

Airdrie, Alberta
November 4, 2016

MY FILES: 131

Ms. Suzanne Legault
The Information Commissioner of Canada
30 Victoria Street, 7th Floor
Gatineau, Quebec
Ottawa, Ontario
K1A 1H3

Dear Ms. Legault:

Re: COMPLAINT “UNABLE TO LOCATE RECORDS” RESPONSE DND ATIP FILE: A-2016-01255

Reference is being made to my original *Access to Information Act* request dated September 13, 2016 and the ‘no records could be located’ response I received from National Defence dated October 14, 2016 (copies attached). I wish to complain about the incomplete search conducted by the National Defence for the records I requested.

Also attached are copies of the following letters, each one, documenting clear orders to the Canadian Armed Forces personnel being deployed in High River during the 2013 flood, NOT TO ENGAGE IN LAW ENFORCEMENT ACTIVITIES.

- (1) Letter to Minister of National Defence dated June 21, 2013 signed by Chief of Defence Staff, General T.J. Lawson and Deputy Minister Richard B. Fadden stating in Item #3: **“Canadian Armed Forces Personnel will not engage in law enforcement activities.”**
- (2) Letter to the Minister of Public Safety dated June 21, 2013 signed by the Minister of National Defence stating in the bottom paragraph on page one: **“Canadian Armed Forces personnel will not engage in law enforcement activities.”**
- (3) Letter to the Chief of Defence Staff dated June 21, 2013 signed by the Minister of National Defence, Peter MacKay stating in the last paragraph on page two: **“Canadian Armed Forces will not engage in law enforcement activities.”**
- (4) Letter to the Minister of National Defence Peter MacKay dated June 21, 2013 signed by the Minister of Public Safety Vic Toews stating on page two: **“No assistance to law enforcement by the CF under subsection 272.6(2) of the National Defence Act is anticipated at this time.”**
- (5) Letter to the Minister of Public Safety dated June 21, 2013 signed by Douglas Griffiths, Alberta Minister of Municipal Affairs and Minister Responsible for Emergency Response stating in the second paragraph: **“I do not foresee a requirement to use the CF members as peace officers, and I do not see a requirement to arm them for these humanitarian and disaster response duties.”**

The full text of these letters are available on this link:

<http://dennisryoung.ca/wp-content/uploads/2016/11/DND-ATI-Response-High-River-A-2013-01158-March-7-2014.pdf>

Despite these explicit orders from the highest levels of the government and the military, **not to engage in law enforcement**, the soldiers deployed in High River for seven days in June 2013 did exactly that.

Below is the link to my letter to the Minister of National Defence dated May 19, 2014 entitled: CANADIAN FORCES ENGAGED IN LAW ENFORCEMENT IN HIGH RIVER

<http://new.nfa.ca/letter-to-minister-nicholson-canadian-forces-engaged-in-law-enforcement-in-high-river-may-19-2014/>

Additionally, during their deployment in High River, soldiers were ordered not to stand at road blocks or have military equipment visible at road blocks. However, as the attached RCMP picture of Canadian Armed Forces personnel proves, they were quite willing to use military equipment and participate in the seizing of firearms. How did National Defence consider manning road blocks a law enforcement activity but not the seizing of firearms?

I don't believe that such a blatant breaking of orders happened without having resulted in many meetings being held in both Ottawa headquarters and CFB Edmonton. I would appreciate getting copies of the minutes of these meetings.

Yours sincerely,

[Original signed by]

Dennis R. Young
1330 Ravenswood Drive SE
AIRDRIE, AB T4A 0P8
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Website: www.dennisryoung.ca



National Defence
National Defence Headquarters
Ottawa, Ontario
K1A 0K2

Défense nationale

131

Received
Oct 21, 2016
[Signature]

A-2016-01255

14 October 2016

Mr. Dennis R. Young
1330 Ravenswood Drive SE
Airdrie, Alberta T4A 0P8

Dear Mr. Young:

This is further to your *Access to Information Act* (ATIA) request received September 22, 2016 for:

For the period from July 21, 2013 to present please provide copies of the minutes of all meetings on the subject of High River, held in National Defence HQ and CFB Edmonton regarding the RCMP and National Defence response to the 2013 flood in High River, Alberta including: (1) minutes of meetings attended by senior military personnel and civilian public servants; (2) minutes of meetings attended by the Minister's exempt staff; (3) minutes of meetings attended by the Chief of Defence Staff; (4) minutes of meetings attended by the Deputy Minister; and (5) minutes of meetings attended by the Minister. Please include any handwritten notes taken in those meetings by the persons in attendance

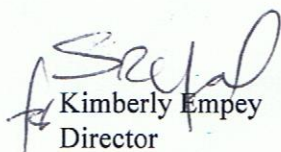
Unfortunately, following a thorough and complete search for all records in response to your request, it is determined that no records could be located within the Department of National Defence.

Please be advised that you are entitled to complain to the Information Commissioner concerning the processing of your request within sixty days of the receipt of this notice. In the event you decide to avail yourself of this right, your notice of complaint should be addressed to:

Office of the Information Commissioner
30 Victoria Street
Gatineau, Québec K1A 1H3
Tel: 1-800-267-0441
Fax: 819-994-1768

Should you require clarification or assistance regarding your request, please contact Steve Melbourne at 613-992-6852, or use our toll free number 1-888-272-8207.

Yours truly,


Kimberly Empey
Director

Access to Information and Privacy

Canada

ACCESS TO INFORMATION ACT

Access to Information Request Form

For official use only:

My File: 131

Federal Government Institution:

NATIONAL DEFENCE HQ & CANADIAN FORCES BASE EDMONTON

Details regarding the information being sought:

For the period from July 21, 2013 to present please provide copies of the minutes of all meetings held in National Defence HQ and CFB Edmonton regarding the RCMP and National Defence response to the 2013 flood in High River, Alberta including: (1) minutes of meetings attended by senior military personnel and civilian public servants; (2) minutes of meetings attended by the Minister's exempt staff, (3) minutes of meetings attended by the Chief of Defence Staff; (4) minutes of meetings attended by the Deputy Minister; and (5) minutes of meetings attended by the Minister. Please include any handwritten notes taken in those meetings by the persons in attendance.

Method of access preferred: ☒ Receive copies of originals ☐ Examine originals in government offices

Name of Applicant: Dennis R. Young
Address: 1330 Ravenswood Drive SE
Airdrie, Alberta T4A 0P8

Telephone Number: 587-360-1111 E-Mail: dennisryoung@telus.net

This request for access to information under the Access to Information Act is being made by:

- ☒ a Canadian citizen, permanent resident or another individual present in Canada, or
☐ a corporation present in Canada
-

Cheque # 507

Signature: _____
[Original signed by]
Dennis R. Young

Date: September 13, 2016



(SOURCE: RCMP)