



The Best Place on Earth

March 21, 2011

Our File Number: 292-30/PSS-2011-00032

David Eby
Executive Director
BC Civil Liberties Association
Suite 550 – 1188 West Georgia Street
Vancouver, BC V6E 4A2

Dear David Eby:

**Re: Request for Records
Freedom of Information and Protection of Privacy Act (the Act)**

I am writing in response to your request received by the Ministry of Public Safety and Solicitor General for the following records:

Correspondence related to the termination of former Chief Coroner Dr. Diane Rothon from October 20, 2010 until January 6, 2011.

Please find enclosed copies of the requested records. Some of the records contain information which is excepted from disclosure under the Act. Wherever this occurs, we have noted the section of the Act that applies. In the case of the enclosed records, we have severed information under section 13 (policy advice or recommendations) and section 14 (legal advice), and section 22 (harm to personal privacy). Copies of these sections are enclosed for your reference. Your file with our office is now closed.

Where section 22 is noted, this means that we have removed the personal information of a third party, usually a name or other private information about another individual. The Act requires us to remove third party personal information.

You have a right to request a review of this decision. You have 30 business days to request a review. I have enclosed information regarding this process. If you have any questions or concerns relating to your request, please contact Angela McCartney, the Analyst assigned to your request at 250-356-0788. You may be transferred to this telephone number free of charge by calling Enquiry BC at 660-2421 in Vancouver or at 1-800-663-7867 outside Victoria and Vancouver.

Yours sincerely,

Angela McCartney, Analyst
On behalf of Vicki Hudson, Manager

Enclosures

Ministry of
Citizens' Services

Information Access
Operations

Mailing Address
Ministry of Citizens' Services
PO Box 9569
Stn Prov Govt
Victoria BC V8W 9K1

Web Address
<https://www.qa.gov.bc.ca/citiz.sao>
Facsimile: (250) 387-9843

How to Request a Review With the Office of the Information and Privacy Commissioner.

If you have any questions regarding your request please contact the analyst assigned to your file.

Pursuant to section 52 of the Act, you may ask the Office of the Information and Privacy Commissioner to review any decision, act, or failure to act with regard to your request under the Freedom of Information and Protection of Privacy Act.

Please note that you have 30 business days to file your review with the Office of the Information and Privacy Commissioner. In order to request a review please write to:

Information and Privacy Commissioner
PO Box 9038 Stn. Prov. Gov't
4th Floor 947 Fort Street
Victoria BC V8W 9A4
Telephone: (250) 387-5629 Facsimile: (250) 387-1696

If you request a review, please provide the Commissioner's Office with:

1. a copy of your original request;
2. a copy of our response; and
3. reasons or grounds upon which you are requesting the review.

Freedom of Information and Protection of Privacy Act

[RSBC 1996] Chapter 165

Policy advice, recommendations or draft regulations

- 13 (1) The head of a public body may refuse to disclose to an applicant information that would reveal advice or recommendations developed by or for a public body or a minister.
- (2) The head of a public body must not refuse to disclose under subsection (1)
- (a) any factual material,
 - (b) a public opinion poll,
 - (c) a statistical survey,
 - (d) an appraisal,
 - (e) an economic forecast,
 - (f) an environmental impact statement or similar information,
 - (g) a final report or final audit on the performance or efficiency of a public body or on any of its programs or policies,
 - (h) a consumer test report or a report of a test carried out on a product to test equipment of the public body,
 - (i) a feasibility or technical study, including a cost estimate, relating to a policy or project of the public body,
 - (j) a report on the results of field research undertaken before a policy proposal is formulated,
 - (k) a report of a task force, committee, council or similar body that has been established to consider any matter and make reports or recommendations to a public body,
 - (l) a plan or proposal to establish a new program or to change a program, if the plan or proposal has been approved or rejected by the head of the public body,
 - (m) information that the head of the public body has cited publicly as the basis for making a decision or formulating a policy, or
 - (n) a decision, including reasons, that is made in the exercise of a discretionary power or an adjudicative function and that affects the rights of the applicant.
- (3) Subsection (1) does not apply to information in a record that has been in existence for 10 or more years.

Freedom of Information and Protection of Privacy Act

[RSBC 1996] Chapter 165

Legal advice

- 14.** The head of a public body may refuse to disclose to an applicant information that is subject to solicitor client privilege.

Freedom of Information and Protection of Privacy Act

[RSBC 1996] Chapter 165

Disclosure harmful to personal privacy

- 22 (1) The head of a public body must refuse to disclose personal information to an applicant if the disclosure would be an unreasonable invasion of a third party's personal privacy.
- (2) In determining under subsection (1) or (3) whether a disclosure of personal information constitutes an unreasonable invasion of a third party's personal privacy, the head of a public body must consider all the relevant circumstances, including whether
- (a) the disclosure is desirable for the purpose of subjecting the activities of the government of British Columbia or a public body to public scrutiny,
 - (b) the disclosure is likely to promote public health and safety or to promote the protection of the environment,
 - (c) the personal information is relevant to a fair determination of the applicant's rights,
 - (d) the disclosure will assist in researching or validating the claims, disputes or grievances of aboriginal people,
 - (e) the third party will be exposed unfairly to financial or other harm,
 - (f) the personal information has been supplied in confidence,
 - (g) the personal information is likely to be inaccurate or unreliable, and
 - (h) the disclosure may unfairly damage the reputation of any person referred to in the record requested by the applicant.
- (3) A disclosure of personal information is presumed to be an unreasonable invasion of a third party's personal privacy if
- (a) the personal information relates to a medical, psychiatric or psychological history, diagnosis, condition, treatment or evaluation,
 - (b) the personal information was compiled and is identifiable as part of an investigation into a possible violation of law, except to the extent that disclosure is necessary to prosecute the violation or to continue the investigation,
 - (c) the personal information relates to eligibility for income assistance or social service benefits or to the determination of benefit levels,
 - (d) the personal information relates to employment, occupational or educational history,
 - (e) the personal information was obtained on a tax return or gathered for the purpose of collecting a tax,
 - (f) the personal information describes the third party's finances, income, assets, liabilities, net worth, bank balances, financial history or activities, or creditworthiness,
 - (g) the personal information consists of personal recommendations or evaluations, character references or personnel evaluations about the third party.

- (h) the disclosure could reasonably be expected to reveal that the third party supplied, in confidence, a personal recommendation or evaluation, character reference or personnel evaluation,
 - (i) the personal information indicates the third party's racial or ethnic origin, sexual orientation or religious or political beliefs or associations, or
 - (j) the personal information consists of the third party's name, address or telephone number and is to be used for mailing lists or solicitations by telephone or other means.
- (4) A disclosure of personal information is not an unreasonable invasion of a third party's personal privacy if
- (a) the third party has, in writing, consented to or requested the disclosure,
 - (b) there are compelling circumstances affecting anyone's health or safety and notice of disclosure is mailed to the last known address of the third party,
 - (c) an enactment of British Columbia or Canada authorizes the disclosure,
 - (d) the disclosure is for a research or statistical purpose and is in accordance with section 35,
 - (e) the information is about the third party's position, functions or remuneration as an officer, employee or member of a public body or as a member of a minister's staff,
 - (f) the disclosure reveals financial and other details of a contract to supply goods or services to a public body,
 - (g) public access to the information is provided under the Financial Information Act,
 - (h) the information is about expenses incurred by the third party while travelling at the expense of a public body,
 - (i) the disclosure reveals details of a licence, permit or other similar discretionary benefit granted to the third party by a public body, not including personal information supplied in support of the application for the benefit, or
 - (j) the disclosure reveals details of a discretionary benefit of a financial nature granted to the third party by a public body, not including personal information that is supplied in support of the application for the benefit or is referred to in subsection (3) (c).
- (5) On refusing, under this section, to disclose personal information supplied in confidence about an applicant, the head of the public body must give the applicant a summary of the information unless the summary cannot be prepared without disclosing the identity of a third party who supplied the personal information.
- (6) The head of the public body may allow the third party to prepare the summary of personal information under subsection (5).

Chernoff, Lawrence SSBC:EX

From: Rthon, Diane A SG:EX
Sent: Monday, December 13, 2010 5:59 PM
To: SG BCCS All
Subject: My Apologies for this Sudden Announcement

-----Original Message-----

From: Dr. Diane A. Rthon
To: healthnet@telus.net
Subject:
Sent: Dec 13, 2010 1:46 PM

My dearest colleagues and friends.

I have loved working with you, I loved leading such a stellar team. But I cannot lead you where the system will not let me go myself and it has become increasingly apparent to me that, under the current structure and the plan for the BCCS within that structure, the Coroners Service will continue to be eroded and weakened. It has come to a point where my professional ethics and personal values are being compromised and so I must go where I can make a difference without experiencing the moral residue that results from conflicting principles.

Leadership is not about my success, it is about the success of those around me; and in that regard, within the BCCS, I have been richly blessed. I am deeply sad to leave you. BCCS staff are the shining light that motivated me and allowed me to persevere as long and hard as I have. It has been a privilege working with you. I will miss you all.

Diane

Dr. Diane A. Rthon MD | Chief Coroner | BC Coroners Service Ministry of Public Safety and Solicitor General Metrotower II, Suite 800 - 4720 Kingsway, Burnaby BC V5H 4N2 Phone: (604) 660-7745 | FAX: (604) 660-7766

<http://www.pssg.gov.bc.ca/coroners>

This electronic mail message is from the B.C. Coroners Service and is intended only for the person or entity named in the addressee field. This message may contain information that is privileged, confidential or exempt from disclosure under applicable law. If you are not the addressee or an employee or agent responsible for delivering this message to the addressee, please notify the sender immediately and destroy any copies you may have. Any unauthorized distribution, copying or disclosure is strictly prohibited.

Chernoff, Lawrence SSBC:EX

From: Denlinger, Becky SG:EX
Sent: Tuesday, December 14, 2010 8:56 AM
To: PSSG EMBC All Staff
Cc: Wanamaker, Lori SG:EX
Subject: Staff announcement

This is to inform you that Dr. Diane Rotheron is no longer with the BC Public Service. I would like to acknowledge Diane for her work during her time as Chief Coroner.

Until a new Chief Coroner is appointed, Deputy Chief Coroner Norm Leibel has agreed to lead the BC Coroners Service.

Thank you.

Rebecca F. Denlinger
Fire and Emergency Management Commissioner
Emergency Management BC
PO Box 9223 Stn Prov Govt
Victoria BC V8W 9J1
Telephone: (250) 953-4083

Pages 3 through 46 redacted for the following reasons:

s13, s22
s14, s22
s22

Denlinger, Becky SG:EX

From: Leibel, Norm SG:EX
Sent: Monday, December 13, 2010 6:02 PM
To: Denlinger, Becky SG:EX
Subject: Fw: My Apologies for this Sudden Announcement

Becky...I just received this email...Norm

----- Original Message -----

From: Rothon, Diane A SG:EX
Sent: Monday, December 13, 2010 05:59 PM
To: SG BCCS All
Subject: My Apologies for this Sudden Announcement

-----Original Message-----

From: Dr. Diane A. Rothon
To: healthnet@telus.net
Subject:
Sent: Dec 13, 2010 1:46 PM

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Diane

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Page 48 redacted for the following reason:

s22

Denlinger, Becky SG:EX

From: Woolley, Paul PAB:EX
Sent: Monday, December 13, 2010 6:28 PM
To: Denlinger, Becky SG:EX; Wanamaker, Lori SG:EX
Subject: Fw: My Apologies for this Sudden Announcement

Thought you'd like to read this.

----- Original Message -----

From: Foster, Terry PAB:EX
Sent: Monday, December 13, 2010 06:13 PM
To: Woolley, Paul PAB:EX
Subject: Fw: My Apologies for this Sudden Announcement

----- Original Message -----

From: Rothon, Diane A SG:EX
Sent: Monday, December 13, 2010 05:59 PM
To: SG BCCS All
Subject: My Apologies for this Sudden Announcement

-----Original Message-----

From: Dr. Diane A. Rothon
To: healthnet@telus.net
Subject:
Sent: Dec 13, 2010 1:46 PM

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Diane

Dr. Diane A. Rothon MD | Chief Coroner | BC Coroners Service Ministry of Public Safety and Solicitor General Metrotower II, Suite 800 - 4720 Kingsway, Burnaby BC V5H 4N2 Phone: (604) 660-7745 | FAX: (604) 660-7766

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Pages 51 through 56 redacted for the following reasons:

s22

S22

----- Original Message -----

From: Leibel, Norm SG:EX
Sent: Monday, December 13, 2010 06:01 PM
To: Denlinger, Becky SG:EX
Subject: Fw: My Apologies for this Sudden Announcement

Becky...I just received this email...Norm

----- Original Message -----

From: Rotheron, Diane A SG:EX
Sent: Monday, December 13, 2010 05:59 PM
To: SG BCCS All
Subject: My Apologies for this Sudden Announcement

-----Original Message-----

From: Dr. Diane A. Rotheron
To: healthnet@telus.net
Subject:
Sent: Dec 13, 2010 1:46 PM

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Diane

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Pages 59 through 61 redacted for the following reasons:

s13, s22
s22

S13, S22

-----Original Message-----

From: Leibel, Norm SG:EX
Sent: Monday, December 13, 2010 6:02 PM
To: Denlinger, Becky SG:EX
Subject: Fw: My Apologies for this Sudden Announcement

Becky...I just received this email...Norm

----- Original Message -----

From: Rothon, Diane A SG:EX
Sent: Monday, December 13, 2010 05:59 PM
To: SG BCCS All
Subject: My Apologies for this Sudden Announcement

-----Original Message-----

From: Dr. Diane A. Rothon
To: healthnet@telus.net
Subject:
Sent: Dec 13, 2010 1:46 PM

My dearest colleagues and friends.

I have loved working with you, I loved leading such a stellar team. But I cannot lead you where the system will not let me go myself and it has become increasingly apparent to me

that, under the current structure and the plan for the BCCS within that structure, the Coroners Service will continue to be eroded and weakened. It has come to a point where my professional ethics and personal values are being compromised and so I must go where I can make a difference without experiencing the moral residue that results from conflicting principles.

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Page 64 redacted for the following reason:

s22

S13, S22

----- Original Message -----

From: Denlinger, Becky SG:EX
Sent: Monday, December 13, 2010 08:19 PM
To: Lewis, Cameron F SG:EX; Curtis, David SG:EX
Subject: Fw: My Apologies for this Sudden Announcement

Take a look at this. I will amend what I send out to all of EMBC tomorrow to be very brief, including notice that Diane is no longer with Government and that Deputy Chief Coroner Norm Leibel will lead BCCS (not acting CC).

----- Original Message -----

From: Leibel, Norm SG:EX
Sent: Monday, December 13, 2010 06:01 PM
To: Denlinger, Becky SG:EX
Subject: Fw: My Apologies for this Sudden Announcement

Becky...I just received this email...Norm

----- Original Message -----

From: Rothon, Diane A SG:EX
Sent: Monday, December 13, 2010 05:59 PM
To: SG BCCS All
Subject: My Apologies for this Sudden Announcement

-----Original Message-----

From: Dr. Diane A. Rothern
To: healthnet@telus.net
Subject:
Sent: Dec 13, 2010 1:46 PM

My dearest colleagues and friends.

I have loved working with you, I loved leading such a stellar team. But I cannot lead you where the system will not let me go myself and it has become increasingly apparent to me that, under the current structure and the plan for the BCCS within that structure, the Coroners Service will continue to be eroded and weakened. It has come to a point where my professional ethics and personal values are being compromised and so I must go where I can make a difference without experiencing the moral residue that results from conflicting principles.

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Diane

Dr. Diane A. Rothern MD | Chief Coroner | BC Coroners Service Ministry of Public Safety and Solicitor General Metrotower II, Suite 800 - 4720 Kingsway, Burnaby BC V5H 4N2 Phone: (604) 660-7745 | FAX: (604) 660-7766

<http://www.pssg.gov.bc.ca/coroners>

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Page 67 redacted for the following reason:

s13, s22

Not Responsive

From: Hoskins, Jeannie SG:EX
Sent: Tuesday, December 14, 2010 9:18 AM
To: Ayers, Karen J HSD:EX; Begg, Kevin L SG:EX; Dahlin, Susanne SG:EX; Denlinger, Becky SG:EX; Faganello, Tara AG:EX; Greenlaus, Barbara SG:EX; Kroeker, Robert G SG:EX; Loule, Toby I SG:EX; Martin, Stephen C SG:EX; Merchant, Brent SG:EX; Pike, Robin E SG:EX; Splterl, Julie R AG:EX; Sturko, Derek HSD:EX; Swift, Sydney AG:EX; Wanamaker, Lori SG:EX; Woolley, Paul PAB:EX
Subject: Staff announcement re Diane Rothern

Sending on behalf of Becky Denlinger, for your information.

This is to inform you that Dr. Diane Rothern is no longer with the BC Public Service. I would like to acknowledge Diane for her work during her time as Chief Coroner.

Until a new Chief Coroner is appointed, Deputy Chief Coroner Norm Leibel has agreed to lead the BC Coroners Service.

Thank you.

Rebecca F. Denlinger
Fire and Emergency Management Commissioner
Emergency Management BC
PO Box 9223 Stn Prov Govt
Victoria BC V8W 9J1
Telephone: (250) 953-4083

Denlinger, Becky SG:EX

From: Denlinger, Becky SG:EX
Sent: Tuesday, December 14, 2010 12:05 PM
To: Cornett, Kathy M SG:EX
Subject: Re: PAB re Diane Rothon

I understand that Brett Lowther is calling or has called Claire.

From: Cornett, Kathy M SG:EX
Sent: Tuesday, December 14, 2010 09:44 AM
To: Denlinger, Becky SG:EX
Subject: PAB re Diane Rothon

Hi Becky, I was just speaking with Claire Leek from Coroners and she asked me to find out if anyone has spoken with Paul Woolley? If there are media calls about Diane they will be directed to Claire and she assumes any response should be dealt with by PAB. Thank you, Kathy

Kathy Cornett

Office of the Fire and Emergency Management Commissioner
Emergency Management BC
Ministry of Public Safety and Solicitor General
Phone: 250 953-4006 Fax: 250 953-4081

Denlinger, Becky SG:EX

From: Denlinger, Becky SG:EX
Sent: Tuesday, December 14, 2010 8:58 AM
To: PSSG EMBC All Staff
Cc: Wanamaker, Lori SG:EX
Subject: Staff announcement

This is to inform you that Dr. Diane Rotheron is no longer with the BC Public Service. I would like to acknowledge Diane for her work during her time as Chief Coroner.

Until a new Chief Coroner is appointed, Deputy Chief Coroner Norm Leibel has agreed to lead the BC Coroners Service.

Thank you.

Rebecca F. Denlinger
Fire and Emergency Management Commissioner
Emergency Management BC
PO Box 9223 Stn Prov Govt
Victoria BC V8W 9J1
Telephone: (250) 953-4083

Denlinger, Becky SG:EX

From: Plummer, Glen PAB:EX
Sent: Wednesday, December 15, 2010 2:41 PM
To: Curtis, David SG:EX; Denlinger, Becky SG:EX
Subject: Fw: Media Request - Van Sun

FYI

From: Woolley, Paul PAB:EX
Sent: Wednesday, December 15, 2010 02:05 PM
To: Plummer, Glen PAB:EX; Schollen, Tasha PAB:EX
Cc: Haltner, Christine PAB:EX; LI, Jessica P PAB:EX
Subject: Re: Media Request - Van Sun

No need. Run up what glen getsa you.

From: Plummer, Glen PAB:EX
Sent: Wednesday, December 15, 2010 02:01 PM
To: Schollen, Tasha PAB:EX
Cc: Woolley, Paul PAB:EX; Haltner, Christine PAB:EX; LI, Jessica P PAB:EX
Subject: RE: Media Request - Van Sun

Checking.

Glen Plummer

Communications Manager

Emergency Management B.C.

Ministry of Public Safety and Solicitor General

250 953-4062 office

250 213-5667 cell

From: Schollen, Tasha PAB:EX
Sent: Wednesday, December 15, 2010 1:56 PM
To: Plummer, Glen PAB:EX
Cc: Woolley, Paul PAB:EX; Haltner, Christine PAB:EX; Schollen, Tasha PAB:EX; LI, Jessica P PAB:EX
Subject: Media Request - Van Sun
Importance: High

Hi Glen,

Could you please review the bullets below – we have one question outstanding – and once okay I'll run it by Paul.

Thanks,
T

Date/Time: 15/Dec/1:45pm

Deadline @ 4pm

Media: Vancouver Sun

Reporter: Lori Culbert, 1-604-605-2513, lculbert@vancouver.sun.com

Topic: Resignation of Chief Coroner

Background: Reporter heard the Chief Coroner resigned and she wants to know why. Wants an interview with someone to discuss.

Questions: Why did Diane Rothern resign? What day did she resign and when did she start? What are the circumstances and what are the next steps?

Suggested Response:

- An announcement was made on Mon. Dec. 13, within the Ministry of Public Safety and Solicitor General, that the Chief Coroner, Diane Rothern, has left the employ of the BC government.
- Dr. Rothern was hired as the Chief Coroner on DAY, MONTH, 2010.
- The termination of an employee is a personnel issue that will not be discussed publicly.
- In the case of termination, as a matter of privacy, we are unable to discuss personnel matters.
- Until a new Chief Coroner is appointed, Deputy Chief Coroner Norm Leibel will fulfill the responsibilities of the Chief Coroner.

Denlinger, Becky SG:EX

From: Woolley, Paul PAB:EX
Sent: Wednesday, December 15, 2010 2:42 PM
To: Wanamaker, Lori SG:EX
Cc: Denlinger, Becky SG:EX
Subject: Coroner

Fyi-media are now following the termination. We're responding on background.

Denlinger, Becky SG:EX

From: Leibel, Norm SG:EX
Sent: Wednesday, December 15, 2010 3:39 PM
To: SG BCCS HQ; SG BCCS Regional Coroners
Cc: Denlinger, Becky SG:EX
Subject: Dr. Diane Rothon

Good Afternoon HQ Staff and Regional Coroners:

Dr. Rothon's departure from the BCCS is now in the media. Should media contact any of you, please refer them to Claire....tks...Norm

Norm Leibel
Deputy Chief Coroner
BC Coroners Service
Metrotower II
Suite 800 - 4720 Kingsway
Burnaby BC V5H 4N2

Tel: 604 660 7729
Fax: 604 660 7766
E-mail: norm.leibel@gov.bc.ca

Denlinger, Becky SG:EX

From: Plummer, Glen PAB:EX
Sent: Wednesday, December 15, 2010 8:32 PM
To: Curtis, David SG:EX; Denlinger, Becky SG:EX; Lewis, Cameron F SG:EX
Subject: Re: Another story

Let's see how this goes tomorrow. Looks like Dr D was quick to go to the media.

----- Original Message -----

From: Curtis, David SG:EX
Sent: Wednesday, December 15, 2010 06:43 PM
To: Denlinger, Becky SG:EX; Plummer, Glen PAB:EX; Lewis, Cameron F SG:EX
Subject: Another story

<http://www.vancouver.sun.com/health/chief+coroner+leaves/3983285/story.html>

Not Responsive

From: Merchant, Brent SG:EX
Sent: Wednesday, December 15, 2010 05:43 PM
To: Denlinger, Becky SG:EX
Subject: Diane

There are a few articles out one in the Vancouver Sun and the other in the Times Colonist – I have attached the link to the TC story – a former staff member emailed me saying that she had just heard on CFX that Diane had been fired. FYI.

<http://www.timescolonist.com/chief+coroner+resigns+citing+difference+opinion+with+government/3983653/story.html>

*Brent Merchant
Assistant Deputy Minister
BC Corrections Branch*

*email: Brent.Merchant@gov.bc.ca
Telephone: 250-387-5363*

Denlinger, Becky SG:EX

From: Duffy, Chris D SG:EX
Sent: Thursday, December 16, 2010 8:13 AM
To: Denlinger, Becky SG:EX; Lewis, Cameron F SG:EX; Curtis, David SG:EX; Ferguson, Dave SG:EX; Filmer, Cam A SG:EX
Cc: Plummer, Glen PAB:EX
Subject: Chief Coroner story on Pg 3 of Times Colonist

Diane indicates "we couldn't see eye to eye"

SG not avail for comment / "Termination of an employee is a personnel issue that will not be discussed publicly"

They talk further about her background and that she was the first dr in almost 30 yrs in this position.

CD

Denlinger, Becky SG:EX

From: Denlinger, Becky SG:EX
Sent: Thursday, December 16, 2010 7:58 AM
To: Plummer, Glen PAB:EX; Curtis, David SG:EX; Duffy, Chris D SG:EX
Cc: Woolley, Paul PAB:EX
Subject: Re: TNO: B.C.'s new chief coroner 'terminated'

Thanks.

From: Plummer, Glen PAB:EX
Sent: Thursday, December 16, 2010 07:54 AM
To: Denlinger, Becky SG:EX; Curtis, David SG:EX; Duffy, Chris D SG:EX
Cc: Woolley, Paul PAB:EX
Subject: Fw: TNO: B.C.'s new chief coroner 'terminated'

CBC is now reporting that Dr. Rothern was terminated. We'll have to watch and see if other media follow suit.

From: tno@gov.bc.ca [<mailto:tno@gov.bc.ca>]
Sent: Thursday, December 16, 2010 07:47 AM
To: Plummer, Glen PAB:EX
Subject: TNO: B.C.'s new chief coroner 'terminated'

CBC

16-Dec-2010 07:35

B.C.'s new chief coroner is no longer on the job just eight months after she was appointed, but is not yet clear why she was "terminated" by the government.

Dr. Diane Rothern was appointed on April 1, making her the first medical doctor to take the post in 30 years. Previous chief coroners have been retired police officers.

A statement released by Ministry of Public Safety confirmed Rothern "left the employ of the B.C. government on" Monday, but the government would not be commenting further on her "termination."

"The termination of an employee is a personal issue that will not be discussed publicly," said the statement.

Rothern refused to comment on her dismissal when contacted by CBC News, but has said she didn't see eye to eye with her employer. [pssg]

TNO...

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Page 79 redacted for the following reason:

s22

Denlinger, Becky SG:EX

From: Denlinger, Becky SG:EX
Sent: Friday, December 17, 2010 7:53 AM
To: Curtis, David SG:EX
Subject: Re: Rothern coverage

Yes.

From: Curtis, David SG:EX
Sent: Friday, December 17, 2010 07:50 AM
To: Denlinger, Becky SG:EX
Subject: Rothern coverage

Hi Becky,

I am sure that you saw the following in this morning's clippings.

Coroner's exit sparks independence calls
Times Colonist (Victoria)
Friday, December 17, 2010
Page A04
By Rob Shaw and Lindsay Kines

(Summary: Dr. Rothern's resignation has sparked calls for an independent coroners service from NDP critic Mike Farnworth, B.C.'s Representative for Children and Youth, Mary Ellen Turpel-Lafond and former chief coroner Terry Smith.)

The sudden resignation of B.C.'s chief coroner over concerns that government has eroded the integrity of the office has renewed calls for an independent coroners service free from political interference.

Dr Diane Rothern said she resigned as chief coroner Monday over a disagreement with the government about the future direction of her organization, which is supposed to act as an independent investigator of unexplained and unexpected deaths in B.C.

Rothern would not outline her specific concerns, except to say she did not see eye-to-eye with government. She had been in the job only nine months. The Solicitor General's Ministry said she was fired, but would not say why.

Former chief coroners and B.C.'s independent children's watchdog expressed concern Thursday about how government has encroached on the office's independence, including forcing it to submit its reports -- which contain recommendations to prevent future deaths that can be critical of government policies -- to the government public affairs bureau for review.

"I think in order to have an effective coroners service, it needs to have a much higher level of independence than what it currently has," said Terry Smith, the chief coroner from 2001-2009. "I believe we ought to be thinking about making it an independent officer of the legislature, and I think to do otherwise probably places some systemic inflexibilities that detract from the effectiveness of the position."

Although the coroners service is considered "judicially independent" from government, with its own law to gather evidence and force testimony under oath, it is also part of the Solicitor General's Ministry, where it reports to bureaucrats and receives a set budget by the minister.

The legislature's independent officers, such as the privacy commissioner, police complaints commissioner and auditor general, receive their public funding from an all-party finance committee and do not take orders from bureaucrats or politicians.

"There are times when a chief coroner, and the coroners service generally, needs to speak out as an independent entity and to address the facts as they are seen from an independent perspective, and there shouldn't be the pressure of having to temper comments that may offend political sensibilities," Smith said.

Senator Larry Campbell, a former chief coroner, also raised concerns about the government's public affairs people seeing reports before the public. "I'd never have allowed that," he said.

Campbell, who was chief coroner from 1996 to 2000 and the inspiration for the TV show Da Vinci's Inquest, said a coroner's first responsibility is to the person who has died, and then to the families and the public. The government should be given the report at the same time as everybody else, he said. "I just don't think reports should be vetted," Campbell said.

Campbell said he never experienced any political interference during his time as a coroner. But he acknowledged there was always friction, often over budget issues.

A respected person from outside government should be brought in to review what has gone wrong inside the coroners service, said B.C.'s Representative for Children and Youth, Mary Ellen Turpel-Lafond, who frequently works with the office on child death cases.

She said the coroner's lack of independence is compounded by budget constraints that have led to "significant delays" in autopsy results, toxicology reports and judgments of inquiry on causes of death.

"This is one of the most ancient bodies of government, the coroners service, and I think the instability is a concern," she said.

Both Smith and Turpel-Lafond said controversy over Rothern's departure and the state of the organization will make it difficult to hire a new chief coroner, the third in three years.

Solicitor General Rich Coleman refused comment Wednesday and Thursday.

NDP critic Mike Farnworth said he supports an independent review of the coroners service.

David Curtis, MA, MPA

Executive Director, Strategic Business Services

Denlinger, Becky SG:EX

From: Curtis, David SG:EX
Sent: Friday, December 17, 2010 5:07 PM
To: Denlinger, Becky SG:EX; Plummer, Glen PAB:EX
Subject: New Rothern stories

The first one is the most significant:

<http://www.timescolonist.com/news/Editorial+problems+coroners+service/3995439/story.html>

<http://topnews.us/content/230598-different-vision-leads-resignation-chief-coroner>

Pages 83 through 84 redacted for the following reasons:

s13, s22

Denlinger, Becky SG:EX

From: Curtis, David SG:EX
Sent: Saturday, December 18, 2010 7:36 AM
To: Denlinger, Becky SG:EX; Plummer, Glen PAB:EX
Subject: Rothon coverage

Astonishing errors and misrepresentations...

<http://www.timescolonist.com/news/reflects+independent+office+coroners/3998467/story.html>

Denlinger, Becky SG:EX

From: Leibel, Norm SG:EX
Sent: Saturday, December 18, 2010 11:21 AM
To: Denlinger, Becky SG:EX
Subject: Re: Media coverage

Hi Becky....Tks for the info. I am confident we can address this type of media coverage on Tuesday.. Norm

----- Original Message -----

From: Denlinger, Becky SG:EX
Sent: Saturday, December 18, 2010 11:13 AM
To: Leibel, Norm SG:EX
Subject: Media coverage

Norm,

The Times Colonist has run an editorial in today's paper that may cause anxiety among some staff. I will forward it in a minute. If you'd like to talk about it just call me on my cell, ok?

Page 87 redacted for the following reason:

s13, s22

Denlinger, Becky SG:EX

From: Plummer, Glen PAB:EX
Sent: Sunday, December 19, 2010 12:49 PM
To: Denlinger, Becky SG:EX
Cc: Curtis, David SG:EX
Subject: Re:

Hi Becky,

Looks good. I've also sent it to Paul for feedback.

Thanks

S.13, S.22

Pages 89 through 90 redacted for the following reasons:

s22

Denlinger, Becky SG:EX

From: Curtis, David SG:EX
Sent: Tuesday, December 21, 2010 8:34 PM
To: Denlinger, Becky SG:EX; Plummer, Glen PAB:EX
Subject: RE: For your review - draft IN re. BCCLA request for investigation - 21 Dec 10

Ditto- looks good.

Also, the Ombudsperson story in the vancouver sun follows:

<http://www.vancouver.sun.com/news/ombudsperson+asked+investigate+coroner+resignation/4011010/story.html>

-----Original Message-----

From: Denlinger, Becky SG:EX
Sent: Tue 12/21/2010 8:07 PM
To: Plummer, Glen PAB:EX; Curtis, David SG:EX
Subject: Re: For your review - draft IN re. BCCLA request for investigation - 21 Dec 10

Glad to.

From: Plummer, Glen PAB:EX
Sent: Tuesday, December 21, 2010 06:44 PM
To: Denlinger, Becky SG:EX; Curtis, David SG:EX
Subject: Re: For your review - draft IN re. BCCLA request for investigation - 21 Dec 10

Merci.

Let's talk in the a.m.

From: Denlinger, Becky SG:EX
Sent: Tuesday, December 21, 2010 05:55 PM
To: Plummer, Glen PAB:EX; Curtis, David SG:EX
Subject: Re: For your review - draft IN re. BCCLA request for investigation - 21 Dec 10

Facts look ok to me.

From: Plummer, Glen PAB:EX
Sent: Tuesday, December 21, 2010 04:04 PM
To: Denlinger, Becky SG:EX; Curtis, David SG:EX
Subject: For your review - draft IN re. BCCLA request for investigation - 21 Dec 10

Hi Becky and David,

Please confirm the facts in the attached IN and get back to me.

<<Coroners - BCCLA request Ombudsman investigate BCCS - IN - 21 Dec 10.doc>>

Thanks,

Glen Plummer

Communications Manager

Emergency Management B.C.

Ministry of Public Safety and Solicitor General

250 953-4062 office

250 213-5667 cell

**MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL
EMERGENCY MANAGEMENT BC
BRIEFING NOTE**

PREPARED FOR: Lori Wanamaker, Deputy Solicitor General
FOR INFORMATION

ISSUE:

The termination of employment for Dr. Diane Rothern (M.D.), Chief Coroner of British Columbia within Emergency Management BC (EMBC), due

S22

BACKGROUND:

On April 1, 2010, Dr. Rothern was appointed under an Order in Council to the position of Chief Coroner of British Columbia overseeing the BC Coroners Service (BCCS) for a term of three years. The position was assigned to band 'B' of the Assistant Deputy Minister compensation framework and included a dual reporting relationship:

- Deputy Minister (DM): direct reporting to support independent decision-making for statutory responsibilities; and,
- Fire and Emergency Management Commissioner (ADM): for all other duties including normal operations, strategic and business planning, budgeting and human resources

Dr. Rothern's selection was based in part on

S22

Pages 94 through 99 redacted for the following reasons:

s13, s14, s22
s13, s22
s22