



Democracy Watch
émocratie en surveillance

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Commissioner of Canada Elections William H. Corbett
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Mr. Brian Saunders
Director of Public Prosecutions
284 Wellington Street, Room 2359
Ottawa, Ontario
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November 2, 2009

RE: Supplementary information for investigation of, and rulings on, fundraising event involving Conservative Cabinet ministers and Conservative MPs and Rogers Communications Inc.

Dear Commissioner Corbett:

Democracy Watch is filing this supplemental information with you concerning the petition it filed on October 16, 2009 requesting, under the provisions of the federal *Canada Elections Act*, (the *Act* -- (2000, c. 9)), an investigation of the participation of Conservative Cabinet ministers and MPs in a fundraising event that, according to information received by Democracy Watch, was held in the Owner's Box at the Rogers Centre on September 6, 2009. Democracy Watch has learned this information since filing the petition as a result of conversations with journalists and others and the article you can see on the following webpage:

<http://www.610cktb.com/news/565/1010444>

According to Rick Dykstra, Parliamentary Secretary to the Minister of Citizenship and Immigration and Conservative MP, who organized the fundraising event, attendees paid a \$400 donation to his riding association for a ticket, no Cabinet ministers attended, and:

- the Owner's Box at the Rogers Centre can be rented by anyone;
- Rogers Communications Inc. (Rogers) rented the Owner's Box to Mr. Dykstra's riding association for the September 6, 2009 event for \$3,000, and the riding association has an invoice to prove it and that amount was paid by the riding association and covers the full costs of the rental of the Owner's Box;
- Rogers charged Mr. Dykstra's riding association \$4,511.48 for staff time and food and beverages for the event, and the riding association has an invoice to prove it and that amount was paid by the riding association and covers the full costs of the services provided by Rogers, and;
- therefore, the use of property and services provided by Rogers to Mr. Dykstra and his riding association were provided in compliance with the law you enforce.

This new information raises the following questions that, if you are investigating and enforcing the law you enforce properly, you must answer in order to determine if a violation has occurred:

- who attended the event, and were any attendees federal Cabinet ministers?

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- if the Owner's Box at the Rogers Centre can be rented by anyone, why is there no mention on the Rogers Centre website of the possibility of renting the Owner's Box -- here is the webpage that lists the boxes that can be rented at the Rogers Centre: <http://www.rogerscentre.com/corporate/premium.jsp>
- if the Owner's Box at the Rogers Centre can be rented by anyone, why did a staffperson at the Rogers Centre who is responsible for renting boxes at the Rogers Centre on October 14, 2009, and another staffperson also responsible for renting boxes on October 23, 2009, both tell me that the Owner's Box cannot be rented? (NOTE: I phoned the number listed on the Rogers Centre website -- 416-341-1635 -- and then pressed 1 after hearing the message "For Luxury Suites, please press 1, for Rogers Centre events, please press 2");
- if the Owner's Box can be rented by anyone, who else has Rogers rented the Owner's Box to in the past few years? and at what rental rate?;
- in my initial letter to you, I stated that a Luxury Suite at the Rogers Centre can be rented for \$175 per person (including a ticket for the game but no food or beverages) -- I misstated this rental rate somewhat, as I have since confirmed with a staffperson at the Rogers Centre that the minimum rental rate for a Luxury Suite for a baseball game (no matter how many people attend) is \$3,500 (and that the Suite holds maximum 20 people and that the rental rate includes 20 tickets to the baseball game, which is why I had stated the rental rate as \$175 per person -- a different rental rate applies for other events depending on the ticket price). I have also confirmed by talking to the same staffperson that the Rogers Centre also has "Double Suites" which hold 40 people at a rental price of \$4,500 (which includes 40 tickets, no food or beverages), and that the Rogers Centre also has an Executive Lounge (which is not the Owner's Box -- you will see a link to it on the above website) and it holds 80 people and rents for \$6,500 (including 80 tickets, no food or beverages). Given this information, if the Owner's Box can in fact be rented by anyone, the question that remains is why Rogers charged Mr. Dykstra's riding association only \$3,000 to rent the Owner's Box for an event for 60 people? Based on the minimum rental rate for other boxes at the Rogers Centre (which clearly establishes the market rate for renting boxes at the Centre), Rogers should have charged Mr. Dykstra at least \$5,500 to rent the Owner's Box.
- what is the market value of the other perk offered to attendees at the event, namely attending batting practice and meeting players on the Blue Jays baseball team? and what amount did Rogers charge Mr. Dykstra for this service if any amount was charged or paid for this service?

Given the above, despite the claims of Mr. Dykstra, Democracy Watch's opinion remains that you clearly have reasonable grounds to believe that the law you enforce has been violated.

Finally, I wanted to note that in my initial October 16, 2009 letter to you, I had mistakenly included a request that you also rule on alleged violations of the *Conflict of Interest Act* and *MPs Code* which, of course, are not within your jurisdiction. As a result, please ignore this request.

Sincerely,



Duff Conacher, Coordinator
on behalf of the Board of Directors of Democracy Watch

Original to follow by mail