). A copy of these instructions is noted below.

E MAIL

In Groupwise, open the E-mail, select File | Save As (or use the Save icon on the toolbar). The following screen will appear:

Under Save file as type the task and task action the document relates to Task #-Task Action # (ie: T123-4567.wpd). include title if multiple documents being submitted under same task action.

The document name should reflect the task and task action number where you have documented your submission to E&R (as per previous business rules).

Under Current directory click the Browse button and select P:\Public\Incoming Documents

Information Analysts will process these documents daily into E&R and rename the file to include the E&R Document ID (ie. Doc 1234 - T123-4567.wpd). Once a week, Database Administrator will convert the files to Adobe, and write the file path into the image table (viewable as .pdf only). The .pdf files will be moved to P:\Documents\PDF\Date of upload folder and the .wpd files will be archived to P:\Incoming and Processed\Uploaded since 2004-03-17.

In approximately 2008 Project Evenhanded business rules relative to processing e-mails were adapted to enable the investigators to electronically save their e-mails directly into a task action. These business rules are currently being followed by members of Project Evenhanded. The investigator would indicate in a Task Action that he/she had received an email, provide a brief description and then copy it directly into the Task Action. A copy of these instructions are noted below

E-MAIL

If an e-mail is required to form part of the task action the entire e-mail is to be copied and pasted into the task action itself. Do not print the e-mail and submit the paper document or save it to the P Drive. From your GroupWise Mailbox simply right click on the e-mail listed in your inbox. From the dropdown menu select "View".

This will bring up the e-mail in a separate viewing box with the e-mail itself as well as the "From:", "To:", "Date:" and "Subject:" lines.

Click anywhere inside the message box and then press "Ctrl" and "A" which will highlight the entire message. Once highlighted, right click anywhere in the message again and select "Copy". The message has been copied and can then be pasted into the task action by right clicking in the task action box and selecting Paste from clipboard.

Please note that there has never been a system in place to save or archive emails. The normal practice would be to delete the email after it had been dealt with by way of inclusion or deemed not relevant. This practice however has always been left to the discretion of individual investigators.

(R.I. YATES) Cpl.

Project Evenhanded

Missing Women Task Force

2011-02-09

Harman, Malea

From: Robins, Alicia
Sent: 2012-Feb-09 1:49 PM
To: 'Art Vertlieb'; Boire, Sandra; Brongers, Jan; 'Bryan Baynham'; 'Bryan Baynham'; 'Cameron Ward'; 'Chantelle Rajotte'; 'Cindy Brandes'; 'Claire Hatcher'; 'Darrell Roberts'; 'David Crossin'; 'E Greenspan'; 'Elizabeth France'; 'Greg'; 'Heather McLellan'; Hoffman, Judith; 'Irwin Nathanson'; 'Janet Winteringham'; 'Jason Gratl'; 'Jessica McKeachie'; 'John Boddie'; 'Judy Thompson'; 'Karey Brooks'; 'Kevin Woodall'; 'Leonard Doust'; 'Mark Skwarok'; 'melissa@morganandassociates.ca'; 'Michael Feder'; 'N Adams'; 'N Adams'; 'Neil Chantler'; 'Ravi Hira'; 'Richard Peck'; 'Robyn dean Gervais'; 'Salima Samnani'; 'Sean Hern'; 'Seth Cooper'; 'smef@morganandassociates.ca'; 'Tim Dickson'; Tobias, Cheryl; 'V Christie'
Subject: MWI: Force Wide Broadcast
Attachments: ForceWide.pdf

Attached is a Force Wide Broadcast that was delivered to all RCMP members and employees on October 6, 2010. Ms. Tobias will be filing this document with the Commission and referring to it. We will distribute hard copies of the attached document to all participants this afternoon.

Thank you,

ALICIA ROBINS
Paralegal | Paralegal
Aboriginal Law Section | Section du droit autochtone
Department of Justice Canada | Ministère de la Justice Canada
900 - 840 Howe Street | 840, rue Howe, piece 900
Vancouver, B.C. V6Z 2S9 | Vancouver, (C.-B.) V6Z 2S9

Telephone | Téléphone: 604-666-8982
Facsimile | Télécopieur: 604-666-2710
Email | Courriel: alicia.robins@justice.gc.ca
Government of Canada | Gouvernement du Canada

NOTICE | AVIS

The information in this e-mail message including any attachments is intended only for the named recipients above and may contain confidential or privileged information. If you have received this message in error, or are not the named recipient(s), please immediately notify the sender by replying to the message and deleting all copies of it from your computer. | Ce courriel de même que toute pièce jointe s'adresse seulement au(x) destinataire(s) désigné(s) et peut contenir des renseignements confidentiels ou privilégiés. Si vous avez reçu ce message par erreur ou que vous n'êtes pas un destinataire désigné, veuillez avertir immédiatement l'expéditeur en répondant au message et effacez-en toutes les copies dans votre ordinateur.



Please consider the environment before printing this email.

This is Exhibit "D" referred to in the
affidavit of Sarah Armstrong
sworn before me at Vancouver
this 13th day of February, 2012
[Signature]

NEWS - Missing Women Public Inquiry – Retention of Records | Enquête publique sur les femmes disparues – Conservation des dossiers pertinents -

From: ACC-NOC ACC-NOC
To: ACC-NOC, ACC-NOC
Date: 2010-10-06 13:46
Subject: Missing Women Public Inquiry – Retention of Records | Enquête publique sur les femmes disparues – Conservation des dossiers pertinents -
Attachments: Everitas_Order1_20101005.doc; E051345 Everitas_Order1_20101005.jb.doc

Please distribute force wide to all individual mailboxes, as approved by National Communications Services

Veillez distribuer ce message à l'échelle nationale à toutes les boîtes individuelles tel qu'approuvé par les Services nationaux de communication

The Ministry of the Attorney General of British Columbia (BC) announced yesterday the creation of a hearing commission into the police investigations conducted between January 23, 1997 and February 05, 2002 involving women reported missing from Vancouver's Downtown Eastside.

Hearing commissions investigate and make findings of fact in matters where there is the possibility of a finding of misconduct. Commissions are independent bodies under the *Public Inquiry Act* (BC) that provide advice and recommendations to government on specific topics of interest to the public. It is anticipated that the RCMP will be required to disclose to the Commission records in its possession which will assist the Commission in arriving at its findings and making recommendations.

To that end, every member and employee of the RCMP in possession of records, both electronic and hardcopy, or any other items relating to the police investigation of women reported missing from the Downtown Eastside of Vancouver between April 01, 1996 and December 09, 2007 are hereby ordered to secure and maintain all such records until further notice.

Detachment/Unit Commanders as well as the Officers in Charge or managers of Sections and Directorates are similarly directed to ensure that any records or items under their care and control which may be related to the subject matter of this Commission be secured and maintained until further notice.

This direction is to be interpreted as broadly as possible and includes but is not limited to: memorandums, letters, emails, notes, notebook entries, documents, reports, operational or administrative files, facsimiles, telephone communication recordings, text messages or recorded radio contact notebooks, files, e-mails, photographs, etc.

In addition, any PROS/PRIME/Versadex records related to the subject of the Commission proceedings must have their disposition dates overridden as indicated above to ensure they are retained until further notice. Any PIRS record related to the subject of the civil proceeding must have Reason Code 13 applied to it to ensure that it will not be purged on its purge date.

Further direction and instruction will be issued as the requirements of the Commission become known. Any questions or concerns related to this direction should be referred to S/Sgt. Andrew Koczerzuk, Missing Women Public Inquiry at 778-571-7498.

Hier, le ministère du Procureur général de la Colombie-Britannique a annoncé la mise sur pied d'une commission qui se penchera sur les enquêtes policières menées du 23 janvier 1997 au 5 février 2002 relativement aux femmes portées disparues dans le quartier Downtown Eastside de Vancouver.

Les commissions d'enquête de ce genre examinent les situations où il y a possibilité d'inconduite afin de tirer des conclusions de fait. Ce sont des organes indépendants constitués en vertu de la *Public Inquiry Act* de la Colombie-Britannique afin d'adresser des conseils et des recommandations au gouvernement en ce qui concerne des sujets d'intérêt public déterminés. La GRC s'attend à devoir transmettre les dossiers en sa possession qui pourraient être utiles à la nouvelle commission pour la formulation de ses conclusions et de ses recommandations.

Il est par conséquent ordonné à chaque membre ou employé de la GRC qui détient des dossiers électroniques ou papier ou tout autre article présentant un lien avec les enquêtes policières menées dans le but de retrouver des femmes portées disparues dans le quartier Downtown Eastside de Vancouver entre le 1er avril 1996 et le 9 décembre 2007 de conserver tous ces documents en lieu sûr jusqu'à nouvel ordre.

De même, il est ordonné aux chefs de détachement ou de service et aux gestionnaires ou officiers responsables d'une section ou d'une direction de veiller à ce que tout document ou article se trouvant sous leur garde et pouvant présenter un lien avec le mandat de cette commission soit conservé en lieu sûr jusqu'à nouvel ordre.

Cette directive doit faire l'objet d'une interprétation aussi large que possible et vise entre autres les notes de service, les lettres, les courriels, les notes, les inscriptions au calepin, les documents, les rapports, les dossiers opérationnels ou administratifs, les télécopies, les enregistrements d'appels téléphoniques, les messages textes, les registres faisant état de communications radio enregistrées et les photographies.

De plus, il faudra annuler les dates de suppression établies pour tout dossier du SIRP, du système PRIME ou du système Versadex concernant les enquêtes visées par les audiences de la commission afin d'en assurer la conservation jusqu'à nouvel ordre. Quant aux dossiers du SRRJ qui présentent un lien avec les travaux de cette commission, il faudra y appliquer le code de raison 13 pour en empêcher l'élimination à la date prévue.

D'autres instructions seront données lorsque la commission fera connaître ses besoins. Prière de transmettre toute question ou préoccupation relative à la présente directive au s.é. m. Andrew Koczerzuk, de l'enquête publique sur les femmes disparues, au 778 571 7498.



Department of Justice
Canada

Ministère de la Justice
Canada

Public Safety, Defence and Immigration
BC Region
900 - 840 Howe Street
Vancouver, BC
V6Z 2S9

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

March 7, 2011

By Email

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, British Columbia
V6Z 2H2

Attention: Art Verlieb, Q.C. and Karey Brooks


Dear Sir and Madam:

Re: **Missing Women Commission of Inquiry**
Our File: 2-273772

In anticipation of our meeting with you tomorrow to discuss the schedule for future document disclosure, we have taken the liberty of drafting what we hope will be a useful agenda of items. The agenda is not meant to be exhaustive and we fully expect Commission counsel will have additional items for discussion.


We look forward to tomorrow's meeting.

Yours truly,


Cheryl L. Tobias Q.C.
Senior General Counsel

/sc
Enclosures

This is Exhibit "R" referred to in the
affidavit of Sarah Armstrong
sworn before me at Vancouver
this 13th day of February, 2012



Meeting with Commission Counsel
Re Document Disclosure
March 8, 2011 at 2.00 pm
MWI Commission Office

1. Update on Disclosure Schedule
 - Project Amelia slated for disclosure on March 22, 2011
 - Impact of VPD disclosure issue

2. Document Categories Raised in December 24, 2010 letter – elaborate on following plans:
 - a. File Reviews
 - plan to provide a detailed summary of the file review process undertaken by Evenhanded together with a selection of files reviewed

 - b. Unidentified Human Remains Review
 - plan to produce documents related to the work done on this issue up to February 2002

 - c. 87 Cases in Project Evenhanded
 - do not plan to vet and produce these cases at this stage as to the extent that they contain information/documents collected prior to February 2002, they will be largely repetitive of material already produced

 - d. Notebooks
 - given that the Evenhanded daily logs have been produced, we do not plan at this stage to vet and produce all notebooks but will deal with requests for notes of specific officers and/or on specific topics from either the Commission or DC Evans

- e. Policies
 - by way of update, we are in the process of collecting all relevant historical and current detachment, divisional and national policies
- f. Aliey Murders which took place between 1988 and 1990 - we plan to disclose copies of the six files (5 VPD and 1 RCMP) reviewed by Evenhanded together with overview documents which outline the investigation undertaken by Evenhanded
- g. Valley Murders - we are currently working to identify which parts of the Valley investigation are relevant and can be disclosed, keeping in mind this is an ongoing and very active investigation
- h. Any additional topics



900 - 840 Howe Street
Vancouver, BC
V6Z 2S9

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

March 18, 2011

By Email

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, British Columbia
V6Z 2H2

This is Exhibit "5" referred to in the
affidavit of Sarah Armstrong
sworn before me at Vancouver
this 13th day of February, 2012
[Signature]

Dear Ms. Brooks:

Re: Missing Women Commission of Inquiry
Our File: 2-273772

Thank you for meeting with Ms. Hoffman and me on March 8, 2011 to discuss the issues related to document disclosure and the anticipated schedule. We would like to confirm what was agreed and provide you with an update with respect to our next steps:

Document Categories:

File Reviews: Files were reviewed from across the province and many of the files reviewed were unsolved crimes and investigations which are still ongoing. Given that much of the information contained in these file reviews may not be particularly useful, and the significant and unique vetting issues associated with producing these documents, we plan to provide a detailed summary of the file review process together with a selection of the files reviewed under this process.

Unidentified Human Remains: These documents were generated from work done in late 2001 and early 2002 to review 130 coroner files to locate female DNA profiles. Material that was generated prior to February 2002 consists of emails between the Coroner's office, spreadsheet summaries of the 130 cases and judgments of inquiry for the cases deemed to be relevant by Evenhanded investigators. The analytical work done in respect of this information did not happen until well after February 2002, and was aimed at assisting with meeting challenges by defence counsel that DNA found on the farm could belong to one of the unidentified victims whose remains were in the possession of the coroner. We plan to provide those documents which were generated up to February 2002.

87 Cases in Project Evenhanded: These are document collections specifically relating to each missing person on the missing women poster, Pickton and other high profile witnesses. Each case is voluminous and will be largely duplicative of information produced within the Project Amelia files. The Commission will, after the Project Amelia files are provided, advise if you require disclosure of specific cases or specific information within this collection.

Notebooks: Given the number of officers involved, the volume of officer notes is staggering and it would be an inefficient use of resources to review, vet and produce all of this mostly repetitive

material. We have agreed that a more sensible approach is to limit production to those notes written by key investigators and the Commission will make targeted requests for the notes of specific officers within defined time frames.

Alley Murders: We plan to disclose the six files that Evenhanded obtained from the RCMP and VPD together with overview documents which outline the investigation undertaken by Evenhanded.

Valley Murders: We confirm that our client is still exploring what portions of these files can be disclosed given that these are ongoing investigations. We will provide overview documents from these investigations to the Commission.

Finally, if, flowing from the disclosure of the above, you wish to see particular documents, you will request them and we will do our best to provide them.

Commission's Priority

We understand that the Commission's priority with respect to disclosure of these document categories to be as follows:

- 1) Policies (highlighting policies related to prostitution);
- 2) Notebooks from Specific Officers (on identification of specific officers by the Commission);
- 3) File Review Summary and a reasonably representative selection of files;
- 4) Alley Murders (six files and overview documents);
- 5) Valley Murder documents (extent still to be determined);
- 6) Unidentified Human Remains (documents up to 2002);
- 7) Evenhanded Cases specifically requested by the Commission.

As agreed, requests by DC Evans will take priority over the Commission's requests.

Anticipated Disclosure Schedule:

Project Amelia: We expect to be in a position to provide you with disclosure of the Project Amelia files the week of March 21, 2011. We have been advised the page count for the Project Amelia files is in the 15,000 – 16,000 range.

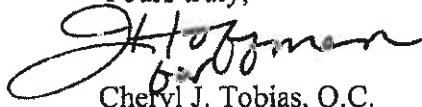
SUISS Files: This collection consists of documents originally loaded into the SUISS database. We have been advised that the documents which make up the SUISS files are voluminous with a page count in the 16,000 – 18,000 range and we expect that it will take approximately two months to review, redact and produce those documents. We give a tentative disclosure date of May 31, 2011 for production of the SUISS files.

VPD Vetting Issue

We agree that the VPD Vetting issue can be resolved using the Commission's suggested page replacement approach rather than replacing the entire CD-ROM. We have been advised that the number of pages to be replaced is somewhere in the 300 - 400 range. We expect to be in a position to provide those replacement pages to the Commission by March 28, 2011.

Thank you once again for meeting with us to discuss the disclosure schedule. We look forward communicating with you further in an effort to provide timely and complete disclosure.

Yours truly,

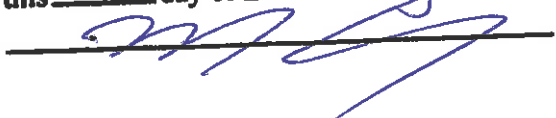
A handwritten signature in black ink, appearing to read "Cheryl J. Tobias". The signature is fluid and cursive, with the first name being the most prominent.

Cheryl J. Tobias, Q.C.
Senior General Counsel
/sc
Enclosure

Missing Women Commission of Inquiry
Document Disclosure Tracking

Date Req'd by Commission	Batch #/Description	Total # of Docs	Total # of Pages	Date Disclosed to Commission
14-01-2011	Report to Crown Counsel (RTCC) re: Pickton investigations			04-01-2011
14-01-2011	Missing Women Poster			17-01-2011
17-01-2011	Chronology of formation & development of the BCPMPC; terms of ref of BCPMPC; statistics of the workload of BCPMPC			28-01-2011
21-10-2010	Williams Report (without appendices)	1	28	10-02-2011
26-10-2010	Williams Report Appendices	94	4,271	10-02-2011
14-12-2010	RTCC - Report to Crown Counsel (without source documents)	1	188	25-01-2011
-	Coquitlam Eistetter file 97-10797	39	1,050	25-01-2011
-	98 Coquitlam Pickton (Ellingson) file 98-33107	29	4,336	25-01-2011
-	Elderberry (Surveillance of Pickton property)	1	30	02-02-2011
-	RTCC - Source Documents (Part 1 of 2)	443	15,043	02-02-2011
-	RTCC - Source Documents (Part 2 of 2)	240	3,775	02-24-2011
-	PUHU (Provincial Unsolved Homicide Unit) file 99-1252	1	338	02-02-2011
-	Evenhanded Overview Documents	81	343	24-02-2011
-	Evenhanded Overview Additional Documents	10	23	08-03-2011
-	VPD Missing Women Binders		7,457	19-04-2011
-	Project Amelia files	1,398	24,717	28-03-2011
-	Project Amelia File 1243 (Tip 128)	1	399	28-04-2011

This is Exhibit "I" referred to in the affidavit of Sarah Armstrong sworn before me at Vancouver this 13th day of February, 2012



Missing Women Commission of Inquiry
Document Disclosure Tracking

Date Req'd by Commission	Batch #/ Description	Total # of Docs	Total # of Pages	Date Disclosed to Commission
	SUISS Tip Sheets	377	7,558	27-05-2011
	Case Summaries Boen Donahue Grant and File Review Process Summary	3	229	31-05-2011
	Original Agency Files - Boen Donahue Chinook and Grant			07-06-2011
	SUISS File Review Samples	10	779	07-06-2011
	Original Agency Files - Dumba, Little, Irving, Clark, Ward			14-07-2011
	Coquitlam File #99-47497			14-07-2011
	Mona Wilson VPD Binder			14-07-2011
	Pickton detailed list of police files	2		12-07-2011
	E-Alley investigative summary	1	33	29-07-2011
	Van Overbeek notes and Pickton lab results (addendum to file review samples)	2	4	09-08-2011
	Cpl. Ted Overbeek - handwritten notes			09-08-2011
	E-Valley documents representative of investigation	34	3,164	11-08-2011
11-08-2011	32 Pickton cases including Evenhanded case for Eisie Sebastian			26-08-2011
	E&R Presentation			26-08-2011
	Evenhanded presentation			26-08-2011
	32 Pickton Cases (previous disclosure contained a number of deficiencies)			06-09-2011
	Phil Little & Jim McKnight docs			14-09-2011
	Non Pickton cases, PoCo minutes			13-09-2011
	Government of Canada's RCMP Witness List			21-09-2011
	Org Charts for Coquitlam RCMP Detachment & CLE materials on the charge approval process			30-09-2011
	Two pages of Wayne Clary notes			11-10-2011
	First batch of vetted RCMP interview transcripts reviewed by members and counsel (revisions noted)			13-10-2011
	Audio/video files of Pickton, Ellingsen, Caldwell, Best (Coq 98)			18-10-2011
	Second batch of vetted RCMP interview transcripts reviewed by counsel and members (revisions noted)			20-10-2011
	Boen file and Coq 97 audio files			21-10-2011

Missing Women Commission of Inquiry
Document Disclosure Tracking

Date Req'd by Commission	Batch #/Description	Total # of Docs	Total # of Pages	Date Disclosed to Commission
	Missing Persons Policy			21-10-2011
	Other investigative files			28-10-2011
	Cara Ellis and Tiffany Drew files			01-11-2011
	re-vetted Williams appendices			02-11-2011
	re-vetted Williams Appendix H, Elsie Sebastian file and CPIC requests			10-11-2011
	Re-vetted Leopard indices (exhibit stage)			22-11-2011
	draft Wells Affidavit, corrected Pollock notes, Greig task detail report re 911 call and recording from Leng's answering machine	4		28-11-2011
	Revetted and corrected Appendix H so that new disclosure matches January disclosure			02-12-2011
	911 hang up calls, Pickton PIRS files, Coquitlam members, Burnaby file			05-12-2011
	VanOverbeek & Horley CV and Willsay	4		06-12-2011
	Dave & Robert Pickton Detailed List of Police Files	2		04-12-2011
	re-vetted docs referred to at the hearing by Grati, Ward, Roberts			13-12-2011
	CV's, willsays, bad date lists, EH case summaries, Lori Greig docs			15-12-2011
	Exhibit 54, Williams docs and financial restraints docs			22-12-2012
	Revised RCMP member transcripts (except for Adam and Bass)			11-01-2012
	CV's and willsays for Stuart and Mehner, POI docs for DC Evans cross			16-01-2012
	Leopard public disclosure docs			30-01-2012
	Photos of Coq 1997 Investigation re Attempted Murder of Ms Anderson		47	01-02-2012
	Affidavit of Kathleen Horley			02-02-2012
	LT Bass from Biddlecombe (Dec. 5/2011) re Joint RCMP/VPPD Task Force		3	03-02-2012
	Policy docs, org charts, Paulson notes, Exhibit "J" and Williams exhibit docs			03-02-2012

Missing Women Commission of Inquiry
Document Disclosure Tracking

Date Req'd by Commission	Batch #/Description	Total # of Docs	Total # of Pages	Date Disclosed to Commission
	Add'l org charts, Cog study, 911 hang up call docs			03-02-2012
	Part VI Connor Affidavit		33	08-02-2012
	Force Wide Broadcast			09-02-2012
	Bev Zaporozan, Paulson and Henderson notes, add'l policy doc, Cog 1997 lab exhibit photographs			10-02-2012
			175	
		1	71	
	DC EVANS REQUESTS			
	DC Evans - Special "O" 1998-100 File	13	178	08-03-2011
	DC Evans - Missing person file from Project Amelia			08-03-2011
	DC Evans - Information on 1990 Surrey Detachment sex assault	1	5	15-03-2011
	DC Evans - RCMP Policy on the retention of notebooks for RCMP, national & divisional policy	11	259	18-03-2011
	DC Evans - Tape Recording Source A	2	295	24-03-2011
	DC Evans - Canadian Police College Training Materials	3	37	11-04-2011
	DC Evans - Pauline Johnson Homicide			09-05-2011
	DC Evans - Angela Hazel Williams			24-05-2011
	DC Evans - Beverley Hyacinthe Statement			16-06-2011
	DC Evans - CPIC Offline Query - Don Adam			01-06-2011
	DC Evans - SIUSS and E&R info			29-06-2011
	DC Evans - VPD members notes on file with Project Evenhanded			29-06-2011
	DC Evans - Nancy Clark Victoria PD file			19-07-2011
	DC Evans - E & R Presentation			11-08-2011
	DC Evans - relevant docs to Project Evenhanded's transition from SIUSS to E&R/II in early 2002			22-08-2011
	DC Evans - audio files from DC Evans interviews with David McCartney & John Cater			22-08-2011
	DC Evans - training material used at RCMP Surrey detachment			22-08-2011
	DC Evans - Mike Connor 1624s on the file up to date			24-08-2011
	DC Evans - Wayne Clary SIUSS Tip Log			25-08-2011
	DC Evans - sample file reviews re Marg Kingsbury			25-08-2011

Missing Women Commission of Inquiry
Document Disclosure Tracking

Date Req'd by Commission	Batch #/Description	Total # of Docs	Total # of Pages	Date Disclosed to Commission
	DC EVANS - clarification on Connor's Interview Answer			06-09-2011
	DC Evans - timeline for Ingrid Soet			09-09-2011
	Freedom of Information Package			13-09-2011
	DC Evans - clarification on Russ Nash's interview answer			15-09-2011
	DC Evans - Identify National & Divisional Policies (Summaries of Doc6090; 6093; 5273, 6072; 5458, 6080; 5589; 5591; 5595			16-09-2011
	DC Evans - Ingrid Soet re North Van RCMP Det Case 1990-11838 relates to homicide of Bonny Whalen			21-09-2011
	DC Evans - Everitas Doc ID #3761 pg. 148 - clarification of notes on form 1624			22-09-2011
	DC Evans - Tip01 9984 (pg 19, 21, 110, 113), Connor's Report 10010 (pg. 46, 47, 49), Misc Blue Folder 10008 (pg. 159-160)			29-09-2011
	CPIC Off Line Printout on Robert Pickton			29-09-2011
	DC Evans - follow up re Nancy Clark			04-10-2011
	DC Evans - CPIC Off Line Printout on Robert Pickton, further queries			06-10-2011
	DC Evans - Scott Filer's notebooks			07-10-2011
	DC Evans - date RCMP began major case management			06-10-2011
	DC Evans - Connor's docs to Gulbransen			06-10-2011
	DC Evans - Yvonne Boen file			21-10-2011
	DC Evans - other investigative files			28-10-2011
	DC Evans - request for info re rank, positions and promotions			28-10-2011
	DC Evans - further request re CPIC offline results			01-11-2011
	POLICIES	100	550	
	RCMP Email Policies	7	292	
	DC Evans - Retention policy for criminal investigation files (only for homicide, sexual assault and missing persons) from 1990 to present	2	75	24-02-2011
	DC Evans - Retention policy for criminal investigation files (only for homicide, sexual assault and missing persons) from 1990 to present	11	80	18-03-2011
	DC Evans - Retention Policy for officers' notebooks from 1990 to present	445	3,164	18-03-2011

Missing Women Commission of Inquiry
Document Disclosure Tracking

Date Req'd by Commission	Batch #/Description	Total # of Docs	Total # of Pages	Date Disclosed to Commission
	Coquitlam Detachment Unit Supplements	958	3,827	25-05-2011
	RCMP Divisional Policy			15-06-2011
	RCMP National Policy			30-06-2011
	DC Evans RCMP Divisional Policy			13-10-2011
	DC Evans - Missing persons policies	2	25	21-10-2011
	WITNESS PACKAGES	4	24	
	NASH, Russ	2	62	27-05-2011
	POLLOCK, Darryl	20	531	27-05-2011
	CATER, John	6	19	27-05-2011
	CONNOR, Mike	0	0	27-05-2011
	MCCARTNEY, David	4	89	13-06-2011
	HYLAND, Jennifer	4	37	13-06-2011
	DAVIDSON, Keith	4	16	30-06-2011
	HALL, Ric			30-06-2011
	MOULTON, Earl			30-06-2011
				04-07-2011
	ZALYS, Brad			19-07-2011
	SHERSTONE, Kim			19-07-2011
	HENDERSON, Doug			04-08-2011
	LUCAS, Jim			04-08-2011
	STRACHAN, Dave			04-08-2011
	McCARL, Paul			04-08-2011
	PORT, Sylvia			04-08-2011
	SMID, Yme			04-08-2011
	BASS, Gary			17-08-2011
	BROWN, Jim			17-08-2011
	BASS, Gary			18-08-2011
	HENLEY, Frank			19-08-2011
	YURKIW, Ruth			19-08-2011
	KINGSBURY, Marg			19-08-2011
	ADAM, Don	2	4	25-08-2011
	CLARY, Wayne			19-08-2011 11-10-2011 25-08-2011

Missing Women Commission of Inquiry
Document Disclosure Tracking

Date Req'd by Commission	Batch #/ Description	Total # of Docs	Total # of Pages	Date Disclosed to Commission
	HORLEY, Katherine			13-10-2011
	DOP, Jack			
	TOTAL number of pages on Concordance as of February 10, 2012			168,864
	TOTAL number of RCMP pages on Concordance as of February 10, 2012			109,965



900 - 840 Howe Street
Vancouver, BC
V6Z 2S9

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

April 1, 2011

By Email

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, British Columbia
V6Z 2H2

This is Exhibit "V" referred to in the
affidavit of Sarah Armstrong
sworn before me at Vancouver
this 13th day of February, 2012
[Signature]

Dear Mr. Vertlieb and Ms. Brooks:

Re: Missing Women Commission of Inquiry
Our File: 2-273772

In our March 28, 2011 letter to Mr. Boddie of your office, we indicated that we would provide the Commission with an update on the estimated timeline for disclosure of the Missing Women Binders and the SIUSS documents.

VPD Missing Women Binders:

As we indicated in our previous correspondence, these documents originate from the original missing women investigation before the inception of Project Amelia and will be provided in their entirety. The documents will be split into two portions; one being the documents produced by VPD the other being the subsequent work done by the RCMP. The page count for the Missing Women Binders is approximately 7457 and we expect to be in a position to provide you with the vetted documents by the end of April 2011.

SIUSS Files:

The SIUSS documents identified for disclosure consist of 606 Pickton tip files, 87 STW street checks and an additional 265 tip files with a wide range of material. The revised page count for SIUSS files is approximately 7314 pages. The current estimated date for disclosure of this material is May 31, 2011. The target date is related to the significant vetting of these documents that is required. The documents contain an abundance of POI and STW names, both typed and hand written and in many cases multiple times in a single document. The RCMP technical team is working to see if any efficiency can be made in the vetting of those documents which would result in earlier disclosure. We will keep you apprised if the estimated timeline for disclosure changes.

DC Evans Requests:


We also confirm that the following document requests made by DC Evans have been acted upon and are in the process of being completed:

1. Request for Major Case Management course material from the Canadian Police College;
and
2. Information regarding RCMP action in response to VPD information identified in a memo between Mackay-Dunn to Inspector Biddlecombe (related to the Mary Lidguerre case).

Finally, we enclose for your reference the up-to-date disclosure chart which shows the documents which have been provided to date, along with estimated page counts.

We trust you will find the foregoing in order.

Yours truly,


Cheryl J. Tobias, Q.C.
Senior General Counsel

/sc

Encl.



900 - 840 Howe Street
Vancouver, BC
V6Z 2S9

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

June 21, 2011

By Email

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, British Columbia
V6Z 2H2

Dear Mr. Vertlieb and Ms. Brooks:

Re: Missing Women Commission of Inquiry
Our File: 2-273772

We write pursuant to a request made by Judy Thompson of your office, to the RCMP disclosure team, for an update on the next steps in the document disclosure process. With respect to upcoming disclosure, we can advise as follows:

Policy Documents:

The RCMP National Policy documents are currently being prepared for disclosure. We are advised that the estimated page count for the National Policy documents is 3,682 pages. Our estimated timeline for disclosure of the National Policy documents is mid-July, 2011.

DC Evans Requests:

The RCMP is currently working to produce several DC Evans requests on a priority basis, including:

- Original agency files related to women reported missing prior to February 5, 2002. An audit conducted by the RCMP disclosure team has identified 5 agency files which were not disclosed as part of the Project Amelia or SIUSS disclosure. We are advised that the estimated page count for these files is 4,211 pages and we estimate the timeline for disclosure of the agency files is mid-July, 2011.
- Coquitlam detachment file 99-47497. This file has been requested from the Coquitlam detachment and will be prepared for disclosure on a priority basis. The estimated page count for this file is not known at this time.
- Additionally, at the request of DC Evans, the RCMP disclosure team is working on obtaining the historical information on both the SIUSS and E&R database systems which

were used for Major Case Management during the early days of the Missing Women investigation.

- Finally, as you are aware, the RCMP team is currently vetting the audio files from the DC Evans' interviews with RCMP witnesses.

Cases in Project Evenhanded:

As we advised in our previous correspondence, these are document collections specifically relating to each of the missing women investigations (both Pickton and non-Pickton). The disclosure of these cases has been broken down as follows:

- a. The pre-2002 cases with no accompanying SIUSS material and no missing women binder. 4 cases were identified in this group and we confirm that those files were disclosed to the Commission on June 7, 2011.
- b. The Remaining Pickton cases. There are 32 cases in this group with an estimated page count of 14,720 pages. Our estimated timeline for disclosure of these cases is the end of August, 2011.
- c. Missing women cases which were investigated by Evenhanded but were not identified as Pickton victims. There are 34 cases in this group with an estimated page count of 10,880 pages. Our estimated timeline for disclosure of these documents is mid-September, 2011.

Valley Murders:

Our client has identified the portions of these files which can be disclosed given that these are ongoing investigations. We have been advised that the estimated page count for the portions of the file which can be disclosed is 3,164 pages. Our estimated timeline for disclosure of the Valley file is the end of August, 2011.

Witness Packages (Including Officer Notebooks):

To date, we have been providing the Commission with witnesses packages as RCMP witnesses are scheduled to be interviewed by DC Evans. The witness packages include documents specific to each witness which may not have been provided in previous disclosure (for example, Mayor's reports from the Coquitlam detachment). We have also been disclosing officer notebooks in concurrence with DC Evans' interviews. We plan to continue to effect disclosure of witness packages including officer notebooks in this fashion.

Alley Murders:

Our client is continuing to assess the vetting issues related to disclosure of the Alley files. We will provide you with an update on disclosure of the Alley files (including page counts) as soon as possible.

Daily Logs from Project Evenhanded, Post 2002:

Our client is in the process of collecting documents and assessing the vetting required to disclose the Daily Logs from Project Evenhanded, post 2002. We will provide you with an update on disclosure of these documents (including page counts) as soon as possible.

E&R Presentation:

As you know the RCMP team is working to finalize a presentation of the E&R database which we hope will help the Commission to better understand the functionality of E&R. We hope to be in a position to have that presentation ready in early to mid-July, 2011.

We trust you will find the foregoing disclosure update to be in order. Once again, we ask that the Commission be mindful that the above timelines are indeed estimates and may be subject to change according to priority requests made by DC Evans (including preparation of witness packages prior to interviews).

If you have any questions please do not hesitate to contact us.

Yours truly,

A handwritten signature in cursive script, appearing to read "Cheryl J. Tobias for".

Cheryl J. Tobias, Q.C.
Senior General Counsel
/sc



900 - 840 Howe Street
Vancouver, BC
V6Z 2S9

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

July 22, 2011

By Email

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, British Columbia
V6Z 2H2

Dear Mr. Vertlieb and Ms. Brooks:

Re: Missing Women Commission of Inquiry
Our File: 2-273772

Further to our letter dated June 21, 2011 and the request from DC Evans dated July 20, 2011, we write to provide an update on the status of the document disclosure process. With respect to upcoming disclosure, we can advise as follows:

Policy Documents:

We confirm that the RCMP National Policy documents were disclosed to the Commission on June 30, 2011, and that disclosure of policy documents is now complete.

DC Evans Requests:

We confirm that the five agency files related to women reported missing prior to February 5, 2002, which were not disclosed as part of the Project Amelia or SIUSS disclosure were disclosed to the Commission on July 12, 2011. Additionally, we confirm that the Coquitlam detachment file 99-47497 was also disclosed to the Commission on July 12, 2011.

The RCMP disclosure team continues to work on producing the following requests made by DC Evans, on a priority basis:

- historical information on both the SIUSS and E&R database systems which were used for Major Case Management during the early days of the Missing Women investigation. We are advised that the estimated page count for these files is currently 164 pages (with collection ongoing) and we estimate the timeline for disclosure of the historical information is early August, 2011.

- vetting the audio files from the DC Evans' interviews with RCMP witnesses. We anticipate that we will be in a position to deliver the vetted audio files prior to the release of DC Evans report.

Cases in Project Evenhanded:

With respect to the two remaining collections under this category of documents, we can advise that the estimated timeline for disclosure remains unchanged. That is, the end of August, 2011 for the 32 remaining Pickton cases; and mid-September, 2011 for the 34 non-Pickton cases.

Valley Murders:

As we advised in our previous correspondence, our client has identified the portions of the Valley Murders files which can be disclosed. We are pleased to advise that we are in a position to provide the Valley files earlier than anticipated. The new estimated timeline for disclosure of the Valley files is early August, 2011. The estimated page count for this category of documents is 3,164 pages.

Alley Murders:

Our client is currently preparing these files for disclosure. We can confirm that our estimated timeline on the disclosure of the Alley files is the end of July, 2011.

Witness Packages (Including Officer Notebooks):

As RCMP witnesses are interviewed by DC Evans, we have been providing the Commission with witnesses' packages, which include documents specific to each witness that may not have been provided in previous disclosure. We will continue to effect disclosure of witness packages in this manner.

Daily Logs from Project Evenhanded, Post 2002:

Our client is continuing to collect and identify relevant documents from this category and to assess the vetting required to disclose these documents. We will provide you with an update on disclosure of these documents when an estimate is available.

E&R Presentation:

The RCMP team continues to work on finalizing the presentation of the E&R database. We had hoped to be in a position to have that presentation ready in early to mid-July, 2011; however, we now estimate that the presentation will be ready to be presented for one of the days in August, 2011 that DC Evans is in Vancouver.

We trust you will find the foregoing disclosure update to be satisfactory. If you have any questions please do not hesitate to contact us.

Yours truly,

A handwritten signature in cursive script, appearing to read "Cheryl J. Tobias".

Cheryl J. Tobias, Q.C.
Senior General Counsel
/sc



900 – 840 Howe Street
Vancouver, BC
V6Z 2S9

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

August 22, 2011

By Hand

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, British Columbia
V6Z 2H2

Dear Mr. Boddie:

Re: Missing Women Commission of Inquiry
Our File: 2-273772

Thank you for your letter dated August 11, 2011. As requested, we write to provide an update on the status of the document disclosure process. With respect to the remaining disclosure and with reference to our letter dated July 22, 2011, we can now advise as follows:

DC Evans Requests:

We are pleased to enclose the following requests made by DC Evans:

- historical information on both the SIUSS and E&R database systems which were used for Major Case Management during the early days of the Missing Women investigation.
- audio files from the DC Evans' interviews with RCMP witnesses David McCartney and John Cater. We will deliver the vetted audio file for Mike Connor as soon as it is available.
- training material used at the RCMP Surrey detachment with respect to missing persons.

Cases in Project Evenhanded:

With respect to the two remaining collections under this category of documents, we are pleased to advise that we expect to be in a position to enclose the entirety of the remaining 32 Pickton cases later this week. Further, we can advise that we expect to be in a position to disclose the remaining 33 non-Pickton cases by early September, 2011.

With respect to your request that we prioritize the Evenhanded case for Elsie Sebastian, although unrelated to Pickton, this case will be disclosed with the Pickton cases to ensure that all the cases that you asked to be prioritized will be provided this week.

With respect your request that the Evenhanded case relating to Angela Hazel Williams be prioritized, we advise that there is no Evenhanded case relating to Ms. Williams as her body was located and the circumstances of her death were not such to bring it within the mandate of

Project Evenhanded. However, we have already disclosed documents related to Ms. Williams on May 27, 2011, with the SIUSS documentary disclosure category. For your ease of reference, the document id numbers for these documents are 2745, 2771 and 3100. We further confirm that this information was previously communicated to DC Evans on May 13, 2011. A copy of the memo with respect to Ms. Williams from our client to DC Evans is attached.

Valley Murders:

We confirm that the Valley Murders documents were disclosed to the Commission August 10, 2011.

Alley Murders:

We confirm that the Alley Murder investigation summary was disclosed to the Commission on July 29, 2011.

Witness Packages (Including Officer Notebooks):

As RCMP witnesses are interviewed by DC Evans, we have been providing the Commission with witnesses' packages, which include documents specific to each witness that may not have been provided in previous disclosure. We will continue to effect disclosure of witness packages in this manner.

Notes of VPD Officers who Worked with Evenhanded

We enclose the vetted notes of VPD officers Field, Little, McKnight and Oger which were in the possession of Project Evenhanded. We note that DC Evans has interviews scheduled with all of these witnesses except Oger.

Daily Logs from Project Evenhanded, Post 2002:

Further to our letter dated July 22, 2011, our client has now assessed whether any of the post-2002 daily logs are relevant to the Terms of Reference and we confirm that we have disclosed all relevant daily logs post-2002. However, we will consider any additional requests the Commission may have with respect to the daily logs.

Evenhanded and E&R Presentation Decks:

As noted last week, the RCMP will be presenting the E&R Presentation to DC Evans in Vancouver on August 24, 2011, at 8:00 a.m. A copy of the E&R Presentation as well as the previously presented Evenhanded Presentation will also be provided to the Commission shortly thereafter.

We trust you will find the foregoing disclosure update to be satisfactory. If you have any questions please do not hesitate to contact us.

Yours truly,

A handwritten signature in cursive script, appearing to read "Cheryl J. Tobias".

Cheryl J. Tobias, Q.C.
Senior General Counsel
/sea
Enclosures



Department of Justice
Canada

Ministère de la Justice
Canada

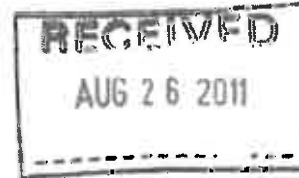
900 - 840 Howe Street
Vancouver, BC
V6Z 2S9

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

August 26, 2011

By Hand

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, British Columbia
V6Z 2H2



Dear Mr. Boddie:

Re: Missing Women Commission of Inquiry
Our File: 2-273772

Further to our letter dated August 22, 2011, we are pleased to disclose the entirety of the remaining 32 Pickton cases, including the Evenhanded case for Elsie Sebastian. We confirm that all the cases that you asked to be prioritized in your August 11, 2011 letter have now been provided. As previously advised, we expect to be in a position to disclose the remaining 33 non-Pickton cases by early September, 2011. Also enclosed are copies of the E&R Presentation which was presented to DC Evans on August 24, 2011, as well as the previously presented Evenhanded Presentation.

With respect to the Pickton cases, you will note that the cases are of varying length and complexity. The reason for this is that an independent decision was made in each case whether a summary would be prepared. This decision was based on various factors including whether the case was linked to Pickton, whether the missing woman or her remains were located, the extent to which charges were pursued and whether the investigators had exhausted the available investigative leads. We have not included a detailed list of which files contain case summaries but would be happy to provide one, should the Commission request it. Also, in some instances, supporting documents are attached to the missing women files such as task action records, multimedia and exhibits, where available. The extent in which supporting documentation was sourced varies depending on the investigational uses of the case summary. For example, case summaries intended for the use of prosecution were heavily sourced.

Once again, these documents are disclosed subject to redactions/removal of information as set out in our vetting/disclosure protocol enclosed in our letter to you dated February 17, 2011.

We advise that while these documents are responsive to the Commission's request for documentary disclosure, we do not concede that they are in fact relevant in the sense that they warrant being ultimately marked as exhibits at the Inquiry. As such, we expressly reserve Canada's right to object to the introduction of any of the enclosed documents into evidence on the basis of relevance or any other ground.

We trust you will find the foregoing disclosure update to be satisfactory. If you have any questions please do not hesitate to contact us.

Yours truly,

A handwritten signature in black ink, appearing to read "Cheryl J. Tobias". The signature is fluid and cursive, with a large initial "C" and "T".

Cheryl J. Tobias, Q.C.
Senior General Counsel

/sea

Enclosures



900 – 840 Howe Street
Vancouver, BC
V6Z 2S9
September 13, 2011

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

By Hand

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, British Columbia V6Z 2H2

Dear Mr. Boddie:

Re: Missing Women Commission of Inquiry
Our File: 2-273772

Further to our letter dated August 26, 2011, we are pleased to enclose for disclosure the following:

DC Evans Requests:

Per DC Evans' interview of (Ret) Supt Ric Hall on July 6, 2011, we made a Freedom of Information ("FOI") request to the City of Port Coquitlam for the following records:

- Minutes from mayor's council meetings and police committee meetings from 1997 to 2005
- Any documents which detail requests made to the municipalities for more funding and/or officers and any responses to those requests between 1997 to 2005.

We have reviewed the FOI package and enclose for disclosure the extracted documents relevant to the Terms of Reference of the Inquiry.

Cases in Project Evenhanded

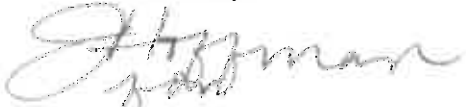
We are pleased to enclose the 33 remaining non-Pickton cases. As previously explained in our letter dated August 26, 2011 disclosing the Pickton cases, you will note that the enclosed non-Pickton cases are also of varying length and complexity. The reason for this is that an independent decision was made in each case whether a summary would be prepared. This decision was based on various factors including whether the case was linked to Pickton, whether the missing woman or her remains were located, the extent to which charges were pursued and whether the investigators had exhausted the available investigative leads. We have not included a detailed list of which files contain case summaries but would be happy to provide one, should the Commission request it. Also, in some instances, supporting documents are attached to the missing women files such as task action records, multimedia and exhibits, where available. The extent to which supporting documentation was sourced varies depending on the investigational uses of the case summary. For example, case summaries intended for the use of prosecution were heavily sourced.

Also enclosed are the corrected versions of the Missing Persons Case Report on Cara Ellis, r_6378, the original of which contained blank pages between pages 99 to 121, as well as the Missing Persons Case Report on Andrea Joesbury, r_6497, the original of which contained blank pages between pages 40 to 189.

We trust you will find the enclosed disclosure satisfactory. Once again, these documents are disclosed subject to redactions/removal of information as set out in our vetting/disclosure protocol enclosed in our letter to you dated February 17, 2011. We advise that while these documents are responsive to the Commission's request for documentary disclosure, we do not concede that they are in fact relevant in the sense that they warrant being ultimately marked as exhibits at the Inquiry. As such, we expressly reserve Canada's right to object to the introduction of any of the enclosed documents into evidence on the basis of relevance or any other ground.

If you have any questions, please do not hesitate to contact us.

Yours truly,

A handwritten signature in cursive script, appearing to read "Cheryl J. Tobias".

Cheryl J. Tobias, Q.C.
Senior General Counsel

/sea

Enclosures



Department of Justice
Canada
900-840 Howe Street
Vancouver, British Columbia
V6Z 2S9

Ministère de la Justice
Canada

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

November 2, 2011

By Hand

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, BC V6Z 2H2

Attention: Salima Samnani

Dear Madam:

**Re: Missing Women Commission of Inquiry
Our File: 2-273772**

We write in response to your letter dated October 26, 2011, in which you enclosed a chart listing Cameron Ward's disclosure requests and the status of each request.

Based upon a review of our records, it appears that the chart is generally accurate insofar as it relates to requests pertaining to records in the possession of the Government of Canada. We do, however, wish to make several comments with respect to a number of the requests listed.

Requested items 8, 24, and 26: Records relating to Cara Ellis and Tiffany Drew

We refer you to our letter dated November 1, 2011, and the enclosed disclosure regarding Cara Ellis.

In our letter to the Commission dated December 24, 2010, a copy of which is attached for your reference, we advised that there are 87 "cases" to be disclosed in future, but significant vetting will be required to protect ongoing investigations. On March 8, 2011, Judith Hoffman and the writer met with Karey Brooks and others (not including Mr. Vertlieb) and confirmed discussions in the meeting via letter dated March 18, 2011, of our understanding that: as "each case is voluminous and will be largely duplicative of information produced within the Project Amelia files" the Commission will advise "after the Project Amelia files are provided" if they require disclosure of specific cases or specific information within the collection of the 87 cases. A copy of the March 18, 2011 letter is also attached for your reference.

We disclosed to the Commission under cover letters dated March 28, 2011 and April 18, 2011, respectively, the Project Amelia and Missing Women's Binders. On April 21, 2011, Judy Thompson requested via email information regarding some of the missing women, whose files were not included in that disclosure, including Cara Ellis and Tiffany Drew. We understood this request to be whether there were VPD Missing Women Binders for Cara Ellis and Tiffany Drew that detailed some of the VPD investigation. We advised the Commission via letter dated April 28, 2011, a copy of which is attached for your reference, that these women were not included in Project Amelia, and therefore no binders exist for them. Specifically, with respect to Cara Ellis, we noted that: "Evenhanded investigators discovered her missing through an unrelated enquiry.

This is Exhibit "V" referred to in the
affidavit of Sarah Armstrong
sworn before me at Vancouver
this 13th day of February, 2012
[Signature]

She was reported missing 2002-19-09. All of the investigation relative to Ellis was conducted by Project Evenhanded investigators.”

With respect to Tiffany Drew, we indicated that: “She was reported missing to VPD on 2002-02-08, as a result of the Pickton media. Project Evenhanded assumed conduct of this investigation from the outset.”

Furthermore, given that Cara Ellis and Tiffany Drew were both reported outside the Terms of Reference (October 9, 2002 and February 8, 2002, respectively), they would not have been included in Project Amelia’s investigation, and therefore no missing women binders exist for them.

On May 19, 2011, Sgt. Ron Palta of the RCMP Liaison Team, sent a letter to DC Evans confirming the matters discussed in a teleconference held on May 18, 2011, a copy of which is attached for your reference. Specifically, he confirmed in his letter that DC Evans was not seeking any investigative material relating to investigations post 2002. Cara Ellis’ and Tiffany Drew’s were two such files. Sgt. Palta further confirmed that Tiffany Drew’s file would be part of the upcoming SIUSS disclosure. We refer you to doc id r_3224, (Concordance ID RCMP-020-007288) which is the Vancouver Police Department missing persons report for Tiffany Drew disclosed in the SIUSS Files disclosure on May 27, 2011, and also disclosed under cover letter dated November 1, 2011 (r_8862). This is contrary to the suggestion that the hearing on November 1, 2001 that the Tiffany Drew VPD missing person file was not disclosed before this date.

We provided disclosure updates to the Commission under cover letters dated June 21, 2011, July 22, 2011, and August 22, 2011, which referenced, among other things, the status of the disclosure of cases in Project Evenhanded, including the “Pickton cases” and “non-Pickton cases”. We advised that we expected to be in a position to disclose the Pickton cases by mid-August, and the non-Pickton cases by mid-September. On August 11, 2011, we received a letter from the Commission asking that the “remaining Pickton cases” be disclosed to the Commission in stages as vetted, and that some cases, including Cara Ellis, be prioritized for disclosure. We note that Tiffany Drew was not mentioned in this letter, a copy of which is attached for your reference.

We disclosed the Pickton cases under cover letter dated August 26, 2011, including those for Tiffany Drew and Cara Ellis. Although they are not specifically listed, the doc id numbers for their “cases”, including the Concordance id numbers, as noted in our November 1, 2011 letter, are as follows:

Cara Ellis

Case Summary (r_6376)
Task & Docs (r_6378)
Multimedia (6379)
Exhibits (r_6380)

Tiffany Drew

Case Summary (r_6454)

Task & Docs (r_6453)

Multimedia (6451)

Exhibits (r_6450)

We further note that these documents have since been assigned the Concordance batch id of RCMP-040, and refer you to our letter dated November 1, 2011, for those specified id's. We further note that at page 12 of the missing persons case report for Cara Ellis (r_6378), there is reference to the VPD missing persons case report, a copy of which was disclosed on November 1, 2011 (r_8863). Similarly, at page 12 of the missing persons case report for Tiffany Drew (r_6453) there is reference to both the VPD missing persons report and the notes of David Dickson, copies of which were also disclosed on November 1, 2011 (r_8861 and r_8862).

We did not disclose Dave Dickson's notes to the Commission previously because, pursuant to an agreement between the VPD and RCMP, the RCMP vetted and disclosed the notes of VPD members who actively worked on Project Evenhanded, specifically Geramy Field, Phil Little, Jim McKnight, and Brian Oger. Other notes from VPD members were requested by Evenhanded and some of these were stored within the Evenhanded database. The notes that fell within the Terms of Reference were transferred to the VPD up to and including February 5, 2002, and included notes of David Dickson. These notes were disclosed by the VPD. Given that David Dickson's notes disclosed yesterday are dated June 12, 2002, they fell outside both these categories: they were neither in the notes disclosed to the Commission by the RCMP, nor were they notes that fell within the Terms of Reference.

On August 28, 2011, we received an email from the Commission setting out various deficiencies in our August 26, 2011, disclosure. On September 6, 2011, we sent a letter addressing these various deficiencies, a copy of which is attached for your reference. Specifically, one of the deficiencies was that "a copy of the original Missing Persons report for Cara Ellis was not included." The explanation given in our letter of September 6, 2011, is as noted in Ron Palta's letter to DC Evans dated May 19, 2011, referenced above. On September 13, 2011, we disclosed the remaining non-Pickton cases, as well as the corrected version of Cara Ellis' missing persons case report (r_6378).

On September 23, 2011, Mr. Ward sent a letter to the Commission raising various disclosure issues, one of which was a request for all investigative records relating to the disappearance and death of Cara Ellis. Mr. Ward made no mention of Tiffany Drew in his September 23, 2011 letter. Under cover letter dated October 5, 2011, we addressed, amongst others, the issue of Cara Ellis, and again referred the Commission to the documents previously disclosed, specifically document id nos. r_6376, r_6378, 6379 and r_6380. A copy of our October 5, 2011 letter is attached.

Further to our letter dated November 1, 2011, Canada's position is that we have disclosed all of the relevant and available documentation on both Cara Ellis and Tiffany Drew. Should the Commission wish to request specific documents referred to in the missing persons case report documents (r_6378 and r_6543), we would be pleased to consider such requests.

Requested item 15: Records listing names of Coquitlam RCMP Members

As described in the chart, Coquitlam RCMP records listing names, ranks, and responsibilities of all members employed during the relevant period have been disclosed. We have identified one further document that lists all RCMP members employed at Coquitlam detachment (both during and outside of the relevant timeframe), and will disclose this document once it has been vetted, pursuant to the disclosure protocol dated February 17, 2011.

Requested items 17, 35 and 53: Email Communications

At items 17 and 53 of your chart, you state in the "Disclosure Made" column that "The RCMP does not have any other emails other than what has been produced."

As a preliminary matter, it should be noted that we have not treated e-mails as a specific disclosure category. Instead, they are simply another type of record which, if they contain non-privileged information that is responsive to a demand for disclosure from the Commission, will be disclosed on request. Because the Commission may make future requests for material relating to new subject areas, it will never be possible for the RCMP to categorically assert that "it does not have any other e-mails other than what has been produced".

Furthermore, although the RCMP has made best efforts to locate whatever relevant e-mails exist, the process is not perfect. Recently, in the course of preparing disclosure of the file workload at the Coquitlam detachment during the relevant period, the RCMP members while reviewing an unrelated homicide file came across a hard copy of an e-mail chain regarding a potential submission by "E" Division for what is termed "RO 580" funding. That e-mail chain included reference to "the kinds of serious investigations that cannot be undertaken as a direct result of insufficient resources." The Pickton investigation is one of the Coquitlam files listed. A copy of this document will be provided to the Commission as soon as it has been vetted. A search is also being conducted of the administrative files at "E" Division Headquarters for documents pertaining to this matter. We will advise you of the result as soon as we are able to do so. Finally, we refer you to our earlier correspondence of February 8 and 24, 2011, copies of which are attached for your reference, regarding the RCMP's electronic document retention policies and other matters regarding the volume of available electronic communication that is responsive to the Commission's requests

Requested item 18: Williams appendices

The appendices to the Williams report were disclosed on February 10, 2011, a copy of which is attached for your reference. We also provided the Commission with an index under cover letter dated October 24, 2011, which provided the Concordance ID numbers for each of the appendices. We are pleased to advise that we will be disclosing under separate cover letter later today the Williams appendices (except for Appendix "H") which have been further redacted to protect confidential information so that they can be entered into evidence as requested by the Commission. Appendix H with further redactions for confidential information will follow as soon as possible.

Requested items 19 and 48: Records relating to Payments to Wayne Leng

We have been unable to locate any records relating to payments made to Wayne Leng.

Requested item 21: Records of the Commission for Public Complaints against the RCMP

As indicated in the chart itself, the records in the possession of the Commission for Public Complaints against the RCMP relate to matters that are unlikely to be relevant to the Commission's Terms of Reference. As indicated in our letter of October 21, 2011, Canada has no objection to the production of these records should the Commission request them.

Requested item 27: Records of duty attendance for RCMP Members

We understand this request relates to shift schedules and records containing information about when RCMP investigators were on duty during the period from January 23, 1997 and February 5, 2002. We note that shift schedules for the Coquitlam Serious Crimes Unit for the year 2000 were already disclosed with the Brad Zalys witness package disclosure (r_4973) on July 19, 2011. We have located an additional template or blank shift schedule for Coquitlam Serious Crimes Unit dated 1999. However, this document contains no information about shift scheduling. These shift schedules are the only hardcopy records we have located to date with respect to the Coquitlam RCMP Serious Crimes Unit. We are awaiting further information with respect to other investigators outside of Coquitlam's Serious Crimes Unit. We further note that on September 1, 2011, DC Evans made a request for the vacation schedules of Evenhanded members from January 2001 to February 2002, and this schedule was provided to DC Evans via email, a copy of which was also provided to the Commission, on September 19, 2011 (r_8505, r_8506 and r_8507). We note that the disclosure of the leave and hours schedule is referenced in the "Disclosure Made" column in item 27.

Requested item 29: Records relating to David and Robert Pickton and their Properties

Please see the response contained in our letter dated November 1, 2011, with respect to this material. If it assists the Commission, we are currently in the process of identifying a list of all police files relating to David and Robert Pickton prior to 2002. Although almost all associated file material no longer exists, we would be pleased to assist the Commission by providing this list and responding to any inquiries the Commission may have in respect of the files listed. We have recently identified Burnaby RCMP File 1999-19700 that has not been previously disclosed. This is related to Robert Pickton and again is Burnaby's file which was opened regarding their attendance at a meeting in New Westminster on April 21, 1999, regarding Robert Pickton. We will provide the Commission with a vetted copy of this file when it is available.

Requested item 37: Employment and Disciplinary Records of RCMP Members

The chart indicates in the "Details" column at item 37 that "The RCMP has agreed to provide employment and disciplinary records for relevant RCMP members on a case by case basis and specific matters relevant to the Inquiry". We would like to clarify that it is Canada's position that employment and disciplinary records should be subject to the restrictions discussed in *Regina v. McNeil*: the approach that was taken in the course of the Braidwood Commission of

Inquiry. We refer you to Jan Brongers' email to the Commission dated October 15, 2011, wherein he attached a copy of the letter formalizing the agreement in Braidwood. We also now enclose a copy of this letter for your reference.

Requested item 41: Notebooks or other personal records of RCMP members

Under the "Details" column for item 41, it notes that "not all RCMP members have notebooks", and that much of the information contained in notebooks was transferred to other documents. It should also be noted that, as set out in our letter of March 18, 2011 to Ms. Brooks, a copy of which is attached for your reference, Commission counsel and we agreed as follows:

"Given the number of officers involved, the volume of officer notes is staggering and it would be an inefficient use of resources to review, vet and produce all of this mostly repetitive material. We have agreed that a more sensible approach is to limit production to those notes written by key investigators and the Commission will make targeted requests for the notes of specific officers within defined time frames."

One specific area was related to file reviews, which gave rise to a huge volume of material, including officer notes. A summary of the file review process and results was disclosed under cover letter dated May 31, 2011, a copy of which is also attached for your reference, along with the records relating to a few sample files. The officers involved in that process were noted in the summary. Their notes of their involvement in the file review process are available upon targeted request.

We would also like to note that the agreement with respect to members' notebooks was explained in the Inquiry's June 24, 2011 Info Bulletin, which was distributed to all participants.

Finally, we do not concede that any of the records referenced in your chart are in fact relevant in the sense that they warrant being ultimately marked as exhibits at the Inquiry. As such, we expressly reserve Canada's right to object to the introduction of any of the referenced documents into evidence on the basis of relevance or any other ground.

Yours truly,



Cheryl J. Tobias Q.C.
Senior General Counsel
RM/sea
Enclosures



900 - 840 Howe Street
Vancouver, BC
V6Z 2S9

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

December 24, 2010

By Email

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, British Columbia
V6Z 2H2

Dear Mr. Vertlieb and Ms. Brooks:

Re: Missing Women Commission of Inquiry
Our File: 2-273772

Thank you for your letter of December 20, 2010 in which you confirm your agreement with the Vetting/Disclosure protocol set out in our letter of December 15, 2010 and request a "topical document index with anticipated disclosure dates". You have made this request to enable Commission staff to plan and identify priority documents.

We have since been consulting with Royal Canadian Mounted Police client officials and are pleased to provide with you with a preliminary anticipated document disclosure schedule organized on a topical basis. Prior to setting out this schedule, however, we feel it is important to alert you to certain factors that will impact upon the speed with which we will be able to provide documents and information.

First, as we explained at our December 14th meeting, the vast majority of the information relevant to the missing women investigations is contained within "E&R" computer databases. E&R software is a major case management tool which is structured upon the input of tasks which are then linked to documents, information and persons relevant to those tasks. Enclosed for your reference is a description of the fields in E&R which may help you to understand how E&R is organized. Currently, there are 14,370 tasks in the Project Evenhanded database, each of which has links to multiple investigators, persons of interest and documents.

Second, the volume of documentation in the Project Evenhanded database is enormous. While our previous understanding was that there were 1.2 million pages worth of documents in the database, we have recently learned that this number relates only to the documents that were disclosed for the Pickton criminal proceeding on the six charges that proceeded to trial. While we do not have an exact figure, our current understanding is that the total number of pages is closer to 2 million.

Third, the number of individuals who have contributed information to the Project Evenhanded database is also large. At our last meeting, you asked us to confirm how many police officers were involved in Project Evenhanded. We are told that, since its inception, over 500 different

officers have worked on Project Evenhanded. While in its initial stages (January 2001 to February 2002) approximately 25 to 30 officers were assigned, this increased significantly in the months that followed. Indeed, at its peak, between May 2002 to late summer 2003, there were 270 full time officers assigned to the file.

We provide this information to demonstrate that it is difficult at this stage to provide a comprehensive topical list of all of the documents in the Project Evenhanded database along with a reliable estimate of the anticipated disclosure dates. That being said, we have endeavoured to prepare a partial list and a preliminary disclosure schedule, as set out below.

A) Preliminary Document Disclosure Schedule

1. Pickton Report to Crown Counsel

As previously agreed, we will first provide you with the Report to Crown Counsel ("RTCC") which was prepared in relation to the Pickton investigation but was not forwarded to Crown Counsel as this will provide an overview of the Pickton investigation. We anticipate disclosing it by the end of December 2010.

2. Coquitlam RCMP Documents Generated Prior to Project Evenhanded

As previously agreed, we will then be providing you with the following additional documents by mid-January 2011:

- a) Coquitlam RCMP file 97-10797 in respect of 1997 stabbing incident on Pickton farm.
- b) Coquitlam RCMP file 98-33107 in respect of its investigation of Robert Pickton that commenced in 1998.

3. Pickton Report to Crown Counsel Source Documents

The RTCC makes reference to a number of source documents. We expect to be able to provide these to the Commission by the end of January 2011.

4. Provincial Unsolved Homicide Unit File

Related to the above documents is RCMP file 99-1252. This is the Provincial Unsolved Homicide Unit (PUHU) file which was opened when the Coquitlam RCMP sought assistance with interviewing Lynn Ellingsen. We expect to be in a position to provide this file by mid-February 2011.

5. Project Evenhanded Documents

As you are aware, Project Evenhanded began in January 2001. We suggest that the following documents will be of interest to the Commission as they provide an overview of the activities of this team:

- a) Operational Plans and Briefing Notes -- operational plans are created for any major investigation and set out the work plan, resourcing and other operational considerations; briefing notes provide updates to management on investigative steps and resourcing issues.
- b) Memorandums of Understanding with City of Vancouver -- these documents were prepared to create the Joint Forces Operation.
- c) Daily Logs for Project Evenhanded -- this is a running log of the decisions, actions and major investigative steps taken during Project Evenhanded.
- d) Meeting Minutes for Project Evenhanded -- these are minutes of the weekly meetings that were held by the investigative team (however, we are advised that minutes only started to be kept in August 2001).
- e) Press Releases relating to Project Evenhanded.

We propose to focus on disclosing the above documents as our next priority following disclosure of PUHU file 99-1252. We expect to be in a position to produce these documents by mid-March 2011.

B) Subsequent Document Disclosure

There are also several different types of documents within Project Evenhanded which relate to the specific investigative steps undertaken by the many police officers involved in these investigations. Before we can consider a schedule for the disclosure of these documents, we would like to discuss with you how best to produce these categories of information. Unlike the overview documents noted above, we expect that there will be considerable vetting that has to be done with respect these documents which will slow the pace of disclosure. It may well be that it is more useful to the Commission to have a summary of these investigative steps rather than simply receiving the documents without context. As such, we would like to discuss whether our efforts would be better spent summarizing these investigative steps with reference to key documents rather than vetting and producing each and every document within the following categories:

- a) Unidentified Human Remains -- these documents were generated from work done in July to September 2001 to review 130 coroner files on unidentified human remains to identify those that were female or unidentified to get DNA profiles.
- b) File Reviews Prior to February 2002 -- these are the documents generated by the work done by 8 to 10 officers within Project Evenhanded from the time of its inception to review previous solved and unsolved sex assaults and murders with a view to

identifying crime scene DNA and possible suspects. This work generated 200 files with exhibits from a review of cases in BC outside of Vancouver and 252 files with exhibits from a review of cases from the City of Vancouver. This process solved many previously unsolved murders and sex assaults (e.g., three murders from 1988 which occurred in the alleys of the Downtown Eastside were solved as a result of this work [“the Alley Murders”]).

- c) Alley Murders Database – a separate E&R database was created to house the documents related to the investigation of the Alley Murders and a dedicated team was assigned to this investigation. There will be some overview documents in this database similar to the overview documents described above for Project Evenhanded.
- d) SUISS Tip Sheets – these files originally came from the VPD Project Amelia SUISS computer system and were added to by the RCMP so it may not be apparent in all cases to an uninformed reader what part of the file was generated by the VPD versus the RCMP.
- e) Evenhanded Cases - there are 87 separate “cases” within the Evenhanded E&R database. Each case contains all of the documents associated with that case including witness statements, CPIC checks, officer notes, medical/dental records, arrest reports, line up records, welfare records, etc. Given that many of these cases are unsolved there will have to be significant vetting to protect ongoing investigations.
- f) Valley Murders Database – the documents relating to the investigation of the 1995 murders of Tammy Pipe, Victoria Younker and Tracy Olajide whose bodies were found near Agassiz and Mission are housed in a separate E&R database. This is an active, ongoing investigation so there will be unique and significant vetting issues associated with this file. Again, there will be some overview documents in this database which may describe the investigation more generally.

C) Other Potential Document Sources

Officer Notebooks

Each officer involved in Project Evenhanded is required to keep handwritten notebooks. Much of the information from these notebooks has been inputted into E&R. However, we are advised that the handwritten notes themselves have also been scanned into E&R. One of the main investigators on the file advises us that she alone has 80 Project Evenhanded notebooks. Given the number of officers involved, the volume of officer notes is staggering. We would also expect that these notes would have to be subjected to significant vetting. Accordingly, it is our view that it would be a grossly inefficient use of resources to review all of this mostly repetitive material and that a better approach would be to limit production to those notes written by key investigators. In any event, we would like to further discuss with the Commission how best to deal with this problematic category of documents.

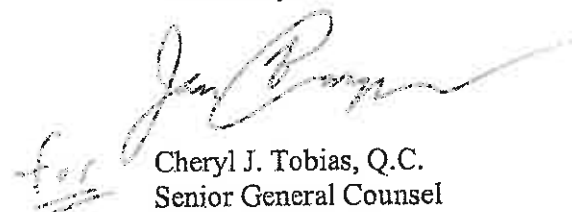
RCMP Policies

In addition to the E&R documents listed above, the RCMP is also working on identifying the policies relevant to the missing women investigations during the time frame in question with a view to disclosing these to the Commission. At this point, we are unable to say when we will be in a position to disclose these documents as the relevant policies are still being identified.

While we trust that this is responsive to the request you made in your letter of December 20th, we welcome any questions you may have. Furthermore, we strongly encourage you and your staff to consider attending at the Project Evenhanded office for the purposes of getting an orientation to its E&R database. In this way, you could get a better sense of how this tool is used to manage information and potentially identify other types of information that the Commission may be interested in.

Once you have had an opportunity to consider the above, we propose scheduling another meeting to discuss these issues. We look forward to hearing from you.

Yours truly,



Cheryl J. Tobias, Q.C.
Senior General Counsel

JEH/ac

Enclosure

	Field	Definition
Task	ID	Unique Identifier for each task
	LASTUPDATE	Date & time of when task was last updated
	ASSIGNED2	Investigator who task is assigned to for completion
	ASSIGNEDBY	Investigator who has assigned out task for completion
	ASSIGNDATE	Date & time of when task was assigned
	DIARYDATE	Date & time of when task is due for completion
	CONCLUDED	Status of task
	DESCRIPTION	Short general description of task
	TASK	Description and details of task
	SUMMARY	Detailed summary of task
	RE	Subject or focus of task
	UPDATE WHO	Individual who last updated task
	PRIORITY	Priority level assigned to the task – default is 5
	SEC_LEVEL	Security level assigned to the task – default is 0
	To_MEDIA	Checkbox used to flag records for file specific purposes
	To_DAILY	Checkbox used to flag records for file specific purposes
	To_CROWN	Checkbox used to flag records for file specific purposes
	To_REPORTS	Checkbox used to flag records for file specific purposes
	ANALYSIS	Checkbox generally used to flag record as complete
	TEAMLEADER	Checkbox used to indicate review of task complete
	SIGNED_OFF	Checkbox used to finally conclude a task
	POC_CONTENT	Checkbox used to flag records for file specific purposes
	Task Action	ID
TASK_ID		Unique identifier of related task
LASTUPDATE		Date & time of when task action was last updated
ACTIONDATE		Date & time of when task action (i.e. work on the task) occurred
AUTHOR		Writer of task action
T_ACTION		Details of the work completed (i.e. Investigator's report)
ANALYSIS		Indicates appropriate links to for the Task Action have been completed
To_MEDIA		Checkbox used to flag records for file specific purposes
To_DEFENSE		Checkbox used to flag records for file specific purposes
To_DAILY		Checkbox used to flag records for file specific purposes
To_REPORTS		Checkbox used to flag records for file specific purposes
STATUS		Status of the Task Action (i.e. Still under investigation, ready for review, ready for conclusion)
POC_CONTENT		Checkbox used to flag records for file specific purposes
UPDATED_WHO		Last Person to update this Task Action Record.
ORIGINAL_ID		ID of Original Task Action (when Task Actions are vetted within E&R a copy is created with a new id, but this field will contain the ID of the Original Task Action – if the same as the ID field, then no vetted version exists)
VETTING_STATUS		Contains the vetting status of the Task Action (i.e... Vetted Version, Original Version, Vetting not required)
Document		ID
	DOC_DATE	Date & time of document
	IS_COPY	Checkbox used for file specific purposes

WHEN_RECIEVED	Date & time document was received by investigators
SEC_LEVEL	Security level of document
TITLE	Subject or focus of the document
DOCUMENT_TYPE	Category of document (i.e. Invoice, witness statement)
DESCRIPTION	Short general description of document
HOW_RECEIVED	Agency, detachment department which provided document
SUMMARY	Detailed summary of document



900 - 840 Howe Street
Vancouver, BC
V6Z 2S9

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

March 18, 2011

By Email

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, British Columbia
V6Z 2H2

Dear Ms. Brooks:

Re: Missing Women Commission of Inquiry
Our File: 2-273772

Thank you for meeting with Ms. Hoffman and me on March 8, 2011 to discuss the issues related to document disclosure and the anticipated schedule. We would like to confirm what was agreed and provide you with an update with respect to our next steps:

Document Categories:

File Reviews: Files were reviewed from across the province and many of the files reviewed were unsolved crimes and investigations which are still ongoing. Given that much of the information contained in these file reviews may not be particularly useful, and the significant and unique vetting issues associated with producing these documents, we plan to provide a detailed summary of the file review process together with a selection of the files reviewed under this process.

Unidentified Human Remains: These documents were generated from work done in late 2001 and early 2002 to review 130 coroner files to locate female DNA profiles. Material that was generated prior to February 2002 consists of emails between the Coroner's office, spreadsheet summaries of the 130 cases and judgments of inquiry for the cases deemed to be relevant by Evenhanded investigators. The analytical work done in respect of this information did not happen until well after February 2002, and was aimed at assisting with meeting challenges by defence counsel that DNA found on the farm could belong to one of the unidentified victims whose remains were in the possession of the coroner. We plan to provide those documents which were generated up to February 2002.

87 Cases in Project Evenhanded: These are document collections specifically relating to each missing person on the missing women poster, Pickton and other high profile witnesses. Each case is voluminous and will be largely duplicative of information produced within the Project Amelia files. The Commission will, after the Project Amelia files are provided, advise if you require disclosure of specific cases or specific information within this collection.

Notebooks: Given the number of officers involved, the volume of officer notes is staggering and it would be an inefficient use of resources to review, vet and produce all of this mostly repetitive

material. We have agreed that a more sensible approach is to limit production to those notes written by key investigators and the Commission will make targeted requests for the notes of specific officers within defined time frames.

Alley Murders: We plan to disclose the six files that Evenhanded obtained from the RCMP and VPD together with overview documents which outline the investigation undertaken by Evenhanded.

Valley Murders: We confirm that our client is still exploring what portions of these files can be disclosed given that these are ongoing investigations. We will provide overview documents from these investigations to the Commission.

Finally, if, flowing from the disclosure of the above, you wish to see particular documents, you will request them and we will do our best to provide them.

Commission's Priority

We understand that the Commission's priority with respect to disclosure of these document categories to be as follows:

- 1) Policies (highlighting policies related to prostitution);
- 2) Notebooks from Specific Officers (on identification of specific officers by the Commission);
- 3) File Review Summary and a reasonably representative selection of files;
- 4) Alley Murders (six files and overview documents);
- 5) Valley Murder documents (extent still to be determined);
- 6) Unidentified Human Remains (documents up to 2002);
- 7) Evenhanded Cases specifically requested by the Commission.

As agreed, requests by DC Evans will take priority over the Commission's requests.

Anticipated Disclosure Schedule:

Project Amelia: We expect to be in a position to provide you with disclosure of the Project Amelia files the week of March 21, 2011. We have been advised the page count for the Project Amelia files is in the 15,000 – 16,000 range.

SUISS Files: This collection consists of documents originally loaded into the SUISS database. We have been advised that the documents which make up the SUISS files are voluminous with a page count in the 16,000 – 18,000 range and we expect that it will take approximately two months to review, redact and produce those documents. We give a tentative disclosure date of May 31, 2011 for production of the SUISS files.

VPD Vetting Issue

We agree that the VPD Vetting issue can be resolved using the Commission's suggested page replacement approach rather than replacing the entire CD-ROM. We have been advised that the number of pages to be replaced is somewhere in the 300 - 400 range. We expect to be in a position to provide those replacement pages to the Commission by March 28, 2011.

Thank you once again for meeting with us to discuss the disclosure schedule. We look forward communicating with you further in an effort to provide timely and complete disclosure.

Yours truly,

A handwritten signature in black ink, appearing to read "Cheryl J. Tobias". The signature is written in a cursive style with a large initial "C".

Cheryl J. Tobias, Q.C.
Senior General Counsel
/sc
Enclosure



900 – 840 Howe Street
Vancouver, BC
V6Z 2S9

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

April 28, 2011

By Email

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, British Columbia
V6Z 2H2

Dear Mr. Vertlieb and Ms. Brooks:

Re: Missing Women Commission of Inquiry
Our File: 2-273772

As you know, on March 28, 2011 and April 18, 2011, respectively, we provided the Commission with the Project Amelia documents and the Missing Women Binders. Subsequently, on April 21, 2011, Judy Thompson of your office requested information with respect to some of the missing women whose files were not included in the disclosure of Project Amelia or the Missing Women binders. Specifically, the missing women files that Ms. Thompson has found to be outstanding include:

Cara Ellis
Dianne Rock
Heather Bottomley
Heather Chinnock
Mona Wilson
Nancy Clark
Sharon Abraham
Tiffany Drew
Yvonne Boen

We have made enquires with the RCMP disclosure team as to why these files are outstanding and they have advised us that the above noted women were not included in the Project Amelia investigation and so no binders exist for them. All of the investigations related to these women are contained within Project Evenhanded. We can provide a further summary of the conduct of these missing person investigations as follows:

Cara ELLIS: Project Evenhanded investigators discovered her missing through an unrelated enquiry. She was reported missing on 2002-10-09. All of the investigation relative to ELLIS was conducted by Project Evenhanded investigators.

Dianne ROCK: She was reported missing on 2001-12-13 and initially investigated by VPD. Project Evenhanded investigators later took conduct of the investigation.

Heather BOTTOMLEY: She was reported missing on 2001-11-13 and initially investigated by VPD. Evenhanded investigators later took conduct of the investigation.

Heather CHINNOCK: She was reported missing on 2001-06-19 and investigated by Surrey RCMP Detachment. Project Evenhanded investigators later took conduct of the investigation.

Mona WILSON: She was reported missing on 2001-11-30 to VPD. Project Evenhanded investigators had conduct of this investigation from the onset.

Nancy CLARK: She was reported missing 1991-08-23 and investigated by Victoria Police. Project Evenhanded conducted further investigations when DNA of CLARK (Mitochondrial) from the PICKTON farm would be developed in 2006.

Sharon ABRAHAM: She was reported missing on 2004-01-08 to New Westminster Police. Project Evenhanded investigators had conduct of this investigation from the onset.

Tiffany DREW: She was reported missing to VPD on 2002-02-08, as a result of the Pickton media. Project Evenhanded assumed conduct of this investigation from the onset.

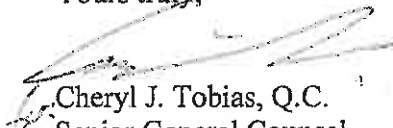
Yvonne BOEN: She was reported missing on 2001-03-21 and investigated by Surrey RCMP Detachment. Evenhanded investigators later tookconduct of the investigation.

Files related to DREW, ROCK, BOTTOMLEY, CHINNOCK, WILSON, and CLARK can be found within the SUISS disclosure which is scheduled to be delivered to the Commission by the end of May, 2011. Files related to ELLIS, ABRAHAM, and BOEN are in found within the Project Evehanded E&R database.

Should the Commission wish to have the files contained in the Project Evenhanded E&R database disclosed on a priority basis I would be happy to discuss the matter further.

We trust you will find the foregoing satisfies Ms. Thompson's query.

Yours truly,



Cheryl J. Tobias, Q.C.
Senior General Counsel

/sc

Dear Ms. Evans;

As per our teleconference on 2011-05-18 on the subject of disclosure of investigative material regarding the Missing Women Investigations, I would like to confirm the following points of our discussion.

- 1) You have confirmed that you are not seeking any investigative material in regards to the Missing Women Investigations that were reported as missing post Pickton's arrest. The specific cases that are part of this group are as follow:
 - i. Sharon Abraham
 - ii. Cara ELLIS
 - iii. Marlene Abigossis
 - iv. Tiffany Drew
 - v. Wendy Allen
 - vi. Ruby Hardy

I did advise that these noted cases may still form part of subsequent disclosure packages to the Commission of Inquiry.

- 2) I confirmed that the following missing women investigations are part of the upcoming SIUSS disclosure package which will be forwarded to the Department of Justice for appropriate dissemination to Commission Counsel and yourself prior to the end of this month. Those specific missing women investigations contained in that disclosure package are:
 - i. Heather Bottomley
 - ii. Heather Chinook
 - iii. Nancy Clark
 - iv. Tiffany Drew
 - v. Mona Wilson
 - vi. Dianne Rock
 - vii. Elaine Dumba
 - viii. Rebecca Guno

I further confirm that within the SIUSS file material for these noted cases, the original police agencies missing person file will be contained. This will include all investigative material where it exists from the original police file and will negate your requirement to seek the master file from the original police agency.

MISSING
WOMEN
COMMISSION OF
INQUIRY

1402 – 808 Nelson Street
Vancouver, British Columbia V6Z 2H2
Office: 604-681-4470
Facsimile: 604-681-4458

Email: info@missingwomeninquiry.ca
www.missingwomeninquiry.ca

August 11, 2011

BY EMAIL: cheryl.tobias@justice.gc.ca

Ms. Cheryl Tobias, Q.C.
Department of Justice
#900 – 840 Howe Street
Vancouver, BC V6Z 2S9

Dear Ms. Tobias:

Re: Outstanding Document Disclosure

Thank you for your letter of June 21, 2011 in which you provide timeline estimates for the next phase of document disclosure to the Missing Women Commission of Inquiry (the "Commission").

As you are aware, the Commission will begin formal hearings on October 11, 2011.

In that regard, we wish to request that the "Remaining Pickton cases", Paragraph b. under **Cases in Project Evenhanded**, be disclosed to the Commission in stages as vetted.

Would you please prioritize the following cases for disclosure:

- Cara Ellis
- Dianne Rock
- Georgina Papin
- Marnie Frey
- Cynthia Feliks
- Mona Wilson
- Helen Hallmark
- Dawn Crey
- Jacqueline Murdock
- Brenda Wolfe
- Andrea Joesbury

C. Tobias

August 11, 2011

Page 2

We also wish to request that the following cases be prioritized for disclosure to the Commission from "Missing women cases", Paragraph c. under **Cases in Project Evenhanded**:

- Angela Hazel Williams
- Elsie Sebastian

Would you also advise us when we may expect a redacted version of the handout from the Project Evenhanded presentation made to Commission staff on Friday, June 3, 2011?

Thank you.

Yours truly,

A handwritten signature in black ink, appearing to read "John Boddie", written in a cursive style.

for John Boddie
Executive Director



900 -- 840 Howe Street
Vancouver, BC
V6Z 2S9

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

September 6, 2011

By Hand

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, British Columbia
V6Z 2H2

Dear Mr. Boddie:

Re: Missing Women Commission of Inquiry
Our File: 2-273772

We write further to our most recent disclosure to the Commission on August 26, 2011, which inadvertently contained a number of deficiencies. The specific deficiencies and remedies are set out below:

1. **The index to the documents contained on the external hard drive referenced 125 documents; however, the hard drive contained 138 documents, specifically document nos.: r_6363, r_6364, r_6365, r_6366, r_6367, r_6465, r_6466, r_6468, r_6469, r_7260, r_7262, r_7263, r_7264, r_7268, r_7270, r_7272, r_7273, and r_7274.**

We refer you to the revised index attached to Andrew Koczerzuk's email to Deputy Chief Evans dated August 30, 2011, which was forwarded to you by Judi Hoffman of our office on August 31, 2011. We have attached the index here for your ease of reference.

2. **Certain document(s) on the index have not been disclosed to the Commission, specifically document nos. r_5266, r_5267, r_5271, r_7257, and r_7652.**

We now enclose a copy of these files.

3. **Eleven of the pdf files on the hard drive were damaged and require replacements, specifically document nos.: r_6400; r_6410; r_6472; r_6482; r_6492; r_6509; r_7267, r_7295; r_7841; r_7843 and r_7844.**

We now enclose corrected copies of these files.

4. **The file relating to Patricia Johnson (document no. r_6502) contained blank pages between pages 122 and 311.**

We now enclose a corrected version of document no. r_6502.

5. **Several documents contain a warning at the bottom of the page: "RCMP – Confidential – Work Product Only – Not for Disclosure".**

We refer you to Andrew Koczczuk's email to Deputy Chief Evans dated August 30, 2011. This warning is a relic on the report used to pull the information and was not removed prior to the vetting of the documents as it did not comport with any identified vetting code. While present, it should not be seen as a bar to use for your review or for the Inquiry.

6. **A copy of the original Missing Persons report for Cara Ellis was not included.**

We refer you to Sgt. Ron Palta's letter dated May 19, 2011, to DC Evans, a copy of which is attached for your ease of reference. In his letter, Sgt. Palta outlines the protocol regarding disclosure of investigative material. Specifically, in the first paragraph, Sgt. Palta confirms that DC Evans is not seeking any investigative material of Sharon Abraham, Cara Ellis, Marlene Abigossis, Tiffany Drew, Wendy Allen and Ruby Hardy. Accordingly, the original Missing Persons report for Cara Ellis has not been disclosed. Sgt. Palta notes that some information about these cases may still be included in some disclosure packages, and we refer you to document id nos. r_6376, r_6378, r_6379 and r_6380 which refer to Cara Ellis and were recently disclosed to the Commission under our cover letter dated August 26, 2011.

7. **A copy of the Elsie Sebastian file was not included in the disclosure, despite the cover letter referring to it.**

We now enclose a copy of the Elsie Sebastian file, document id nos. r_7688 and 7689.

8. **The index to Paul McCarl's documents do not match the documents provided to the Commission, for example the index lists four documents, (8049, 327, 8048 and 8030) but there are six documents on the DVD provided (8049, 8066, 8077, 327, 8030, 8048).**

We attach a revised index of Mr. McCarl's documents that properly reflects the documents contained on the DVD disclosed with Mr. McCarl's witness package.

In addition to the deficiencies above, we disclosed to the Commission under cover letter dated August 22, 2011, a DVD containing the vetted notes of the VPD officers who worked with Project Evenhanded, in anticipation of their interviews with DC Evans. During his interview with DC Evans, we understand that Phil Little produced two additional documents containing his notes, specifically document nos. 146 and 147, which had not been previously disclosed. Similarly, it has also come to our attention during Jim McKnight's interview that some relevant documents have not been disclosed, specifically document nos. 326, 328, and 340. As noted in Ms. Hoffman's email correspondence to the Commission on August 30, 2011, we expect that

these documents will require extensive vetting. They will be vetted on a priority basis and will be disclosed to the Commission as soon as they are ready.

We trust you will find the foregoing disclosure update to be satisfactory, and we once again apologize for the inconvenience of having received an incomplete disclosure. If you have any questions please do not hesitate to contact us.

Yours truly,

A handwritten signature in cursive script, appearing to read "Cheryl J. Tobias".

Cheryl J. Tobias, Q.C.
Senior General Counsel

/sca

Enclosures



900 - 840 Howe Street
Vancouver, BC
V6Z 2S9

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

October 5, 2011

By Email

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, British Columbia V6Z 2H2

Dear Mr. Boddie:

Re: Missing Women Commission of Inquiry
Our File: 2-273772

We wish to provide the following comments with respect to issues raised by Mr. Ward in his letter to the Commission dated September 23, 2011.

In his letter, Mr. Ward raised concerns with respect to the disclosure of 7 classes of documents. Five of those classes relate to documents that are, or are in part, in the possession of the Government of Canada. Our position with respect to those documents is as follows:

1. VPD and RCMP members' notebooks

We have provided ongoing disclosure of RCMP members' notebooks as part of the witness packages disclosed in advance of DC Evans' interviews. Specifically, the following RCMP witness packages have been disclosed:

Name	Date disclosed
NASH, Russ	May 27, 2011
POLLOCK, Darryll	May 27, 2011
CATER, John	May 27, 2011
CONNOR, Mike	May 27, 2011
MCCARTNEY, David	June 13, 2011
HYLAND, Jennifer	June 13, 2011
DAVIDSON, Keith	June 30, 2011
HALL, Ric	June 30, 2011
MOULTON, Earl	June 30, 2011
	July 4, 2011
ZALYS, Brad	July 19, 2011
SHERSTONE, Kim	July 19, 2011
HENDERSON, Doug	August 4, 2011
LUCAS, Jim	August 4, 2011
STRACHAN, Dave	August 4, 2011
McCARL, Paul	August 4, 2011
PORT, Sylvia	August 4, 2011
SMID, Yme	August 4, 2011

BASS, Gary	August 17, 2011
BROWN, Jim	August 17, 2011
BASS, Gary	August 18, 2011
HENLEY, Frank	August 19, 2011
YURKIW, Ruth	August 19, 2011
KINGSBURY, Marg	August 19, 2011
ADAM, Don	August 25, 2011
CLARY, Wayne	August 19, 2011
	August 25, 2011

We understand that the Commission has not yet uploaded these witness packages to the Concordance database, and expects to do so shortly.

2. VPD, RCMP and 911 radio communications

The documentary record indicates that three 911 calls were made from the Pickton property during the period covered by the Terms of Reference. Of these calls, audio recordings and transcripts exist for only one: a call made on October 22, 2001. The audio file and transcript will be proofed, vetted, and disclosed to the Commission shortly.

3. Other relevant audio or video recordings and transcripts

Canada is in possession of audio/video recordings of police interviews of Robert Pickton, Lynn Ellingsen, Leah Best, Lorna Humphries and Ross Caldwell, each of which was conducted during the period defined in the Inquiry's Terms of Reference. These transcripts were disclosed to the Commission as follows:

	Interview date(s)	Date disclosed
BEST, Leah	August 7, 1999	January 25, 2011
CALDWELL, Ross	August 5, 1999	February 2, 2011
	August 10, 1999	January 25, 2011
	February 11, 2002	February 2, 2011
ELLINGSEN, Lynn	August 10, 1999	January 25, 2011
	August 26, 1999	February 2, 2011
HUMPHRIES, Lorna	February 11, 2000	January 25, 2011
PICKTON, Robert	January 19, 2000	January 25, 2011

Our client is currently working on vetting the respective audio and video files, where available, for the above-noted interviews. We expect to be in a position to disclose these to the Commission by the end of October.

4. E-mail communications generated by the VPD, VPB, VPU, Government of Canada/RCMP and Criminal Justice Branch

Disclosure of relevant RCMP emails has been made. By letter dated February 24, 2011, we provided the Commission with information and enclosures regarding the RCMP's email policies, and the way in which email was used and retained by Project Evenhanded investigators in particular. We attach a copy of the February 24, 2011 letter for ease of reference.

5. All investigative records related to the disappearance and death of Cara Ellis

In our letter to the Commission dated September 6, 2011, we confirmed that the original missing persons report for Cara Ellis would not be disclosed. This is because Cara Ellis was reported missing on October 9, 2002, outside the relevant period set by the Inquiry's Terms of Reference. However, as indicated in our letter dated September 6, 2011, information about post-2002 cases may still be included in some disclosure packages. We note that information regarding Cara Ellis was included in a disclosure package under cover of letter dated August 26, 2011, specifically document ID nos. r_6376, r_6378, r_6379 and r_6380.

We trust the Commission will forward to the Participants if necessary. If you have any questions, please do not hesitate to contact us.

Yours truly,



Cheryl J. Tobias, Q.C.
Senior General Counsel
/sea
Enclosures



Department of Justice
Canada

Ministère de la Justice
Canada

Public Safety, Defence and Immigration
BC Region
900 - 840 Howe Street
Vancouver, BC
V6Z 2S9

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

February 24, 2011

By Hand

COPY

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, British Columbia
V6Z 2H2

Attention: Art Vertlieb, Q.C.

Dear Sir:

Re: **Missing Women Commission of Inquiry**
Our File: **2-273772**

In your letter dated January 27, 2011, you raised some questions with respect to the disclosure of email messages. We write further to our letter dated February 1, 2011, to provide you with further information with respect to the RCMP's email policies in general and the way in which email was used and retained by Project Evenhanded investigators in particular.

The principal reason why there have been relatively few emails disclosed to date is because, as you can no doubt appreciate, the use of email in the period between 1997 and 2002 was much more limited than it is today. Therefore, it should come as no surprise that the Coquitlam files which were disclosed to you on January 25, 2011, did not contain many emails.

The policies which govern the RCMP's retention of emails also explain why a relatively small number have been disclosed so far. As stated by Inspector Bruce Imrie, Acting Regional Informatics Officer, in his letter to Ms. Tobias dated February 8, 2011, the RCMP's email system was implemented in or around 1995 as an "administrative communications system and was not designed for operational communications purposes." Inspector Imrie's letter can be found on the enclosed CD.

As stated in the first page of Inspector Imrie's letter, much of the information that is communicated in RCMP emails is "transitory in nature." According to RCMP policy, transitory documents need not be retained. Of course, not all emails are transitory; it was and continues to be the responsibility of individual members to print off those emails that qualified as a record and to place the hard copy on the file or electronically archive it on a separate storage device. We have included the various RCMP policies with respect to the retention of email in the enclosed CD.

As described by Inspector Imrie, and in accordance with RCMP policy, emails which had not already been manually deleted by a member are retained on the servers for a "maximum of 90

days." Back-ups of the email servers are made but they too are "overwritten" after 90 days. Therefore, unless a member took steps to retain a particular email, emails from the time periods in question will have been deleted long ago in accordance with the RCMP's policies. This also means that there is no central repository from which all RCMP emails from the relevant time periods can be retrieved. All RCMP members who may potentially be witnesses at the inquiry, including those investigators involved in the Coquitlam files disclosed on January 25th, have been asked to preserve all copies of relevant documents including any relevant emails which they may have saved apart from the files we have already disclosed.


Cpl. Yates of Project Evenhanded has prepared a summary of Project Evenhanded's procedures and business rules for processing and retaining emails. This summary is also contained in the enclosed CD. As described by Cpl. Yates, since the beginning of Project Evenhanded it has been the responsibility of the individual investigators to determine whether a particular email should be retained and this remains the case today. Cpl. Yates explains that when Project Evenhanded first began, there was no formal process for the handling of emails. In general, if an investigator determined that a particular email was relevant then that email would form part of the investigational record and the investigator would either document its contents in a report or print it for the file.

Cpl. Yates also explains how Project Evenhanded's procedures have evolved since 2001. In 2003, Project Evenhanded adopted a more formal process with respect to the retention of emails. At this time, investigators began to save emails into the E&R database. In addition, the investigator would compose a task action in E&R which stated that an email had been received and that a copy would subsequently be imported into F&R. Although this process has changed slightly since 2003 as described by Cpl. Yates, Project Evenhanded investigators continue to import emails into E&R and the decision to do so is at the discretion of each investigator. It is possible to extract emails from E&R but doing so without providing the other information to which these emails are linked will not provide the full context.

We expect that more emails will be disclosed as the disclosure process continues. We have not included emails in the document disclosure schedule because any emails that have been retained on the files will be disclosed with those files and as mentioned above, disclosing emails from E&R without the related context will not be useful.

We trust that the above information and the enclosed material answers the questions you raised in your January 27th letter.

Yours truly,


Cheryl J. Tobias Q.C.
Senior General Counsel



Unclassified

Acting Regional Informatics Officer
Pacific Region
5255 Heather St.
Vancouver, B.C.
V5Z 1K6

Your File / Votre référence

Ms. Cheryl Tobias, QC.
Department of Justice Senior Counsel
Missing Women Commission of Inquiry

Our File / Notre référence

2011-02-08

Dear Ms. Tobias:

Re: RCMP E-mail Systems and Policy

I have been requested to provide some clarification with respect to the policies and technical procedures which are used by the RCMP regarding the handling of electronic mail (e-mail).

The RCMP employs Novell GroupWise as its e-mail software application. This system was initially implemented in the RCMP circa 1995. The e-mail system was implemented within the RCMP as an administrative communication system and was not designed for operational communications purposes. The use of the e-mail system has through time has evolved to include both operational and administrative information. Electronic processes to fully incorporate these needs, both operational and administrative, have not kept pace and current policy is to print an e-mail which qualifies as a record and incorporate the paper copy as other 'hard copy' documents are treated in the operational or administrative file processes. E-mail is not by definition a records management system. Information which is communicated thereon may be transitory in nature or for other reasons does not qualify as a 'record'; but at the same time information thereon may qualify as a record in either an operational or administrative records system.

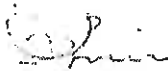
The retention policy for e-mail is to retain messages on the servers for a maximum of 90 days. The servers are configured to purge older messages once the 90 day maximum has been reached. This occurs unless this function has been manually overwritten, which requires a technician with appropriate system authorization.

Overwriting of the auto purge however, is typically done for special or unique investigation purposes. With that being said however, individual users can also delete messages, at any time, which effectively removes them from the server immediately notwithstanding the 90 day waiting period. Archiving, as a function, has been enabled on the system allowing individuals a greater length of time to retain e-mails. This action does not comply with RCMP policy.

When an investigation is performed to retrieve e-mail information, a copy is made of the post office in question. On occasions we have had overlapping investigations making it possible to retrieve information that is greater than 90 days old, this however does not happen often.

The backup policy for the RCMP in BC is to backup all e-mail data for 90 days. Our backups are a snap shot of our systems at any given point in time. As an example let us say that the server backs up everyday at five o'clock in the afternoon. All messages that have not been deleted, on or before five o'clock, will be stored on the back-up. If for example someone was to delete a message at four o'clock, this message will not be part of the back-up as it will have been deleted before the backup process begins. Most of our post offices are backed up each evening and retained for 90 days before the back-up media is overwritten.

Should you have further questions or require additional information, please do not hesitate to contact me.



Bruce Imrie, Inspector
Acting Regional Informatics Officer
Pacific Region

Office: 604-264-2013
e-mail: bruce.imrie@rcmp-grc.gc.ca

Project Evenhanded Procedures/Business Rules for processing and retaining emails.

The following information will attempt to describe how emails were handled from the early stages of Project Evenhanded to the current process. It should be noted that throughout the investigation it was left to the discretion of the individual investigator whether or not to include the email.

When Project Evenhanded first started there was no formal process to handle emails. If an e-mail was deemed relevant by the investigator, the e-mail formed part of the investigational record. The e-mail was either documented in the report by the investigator or the e-mail was included in the investigation in its native format. The process became more formalized in approximately 2003 where the Global E&R business Rules stated that all documents and correspondence including e mails that went into E&R were printed/copied by the investigator and then scanned in as a document. The Investigator was required to compose a Task Action stating he/she had received an email and that a copy had been forwarded for uploading into E&R.

In 2007 the e-mail business rules were streamlined which allowed for the e-mails to be processed electronically. This process eliminated the step of the investigators having to photocopy the document (e-mail) and eliminated the step for the information processor to manually scan the document (e-mail). A copy of these instructions is noted below.

E MAIL

In Groupwise, open the E-mail, select File | Save As (or use the Save icon on the toolbar). The following screen will appear:

Under Save file as type the task and task action the document relates to Task #-Task Action # (ie: T123-4567.wpd). Include title if multiple documents being submitted under same task action.

The document name should reflect the task and task action number where you have documented your submission to E&R (as per previous business rules).

Under Current directory click the Browse button and select P:\Public\Incoming Documents

Information Analysts will process these documents daily into E&R and rename the file to include the E&R Document ID (ie: Doc 1234 - T123-4567.wpd). Once a week, Database Administrator will convert the files to Adobe, and write the file path into the image table (viewable as .pdf only). The .pdf files will be moved to P:\Documents\PDF\Date of upload folder and the .wpd files will be archived to P:\Incoming and Processed\Uploaded since 2004-03-17.

In approximately 2008 Project Evenhanded business rules relative to processing e-mails were adapted to enable the investigators to electronically save their e-mails directly into a task action. These business rules are currently being followed by members of Project Evenhanded. The investigator would indicate in a Task Action that he/she had received an email, provide a brief description and then copy it directly into the Task Action. A copy of these instruction are noted below

E-MAIL

If an e-mail is required to form part of the task action the entire e-mail is to be copied and pasted into the task action itself. Do not print the e-mail and submit the paper document or save it to the P Drive. From your GroupWise Mailbox simply right click on the e-mail listed in your inbox. From the dropdown menu select "View".

This will bring up the e-mail in a separate viewing box with the e-mail itself as well as the "From:", "To:", "Date:" and "Subject:" lines.

Click anywhere inside the message box and then press "Ctrl" and "A" which will highlight the entire message. Once highlighted, right click anywhere in the message again and select "Copy". The message has been copied and can then be pasted into the task action by right clicking in the task action box and selecting Paste from clipboard.

Please note that there has never been a system in place to save or archive emails. The normal practice would be to delete the email after it had been dealt with by way of inclusion or deemed not relevant. This practice however has always been left to the discretion of individual investigators.

(R.I. YATES) Cpl.

Project Evenhanded

Missing Women Task Force

2011-02-09



Department of Justice
Canada

Ministère de la Justice
Canada

Public Safety, Defence and Immigration
BC Region
990 - 840 Howe Street
Vancouver, BC
V6Z 2S9

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

February 24, 2011

By Hand

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, British Columbia
V6Z 2H2

Attention: Art Vertlieb, Q.C.

Dear Sir:

Re: **Missing Women Commission of Inquiry**
Our File: 2-273772

In your letter dated January 27, 2011, you raised some questions with respect to the disclosure of email messages. We write further to our letter dated February 1, 2011, to provide you with further information with respect to the RCMP's email policies in general and the way in which email was used and retained by Project Evenhanded investigators in particular.

The principal reason why there have been relatively few emails disclosed to date is because, as you can no doubt appreciate, the use of email in the period between 1997 and 2002 was much more limited than it is today. Therefore, it should come as no surprise that the Coquitlam files which were disclosed to you on January 25, 2011, did not contain many emails.

The policies which govern the RCMP's retention of emails also explain why a relatively small number have been disclosed so far. As stated by Inspector Bruce Imrie, Acting Regional Informatics Officer, in his letter to Ms. Tobias dated February 8, 2011, the RCMP's email system was implemented in or around 1995 as an "administrative communications system and was not designed for operational communications purposes." Inspector Imrie's letter can be found on the enclosed CD.

As stated in the first page of Inspector Imrie's letter, much of the information that is communicated in RCMP emails is "transitory in nature." According to RCMP policy, transitory documents need not be retained. Of course, not all emails are transitory; it was and continues to be the responsibility of individual members to print off those emails that qualified as a record and to place the hard copy on the file or electronically archive it on a separate storage device. We have included the various RCMP policies with respect to the retention of email in the enclosed CD.

As described by Inspector Imrie, and in accordance with RCMP policy, emails which had not already been manually deleted by a member are retained on the servers for a "maximum of 90

days." Back-ups of the email servers are made but they too are "overwritten" after 90 days. Therefore, unless a member took steps to retain a particular email, emails from the time periods in question will have been deleted long ago in accordance with the RCMP's policies. This also means that there is no central repository from which all RCMP emails from the relevant time periods can be retrieved. All RCMP members who may potentially be witnesses at the inquiry, including those investigators involved in the Coquitlam files disclosed on January 25th, have been asked to preserve all copies of relevant documents including any relevant emails which they may have saved apart from the files we have already disclosed.


Cpl. Yates of Project Evenhanded has prepared a summary of Project Evenhanded's procedures and business rules for processing and retaining emails. This summary is also contained in the enclosed CD. As described by Cpl. Yates, since the beginning of Project Evenhanded it has been the responsibility of the individual investigators to determine whether a particular email should be retained and this remains the case today. Cpl. Yates explains that when Project Evenhanded first began, there was no formal process for the handling of emails. In general, if an investigator determined that a particular email was relevant then that email would form part of the investigational record and the investigator would either document its contents in a report or print it for the file.

Cpl. Yates also explains how Project Evenhanded's procedures have evolved since 2001. In 2003, Project Evenhanded adopted a more formal process with respect to the retention of emails. At this time, investigators began to save emails into the E&R database. In addition, the investigator would compose a task action in E&R which stated that an email had been received and that a copy would subsequently be imported into E&R. Although this process has changed slightly since 2003 as described by Cpl. Yates, Project Evenhanded investigators continue to import emails into E&R and the decision to do so is at the discretion of each investigator. It is possible to extract emails from E&R but doing so without providing the other information to which these emails are linked will not provide the full context.

We expect that more emails will be disclosed as the disclosure process continues. We have not included emails in the document disclosure schedule because any emails that have been retained on the files will be disclosed with those files and as mentioned above, disclosing emails from E&R without the related context will not be useful.

We trust that the above information and the enclosed material answers the questions you raised in your January 27th letter.

Yours truly,



Cheryl J. Tobias Q.C.
Senior General Counsel



Unclassified

Acting Regional Informatics Officer
Pacific Region
5255 Heather St.
Vancouver, B.C.
V5Z 1K6

Your File Votre référence

Ms. Cheryl Tobias, QC,
Department of Justice Senior Counsel
Missing Women Commission of Inquiry

Our File Notre référence

2011-02-08

Dear Ms. Tobias:

Re: RCMP E-mail Systems and Policy

I have been requested to provide some clarification with respect to the policies and technical procedures which are used by the RCMP regarding the handling of electronic mail (e-mail).

The RCMP employs Novell GroupWise as its e-mail software application. This system was initially implemented in the RCMP circa 1995. The e-mail system was implemented within the RCMP as an administrative communication system and was not designed for operational communications purposes. The use of the e-mail system has through time has evolved to include both operational and administrative information. Electronic processes to fully incorporate these needs, both operational and administrative, have not kept pace and current policy is to print an e-mail which qualifies as a record and incorporate the paper copy as other 'hard copy' documents are treated in the operational or administrative file processes. E-mail is not by definition a records management system. Information which is communicated thereon may be transitory in nature or for other reasons does not qualify as a 'record'; but at the same time information thereon may qualify as a record in either an operational or administrative records system.

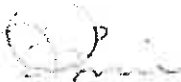
The retention policy for e-mail is to retain messages on the servers for a maximum of 90 days. The servers are configured to purge older messages once the 90 day maximum has been reached. This occurs unless this function has been manually overwritten, which requires a technician with appropriate system authorization.

Overwriting of the auto purge however, is typically done for special or unique investigation purposes. With that being said however, individual users can also delete messages, at any time, which effectively removes them from the server immediately notwithstanding the 90 day waiting period. Archiving, as a function, has been enabled on the system allowing individuals a greater length of time to retain e-mails. This action does not comply with RCMP policy.

When an investigation is performed to retrieve e-mail information, a copy is made of the post office in question. On occasions we have had overlapping investigations making it possible to retrieve information that is greater than 90 days old, this however does not happen often.

The backup policy for the RCMP in BC is to backup all e-mail data for 90 days. Our backups are a snap shot of our systems at any given point in time. As an example let us say that the server backs up everyday at five o'clock in the afternoon. All messages that have not been deleted, on or before five o'clock, will be stored on the back-up. If for example someone was to delete a message at four o'clock, this message will not be part of the back-up as it will have been deleted before the backup process begins. Most of our post offices are backed up each evening and retained for 90 days before the back-up media is overwritten.

Should you have further questions or require additional information, please do not hesitate to contact me.



Bruce Imrie, Inspector
Acting Regional Informatics Officer
Pacific Region

Office: 604-264-2013
e-mail: bruce.imrie@rcmp-grc.gc.ca

Project Evenhanded Procedures/Business Rules for processing and retaining emails.

The following information will attempt to describe how emails were handled from the early stages of Project Evenhanded to the current process. It should be noted that throughout the investigation it was left to the discretion of the individual investigator whether or not to include the email.

When Project Evenhanded first started there was no formal process to handle emails. If an e-mail was deemed relevant by the investigator, the e-mail formed part of the investigational record. The e-mail was either documented in the report by the investigator or the e-mail was included in the investigation in its native format. The process became more formalized in approximately 2003 where the Global E&R business Rules stated that all documents and correspondence including e mails that went into E&R were printed/copied by the investigator and then scanned in as a document. The investigator was required to compose a Task Action stating he/she had received an email and that a copy had been forwarded for uploading into E&R.

In 2007 the e-mail business rules were streamlined which allowed for the e-mails to be processed electronically. This process eliminated the step of the investigators having to photocopy the document (e-mail) and eliminated the step for the information processor to manually scan the document (e-mail). A copy of these instructions is noted below.

E MAIL

In Groupwise, open the E-mail, select File | Save As (or use the Save icon on the toolbar). The following screen will appear:

Under Save file as type the task and task action the document relates to Task #-Task Action # (ie: T123-4567.wpd). Include title if multiple documents being submitted under same task action.

The document name should reflect the task and task action number where you have documented your submission to E&R (as per previous business rules).

Under Current directory click the Browse button and select P:\Public\Incoming Documents

Information Analysts will process these documents daily into E&R and rename the file to include the E&R Document ID (ie: Doc 1234 - T123-4567.wpd). Once a week, Database Administrator will convert the files to Adobe, and write the file path into the image table (viewable as .pdf only). The .pdf files will be moved to P:\Documents\PDF\Date of upload folder and the .wpd files will be archived to P:\Incoming and Processed\Uploaded since 2004-03-17.

In approximately 2008 Project Evenhanded business rules relative to processing e-mails were adapted to enable the investigators to electronically save their e-mails directly into a task action. These business rules are currently being followed by members of Project Evenhanded. The investigator would indicate in a Task Action that he/she had received an email, provide a brief description and then copy it directly into the Task Action. A copy of these instruction are noted below

E-MAIL

If an e-mail is required to form part of the task action the entire e-mail is to be copied and pasted into the task action itself. Do not print the e-mail and submit the paper document or save it to the P Drive. From your GroupWise Mailbox simply right click on the e-mail listed in your inbox. From the dropdown menu select "View".

This will bring up the e-mail in a separate viewing box with the e-mail itself as well as the "From:", "To:", "Date:" and "Subject:" lines.

Click anywhere inside the message box and then press "Ctrl" and "A" which will highlight the entire message. Once highlighted, right click anywhere in the message again and select "Copy". The message has been copied and can then be pasted into the task action by right clicking in the task action box and selecting Paste from clipboard.

Please note that there has never been a system in place to save or archive emails. The normal practice would be to delete the email after it had been dealt with by way of inclusion or deemed not relevant. This practice however has always been left to the discretion of individual investigators.

(R.I. YATES) Cpl.

Project Evenhanded

Missing Women Task Force

2011-02-09



900 - 846 Howe Street
Vancouver, BC
V6Z 2S9

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

February 10, 2011

By Hand

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, British Columbia
V6Z 2H2

Dear Mr. Verlieb and Ms. Brooks:

Re: Missing Women Commission of Inquiry
Our File: 2-273772

As promised in our letter to you dated February 1, 2011, we enclose herewith one DVD containing the revetted Williams' Report and Appendices. The materials have been revetted in accordance with the vetting/disclosure protocol enclosed in our letter to you dated February 1, 2011.

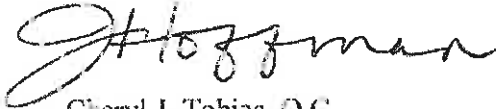
Please note the following:

- Appendix II has been excluded from this disclosure as it has already been disclosed in the form of the Coquitlam 1997-10797 and Coquitlam 1998-33017 files. You should be aware that two documents, an exhibit flow chart and a forensic lab report, were included with Coquitlam 1997-10797 that were not originally part the Williams' Appendices. Both of the additional documents were involved the processing of evidence from the original file after 2002-02-05.
- The document included herewith as Appendix E is not an exact copy of the continuation report print outs contained in the Williams' Report Appendices. Rather, this Appendix was produced from the electronic version of those reports held in the Project Evenhanded database. The content of the two documents are identical save for the fact that version included herewith extends two days past that which was included in the original Appendix E. We provide you with this version in lieu of the original Appendix E because this document was already vetted in preparation for inclusion with the Evenhanded Overview documents. I reiterate that there are no differences in content between the two documents, apart from the addition of two days' logs but, of course, if you would prefer that we provide a revetted copy of the original Appendix E, we will do so.

Once again, we advise that while these documents are responsive to the Commission's request for documentary disclosure, we do not concede that they are in fact relevant in the sense that they

warrant being ultimately marked as exhibits at the Inquiry. As such, we expressly reserve Canada's right to object to the introduction of any of the enclosed documents into evidence on the basis of relevance or any other ground.

Yours truly,

A handwritten signature in cursive script, appearing to read "Tobias", written in black ink.

Cheryl J. Tobias, Q.C.
Senior General Counsel

/sc

Enclosure



900 – 840 Howe Street
Vancouver, BC V6Z 2S9

Telephone: (604) 666-4353
Facsimile: (604) 668-4399

Our File: 2-264873
2-265072

February 20, 2009

BY E-MAIL AND FAX: 604-660-1207

Art Vertlieb, Q.C.
Commission Counsel
Braidwood, Q.C., Commissions of Inquiry
980 – 1500 West Georgia Street
Vancouver, British Columbia
V6G 2Z6

Dear Mr. Vertlieb:

Re: Zofia Cisowski's Application for RCMP Records

Further to our discussion of yesterday, we have sought and obtained instructions from our client ("Canada") with respect to the third paragraph of Zofia Cisowski's application for disclosure of certain records in the possession of the Royal Canadian Mounted Police ("RCMP") dated February 18, 2009 as modified verbally by Ms. Cisowski's counsel on February 19, 2009. Specifically, we understand that this third paragraph should now read as follows:

- 3(a). The RCMP will disclose individual RCMP member discipline records for Cst. Kwesi Millington, Cst. Gerry Rundel, Cst. Bill Bentley and Cpl. Benjamin "Monty" Robinson if they relate to substantiated Code of Conduct violations, Public Complaints, civil litigation or criminal prosecutions prior to the date of the incident (October 14, 2007), regarding:
- i) use of force;
 - ii) unlawful arrest; or
 - iii) care of prisoners.
- 3(b). The RCMP will inquire whether Cst. Kwesi Millington, Cst. Gerry Rundel, Cst. Bill Bentley and Cpl. Benjamin "Monty" Robinson passed all aspects of "Depot" and field training. If the RCMP can provide an assurance that the answer to this query is affirmative, Zofia Cisowski will not pursue her request for the training records of these members at this time.

Please be advised that Canada consents to providing the records indicated in paragraph 3(a) above, if such records exist.

With respect to paragraph 3(b), please be advised that Canada also consents to making this inquiry and providing the requested assurance if and when confirmation that the four members did pass all aspects of "Depot" and field training is obtained.

Finally, we acknowledge that during the February 19, 2009 meeting there was also discussion about making inquiries as to whether it is possible for a person to qualify to become a RCMP member without "passing every course". Please be advised that it is Canada's position that this supplemental general question about the RCMP's training standards is irrelevant and that the Commission does not require an answer in order to fulfill its mandate. Furthermore, Canada submits that so long as an assurance is provided that the four members in question passed all of their courses, the supplemental question is moot.

We trust that this is satisfactory and will enable Zofia Cisowski's application to now proceed on consent.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Jan Brongers", with a long horizontal flourish extending to the right.

Jan Brongers
General Counsel,
B.C. Regional Office

JB/wa



900 – 840 Howe Street
Vancouver, BC
V6Z 2S9

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

March 18, 2011

By Email

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, British Columbia
V6Z 2H2

Dear Ms. Brooks:

Re: Missing Women Commission of Inquiry
Our File: 2-273772

Thank you for meeting with Ms. Hoffman and me on March 8, 2011 to discuss the issues related to document disclosure and the anticipated schedule. We would like to confirm what was agreed and provide you with an update with respect to our next steps:

Document Categories:

File Reviews: Files were reviewed from across the province and many of the files reviewed were unsolved crimes and investigations which are still ongoing. Given that much of the information contained in these file reviews may not be particularly useful, and the significant and unique vetting issues associated with producing these documents, we plan to provide a detailed summary of the file review process together with a selection of the files reviewed under this process.

Unidentified Human Remains: These documents were generated from work done in late 2001 and early 2002 to review 130 coroner files to locate female DNA profiles. Material that was generated prior to February 2002 consists of emails between the Coroner's office, spreadsheet summaries of the 130 cases and judgments of inquiry for the cases deemed to be relevant by Evenhanded investigators. The analytical work done in respect of this information did not happen until well after February 2002, and was aimed at assisting with meeting challenges by defence counsel that DNA found on the farm could belong to one of the unidentified victims whose remains were in the possession of the coroner. We plan to provide those documents which were generated up to February 2002.

87 Cases in Project Evenhanded: These are document collections specifically relating to each missing person on the missing women poster, Pickton and other high profile witnesses. Each case is voluminous and will be largely duplicative of information produced within the Project Amelia files. The Commission will, after the Project Amelia files are provided, advise if you require disclosure of specific cases or specific information within this collection.

Notebooks: Given the number of officers involved, the volume of officer notes is staggering and it would be an inefficient use of resources to review, vet and produce all of this mostly repetitive

material. We have agreed that a more sensible approach is to limit production to those notes written by key investigators and the Commission will make targeted requests for the notes of specific officers within defined time frames.

Alley Murders: We plan to disclose the six files that Evenhanded obtained from the RCMP and VPD together with overview documents which outline the investigation undertaken by Evenhanded.

Valley Murders: We confirm that our client is still exploring what portions of these files can be disclosed given that these are ongoing investigations. We will provide overview documents from these investigations to the Commission.

Finally, if, flowing from the disclosure of the above, you wish to see particular documents, you will request them and we will do our best to provide them.

Commission's Priority

We understand that the Commission's priority with respect to disclosure of these document categories to be as follows:

- 1) Policies (highlighting policies related to prostitution);
- 2) Notebooks from Specific Officers (on identification of specific officers by the Commission);
- 3) File Review Summary and a reasonably representative selection of files;
- 4) Alley Murders (six files and overview documents);
- 5) Valley Murder documents (extent still to be determined);
- 6) Unidentified Human Remains (documents up to 2002);
- 7) Evenhanded Cases specifically requested by the Commission.

As agreed, requests by DC Evans will take priority over the Commission's requests.

Anticipated Disclosure Schedule:

Project Amelia: We expect to be in a position to provide you with disclosure of the Project Amelia files the week of March 21, 2011. We have been advised the page count for the Project Amelia files is in the 15,000 – 16,000 range.

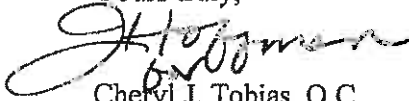
SUISS Files: This collection consists of documents originally loaded into the SUISS database. We have been advised that the documents which make up the SUISS files are voluminous with a page count in the 16,000 – 18,000 range and we expect that it will take approximately two months to review, redact and produce those documents. We give a tentative disclosure date of May 31, 2011 for production of the SUISS files.

VPD Vetting Issue

We agree that the VPD Vetting issue can be resolved using the Commission's suggested page replacement approach rather than replacing the entire CD-ROM. We have been advised that the number of pages to be replaced is somewhere in the 300 - 400 range. We expect to be in a position to provide those replacement pages to the Commission by March 28, 2011.

Thank you once again for meeting with us to discuss the disclosure schedule. We look forward communicating with you further in an effort to provide timely and complete disclosure.

Yours truly,

A handwritten signature in black ink, appearing to read "Cheryl J. Tobias". The signature is written in a cursive, flowing style with a large initial "C".

Cheryl J. Tobias, Q.C.
Senior General Counsel
/sc
Enclosure



900 – 840 Howe Street
Vancouver, BC
V6Z 2S9

Telephone: (604) 666-0110
Facsimile: (604) 666-1585

May 31, 2011

By Hand

Missing Women Commission of Inquiry
1402 - 808 Nelson Street
Vancouver, British Columbia
V6Z 2H2

Dear Mr. Vertlieb and Ms. Brooks:

Re: Missing Women Commission of Inquiry
Our File: 2-273772

We enclose herewith one CD-ROM containing:

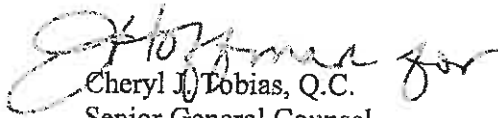
1. Case narrative and summaries of linked documents (“case summaries”) for the cases of Yvonne Boen (Doc 5265), Linda Grant (Doc 5267), and Sheryl Donahue (Doc 5266). These case narratives and summaries have been provided in response to DC Evans’ request for the narratives prepared for women who disappeared prior to the Pickton farm search and for whom there was no SIUSS or Amelia file material.
2. A file review process summary document drafted by the Project Evenhanded investigators. As indicated in our letter to you dated March 18, 2011, the file review category of documents consists of files reviewed from across the province, many of which were unsolved crimes and investigations which are still ongoing. Given that much of the information contained in these file reviews may not be particularly insightful, and the significant and unique vetting issues associated with producing these documents, we have agreed with you to provide a detailed summary of the file review process together with a selection of the files reviewed under this process. We expect to have these sample file reviews ready for disclosure by June 10, 2011. We understand that upon review of the summary document and sample file reviews the Commission may wish to request to see other specific files from this category of documents.

These documents are disclosed subject to redactions/removal of information as set out in our vetting/disclosure protocol enclosed in our letter to you dated February 17, 2011.

Once again, we advise that while these documents are responsive to the Commission’s request for documentary disclosure, we do not concede that they are in fact relevant in the sense that they warrant being ultimately marked as exhibits at the Inquiry. As such, we expressly reserve

Canada's right to object to the introduction of any of the enclosed documents into evidence on the basis of relevance or any other ground.

Yours truly,

A handwritten signature in cursive script, appearing to read "Cheryl J. Tobias for".

Cheryl J. Tobias, Q.C.
Senior General Counsel

/sc

Enclosure