

Reprint **Island Tides**

Visit www.islandtides.com to read the current edition and more find more interesting articles on other BC, national & international topics in our extensive archive of newspapers and articles.

Reprint from Volume 21 Number 13

July 2, 2009

Editorial: Full Disclosure

There is a widely held suspicion that the loss of the 2001-2005 cabinet emails was not the result of carelessness. Whether the destruction of cabinet email records from 2001 to 2005 is accidental or deliberate, Premier Campbell must have realized by now that he has lost his only chance to prove his innocence in the sale of BC Rail to CN. The BC Rail deal, by the way, is not yet completed, there is one last chance to take back BC's railway next month, see below.

The Basi-Virk trial may have been derailed by the loss of evidence but, paradoxically, the circumstances of the related BC Rail deal are now squarely on the premier's shoulders. There can now be no escaping the credibility of allegations made about the deal: that the decision to sell BC Rail to CN was made even while Campbell was saying he would not sell; the bidding process was a charade; and that the price CN paid was much less than BC Rail was worth (particularly considering their use of the tax credits).

These allegations are consistent with claims made in the Basi-Virk trial by the accused, Dave Basi, Bob Virk, and Aneal Basi, that their actions in relation to the BC Rail deal were at the behest of their political masters.

Particularly ironic is the claim by the government that they unfortunately could not comment on anything remotely connected with the case, while at the same time they failed to safeguard or produce the evidence.

Contempt For The Courts

It will also surely not have escaped the Premier that, in the absence of the evidence, that the charges against Basi, Virk, and Basi may not stand, and the trial may have to be abandoned.

The court has been in session for over one hundred days at immense cost to British Columbians, not to mention the private financial and personal costs to the defendants.

We trust that it will also not have escaped the Court that the failure of the government to safeguard records which they knew could be relevant to the action before the courts represents a level of contempt unprecedented by any Canadian government.

We wonder what secret could be worse than risking contempt of court for destroying evidence?

BC Rail Deal Must Be Disclosed Repossession on July 14?

In light of this destruction of evidence, it is important that the BC Rail Privatization and Revitalization Agreements, *which have never been made public*, are made public at once. This will simply require a person or group to apply for a Supreme Court injunction to stop the completion of the deal on its fifth anniversary.

The deal is possibly still reversible. And an injunction would bring it to a grinding halt, creating time to examine the deal properly, with whatever evidence remains. A public inquiry would be fully justified.

However, time is of the essence as the fifth anniversary of the deal falls on July 14 and it is thought that two highly significant parts of the Agreements come into play on that date. The province may exercise a right of repossession option on that date. (If grounds for repossession by the Province are required, the failure of CN to provide 600 new railcars might serve.) In the absence of repossession, BC Rail's waterfront lands from North Vancouver to Squamish will pass to CN for one dollar and the deal is complete.

In this mess, BC has lost more than a railway—its government has clearly lost respect for the courts and for citizens, making of a mockery of justice and democracy in BC.



© Island Tides Publishing Ltd. This article may be reproduced with this attribution, in its entirety, with notification to Island Tides Publishing Ltd.

This article was published (July 2, 2009) in 'Island Tides'. 'Island Tides' is an independent, regional newspaper distributing 17,500 print copies throughout the Gulf Islands and the Canadian Strait of Georgia from Victoria to Campbell River to Howe Sound.

Island Tides, Box 55, Pender Island, BC, Canada. Phone: 250-629-3660. Fax: 250-629-3838.
Email: islandtides@islandtides.com. Website: <http://www.islandtides.com>