

Final Response

July 19, 2019

Dear Applicant:

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, 2015 - FLR-61-2019

On June 20, the Department of Fisheries and Land Resources (FLR) received your request for access to the following records

“Any information pertaining to the sealers memorial statue erected in Porters Point in Elliston NL. Through a previous access to information request from Municipal Affairs and Environment I was directed to your department and told you have information.”

Please be advised that a decision has been made by the Deputy Minister for FLR to provide access to the requested information. Redactions have been made under Section 40 – Personal Privacy of the **Access to Information Protection of Privacy Act, 2015**. You will find a copy of responsive material attached.

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the *Act* (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The appeal may be addressed to the Information and Privacy Commissioner as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P.O. Box 13004, Stn. A
St. John's, NL. A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the *Act* (a copy of this section of the Act has been enclosed for your reference).

Please be advised that this letter will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Office of Public Engagement's website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.

If you have any further questions, please contact me by telephone at 709-637-2354 or by email at Lisaneville@gov.nl.ca .

Sincerely,



Lisa Neville
ATIPP Coordinator

Right of access

8. (1) A person who makes a request under section 11 has a right of access to a record in the custody or under the control of a public body, including a record containing personal information about the applicant.

(2) The right of access to a record does not extend to information excepted from disclosure under this Act, but if it is reasonable to sever that information from the record, an applicant has a right of access to the remainder of the record.

(3) The right of access to a record may be subject to the payment, under section 25 , of the costs of reproduction, shipping and locating a record.

Access or correction complaint

42. (1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52 (1) or 53 (1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21 ;

(b) a decision respecting an extension of time under section 23 ;

(c) a variation of a procedure under section 24 ; or

(d) an estimate of costs or a decision not to waive a cost under section 26 .

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42 , the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.

(2) An appeal shall be commenced under subsection (1) not later than 15 business days

(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16 (2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner's refusal under subsection 45 (2).



Elliston Heritage Foundation

Sealers' Memorial Committee

P.O. Box 187
Elliston, NL
A0C 1N0

Under the Patronage of the Honourable John Crosbie PC, ON, ONL, QC

February 4, 2011

Honourable Clyde Jackman
Minister of Fisheries and Aquaculture
P.O. Box 8700
St. John's, NL A1B 4J6

Dear Mr. Jackman;

The Elliston Heritage Foundation, a registered charity, is a not-for-profit organization established in the spring of 2008 for the preservation of local, cultural and historical events. Its primary goal is to establish a memorial to the sealers who lost their lives during the S.S. Newfoundland Sealing Disaster of 1914. This disaster was one of the most significant tragedies that occurred in all of Newfoundland and Labrador and had a tremendous impact on the community of Elliston. Out of all the communities that were affected Elliston lost more men and boys than any other community. The Foundation intends to erect this memorial by 2014 to commemorate the one hundredth year of this disaster. The memorial, however, will not only highlight this terrible disaster but also other sealing disasters where men perished while prosecuting this fishery for their livelihood. As our sealing industry faces increased criticism, abuse, international scrutiny and perhaps extinction we feel this is the opportune time in our history to have this memorial constructed, to honour this important part of our heritage.

We have the support of our MHA Roger Fitzgerald and various community partners and organizations such as the Canadian Sealer's Association. Sheilagh Guy-Murphy, our Honourary Chairperson is working with us on this project as well as our patron, the Honourable John Crosbie who is continuously bringing awareness to our endeavors. His Honor has informed the Foundation that Mr. Chris Collingwood has agreed to chair a committee on our behalf. His Honour also mentioned other notables who expressed interest and support such as Shannon Ryan, Bill Barry, Leo Shinkle, Leo Power, Rob and Alex Crosbie.

We have met with potential sculptors and were provided with a scale model of a statue by Morgan McDonald, one of the sculptors. We met with the Discovery Regional Development Board and they facilitated a Strategic Planning Session with us and is assisting us with developing a plan.

This letter is a request for financial assistance to have Frank Crews, who was chair of the Grand

Bank Mariners Memorial Committee and chair of the Grand Bank Heritage Society, to attend our board of directors meeting February 15th, 2011 to give us assistance in preparing our business plan. This financial assistance would include travel to and from Grand Bank, lodging for one night and two meals. We are estimating this cost to be around \$360.00

We feel that because Mr. Crews took the lead role in the Grand Bank Mariner's Memorial Project he would be able to give us the optimum guidance needed so that we can maximize on their committee's success and minimize any difficulties they may have encountered.

We thank you for your time and look forward to your reply.

Sincerely;

Myrtle Stagg
Chairperson
Elliston Heritage Foundation



Elliston Heritage Foundation

Sealers' Memorial Committee

Under the Patronage of the Honourable John Crosbie PC, ON, ONL, QC

61-52393
P.O. Box 187
Elliston, NL
AOC 1N0

June 24, 2010

Mike Warren
Executive Director
Marketing and Development Branch
Dept of Fisheries and Aquaculture

RECORDS

Dear Mr. Warren:

Thank you for listening to the Elliston Heritage Foundation members expressing their desire to erect a Sealers' Memorial Statue. It is a well known fact that the 1914 Newfoundland Sealing Disaster is one of the most significant tragedies in our history and had a tremendous impact on the province. It symbolizes the struggles and hardships faced by those who endeavored to live here. 2014 will be the 100th anniversary of this terrible disaster and that time is fast approaching. As our Sealing Industry faces criticism, abuse, international scrutiny and perhaps extinction it is imperative that we as a proud people recognize and honour our sealers and remember those who died. We see this as the opportune time to have this commemorative memorial, not only for those sealers who perished while prosecuting this dangerous fishery for a livelihood but all sealers who have taken part in the seal fishery. It will be an affirmation of their eternal optimism, hard labor, mystery, despair, resignation, endurance and the significant place of sealing in the history of the province. For many years in our history as we are aware, the economic benefits of the seal fishery helped sustain the Newfoundland out ports. This memorial would show not only Newfoundland but the world to recognize this important part of our heritage and the pride it instills.

Elliston's location is ideal for this memorial. It is located on the tip of the northeast coast, central to sealing activity. The arctic ice can be seen each year as it moves south on our coastline. The lure for many people is to experience the culture and history of Newfoundland. It is situated in one of the most visited areas in the province. Domestic, national and international travelers visit Elliston each year as part of the tourism experience. It will be an educational memorial that will be used by students and visitors for years to come. Subsistence lifestyle in a semi isolated Newfoundland out port is the theme of Tourism Elliston's community experience. This memorial in conjunction with this theme and the Living History Sealers' interpretation museum will not only help sustain the tourism industry in Elliston but it will complement the other assets in the region such as the Ryan Premises in Bonavista and the Coaker Foundation in Port Union thereby helping to sustain the economy and culture and heritage of the whole area.

At the Elliston Heritage Foundation May 28th meeting with government officials we discussed the importance of research money to develop and implement the Elliston Heritage Foundation's project to erect a Sealers' Memorial Statue. As a follow up to this meeting this letter is an official request to ascertain how your department can specifically help us with avenues to pursue for funding for the Sealers' Memorial.

✓ Please send us an application with which we can apply for funding from your department for this very worthy project.

✓ In your capacity representing the minister at this meeting we are requesting as well, a letter of support for us to refer to at opportune times to give credence to our goal. Prominent sculptors Gerry Squires, Luben Boycov and Morgan Macdonald, will be submitting proposals to build this memorial statue. Affirmation of your support to our heritage will affirm the importance of the contribution made by our sealers to the province.

✓ Also we would like a letter of support so that we could refer to it at opportune times to help give credence to our goal.

Thanking you in advance for your time and support.

On behalf of the Committee.

Sincerely,

Myrtle Stagg,
Chairperson

cc Yolanda Miller
Mark Rumbolt
Andrew Tobin

*Emailed ; follow up c.p/c -
Jeshwal .*

-
① letter of support

② no such application.

③ an opportunity which we
feel could enhance your project
- sealing films.
- complement your work.

- promotion

Myrtle Stagg [redacted] 40(1)

④ Shulagh Bay Murphy (brief her).
⑤ film company in August. 4

APR - 7 2010

Ms. Myrtle Stagg
Chairperson, Elliston Heritage Foundation
P.O. Box 187
Elliston, NL AOC 1N0

Dear Ms. Stagg:

This is in response to your request to Premier Williams for assistance to construct a memorial to the sealers who lost their lives during the Newfoundland Sealing Disaster of 1914.

In 1914, Newfoundland and Labrador experienced one of the greatest disasters in its history with the death of 78 sealers. It is one of the province's most told stories. It highlights the many tragedies that Newfoundlanders and Labradorians have experienced while trying to pursue a living from the sea.

I understand that Yolanda Miller, Sealing Industry Consultant with this department, has been discussing the project with you, and that a meeting is planned for later this spring with members of the Elliston Heritage Foundation to further discuss the project requirements and plans.

Thank you for your important work to preserve the valuable history and heritage of our province.

Sincerely,



CLYDE JACKMAN, M.H.A.
Burin-Placentia West
Minister

c. Honourable Danny Williams, Premier

Do-47755

O'Keefe, Dorothy

From: Samson, Sherry
Sent: Monday, March 01, 2010 2:32 PM
To: O'Keefe, Dorothy
Subject: TRIM INCOMING CORRESPONDENCE : ICOR2010/0493 : Letter to Premier from Myrtle Stagg of the Elliston Heritage Foundation to request financial donation for teh Sealer's Memorial

Attachments: Letter to Premier from Myrtle Stagg of the ~ Foundation to request financial donation for teh Sealer s Memorial.PDF



Letter to Premier from Myrtle ...

Please take appropriate action to the attached e-mail. Please cc our office on your response. Copies of responses should be e-mailed to sherrysamson@gov.nl.ca.

Thank you for your assistance.

Sherry Samson

Office of the Premier

-----< TRIM Record Information >-----

Record Number : ICOR2010/0493
Title : Letter to Premier from Myrtle Stagg of the Elliston Heritage Foundation to request financial donation for teh Sealer's Memorial

May

Roger Fitzgerald



DO-47755 Elliston Heritage Foundation Sealers' Memorial Committee



Under the Patronage of the Honourable John Crosbie

February 16th, 2010

Premier Danny Williams
Government of Newfoundland and Labrador
P. O. Box 8700
Confederation Building
St. John's, Newfoundland
A1B 4J6

Office of the Premier "Registry"	
RECEIVED	
MAR 01 2010	
Doc #:	_____
File #:	_____
Assigned To:	_____

Dear Premier Williams:

The Elliston Heritage Foundation (EHF), a registered charity, is a not-for-profit organization established in the spring of 2008 for the preservation of local, cultural and historical events. One of our main goals is to erect a memorial to the sealers who lost their lives during the Newfoundland Sealing Disaster of 1914 and to have it completed by 2014 to commemorate the one hundredth year of this great loss. Another is the establishment of a community museum that would also serve as an interpretative center. We have established a website to inform the public of who we are, our goals and accomplishment, etc., and it can be found by visiting www.ellistonheritagefoundation.com.

The 1914 Sealing Disaster is one of the most significant tragedies that happened in the province and had a tremendous impact on the province. Out of all the communities that were affected, Elliston lost eight men, more than any other community in the province. This disaster is also one of the province's most told stories and it symbolizes the struggles and hardships faced by those who endeavoured to live here. This memorial will not only highlight this terrible disaster but also other disasters where men perished while prosecuting this fishery for their livelihood. It is surprising that there has not been a monument already constructed to honour the Newfoundland Sealing Disaster and the seal hunt in general and we feel this is the opportune time in our history to do so.

The estimated cost of the statue and landscaping is \$500 000. We are in the process of doing a terms of reference to obtain a sculptor who will provide us with the concept design. Our plan is to have this statue depict a father and son from Elliston who died in each others arms and it will be symbolic of all sealers who lost their lives. Morgan McDonald, one of our potential sculptors

Elliston Heritage Foundation - P.O. Box 187 - Elliston, NL - A0C 1N0

did a sample marquette of this very moving design which we unveiled at a dinner held on June 17th, 2009, to bring awareness and gather support for our endeavour. A sample of this marquette is found above on our letterhead. We plan for this monument to be world class and a place we will all be proud to visit. The EHF realizes the opportunity and value of the province's tourism industry and in particular on the tip of the Bonavista Peninsula. We feel this site will attract many visitors to the region and province and we plan to continue working hard to help it become a reality.

We are still in the early stages of this project and as with all comparable projects the need to raise money and gather support is paramount. At this time we are approaching you to request your support in whatever way you deem suitable for this worthy initiative.

Thanking you in advance for your support.

Yours Sincerely



40(1)

Myrtle Stagg
Chairperson
Elliston Heritage Foundation

*Currently businesses in area/Rotary -
contribute 500,000.
10,000 Raised.
work term student (starting)
Sheila Grey
Murray.*