

Members are frequently called upon to write letters of reference or support on behalf of various individuals and organizations throughout their term of office. This is an activity that Members normally engage in on behalf of constituents, and is not prohibited under the *Members' Conflict of Interest Act* ("Act"), within certain recommended parameters. This bulletin outlines some general guidelines to assist Members to respond to such requests appropriately.

Requests for letters of reference and support will arise in a variety of ways, and there is no rigid list of rules that will cover all situations. If in any doubt whether it is appropriate to provide a letter of reference or support, you may request the Commissioner's advice.

Letters of reference generally

- Only provide letters of reference for persons about whom you have personal knowledge, even if they are constituents.
- Only include information that you actually know about the person.
- The recipients of letters of reference from Ministers and MLAs will likely attach greater weight to such letters because of the office you occupy. Care should therefore be taken in the preparation of such letters.
- All letters of reference should be addressed to a specific individual or organization, never "to whom it may concern".

Appropriate use of letterhead

- Personal:** *If the letter is for someone you have known purely on a personal or professional basis*
- Constituency:** *If the letter is recognizing a constituent's role in the community, or supporting a community organization or event*
- Ministerial:** *May be used if the person has a particular connection to your ministerial office (e.g. employment reference for ministerial assistant)*

Letters of reference for employment purposes

- Letters of reference should only be written if you have sufficient personal knowledge of the person's qualifications and ability to do the job for which they are applying.
- In most cases, such letters should be written on personal rather than official letterhead unless the person seeking the reference reports directly to you in your official capacity as MLA or Minister.
- The content of the letter should focus on the position sought by the person who is the subject the reference and should be addressed to the prospective employer, to avoid the use of the letter for a purpose other than that for which you intended it.

References for an appointment to a government board, agency or commission, or other OIC appointment

- No letter of reference should be sent on behalf of a private person by a Minister to any agency, board or commission falling under that Minister's portfolio (whether written by the Minister as Minister, or by the Minister as MLA).
- Ministers should not write a letter of recommendation with respect to an appointment that ultimately can only be made by an Order in Council decision.

Character references in criminal cases

- Ministers should refrain from providing a character reference in a criminal matter pending before the courts without prior discussion with the Commissioner.
- It is inappropriate to write to a court as an elected official or as one holding ministerial office. Accordingly, letters written to a court relating to character or expressing your views on factors for consideration in determining an appropriate sentence should be drafted on personal letterhead.

Letters of reference for community organizations

- All MLAs can write general letters of endorsement for community endeavours or organizations, using their constituency letterhead.
- Generally, endorsements from Members should not be used directly or indirectly for fundraising purposes for an organization. However, it is acceptable for Members to write to an agency or branch of government in support of a grant application from a community group in their constituency for a project they believe to be worthy and beneficial to the community.
- Ministers should avoid writing such letters if the recipient is a

Letters in support of a nomination for an award, application for a scholarship or acceptance to an educational program, etc.

- Members may write letters of reference for candidates seeking admission to academic programs or applying for scholarships if they are familiar with the applicant's capabilities. In most cases, personal letterhead will be appropriate to use.
- Constituency letterhead may be used to support nominations that reflect the nominee's contributions to the local community.
- Ministerial letterhead may be used if the achievements of the nominee merit the specific support of a particular government department, expressed through the person of the Minister.

If you have any questions, please contact our Office for more information. We can be reached by phone at (250) 356-0750 or by email at conflictofinterest@coibc.ca.