June 28, 2019

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act, 2015 [Our File #: PRE/44/2019]

On May 31, 2019, the Premier’s Office received your request for access to the following records/information:

“All emails sent/received re Eddie Joyce from April 1st 2018 to present.”

I am pleased to inform you that a decision has been made by the Chief of Staff of the Premier’s Office to provide access to some if the information requested. Access to the remaining information/records has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act (the Act):

40. (1) The head of a public body shall refuse to disclose personal information to an applicant where the disclosure would be an unreasonable invasion of a third party's personal privacy.

41. The Speaker of the House of Assembly, the officer responsible for a statutory office, or the head of a public body shall refuse to disclose to an applicant information

(a) where its non-disclosure is required for the purpose of avoiding an infringement of the privileges of the House of Assembly or a member of the House of Assembly;

Please note the following information has been fully redacted from the package:

- Pages 52-81 in accordance with subsections 40(1);
- Pages 50-51 in accordance with subsections 41(a).
- Pages 82-99 in accordance with subsections 40(1) and 41(a).

You may appeal this decision by asking the Information and Privacy Commissioner to review this response, 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 response and why you are submitting the appeal.
Contact information for the Information and Privacy Commissioner is 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 this response, pursuant to section 52 of the Act (a copy of this section of the Act has been enclosed for your reference).

This response will be published as outlined on the Completed Access to Information Requests website. (http://atipp-search.gov.nl.ca/) If you have any further questions, please feel free to contact me by telephone at (709) 729-3570 or by e-mail at joybuckle@gov.nl.ca.

Sincerely,

[Signature]

Joy Buckle
ATIPP Coordinator
Enclosure
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).
Thanks Jeanette

From: Fleming, Jeanette
Sent: Tuesday, April 17, 2018 5:12 PM
To: Card, Jason <JasonCard@gov.nl.ca>
Subject: FW: Info

Hi Jeanette,

Eddie was first elected in the 1989 general election to represent the Bay of Islands. The Liberals won but the leader, Clyde Wells, didn’t win his seat so Eddie stepped aside to allow for a by-election for Clyde to run in. Eddie became Clyde Wells Executive Assistant on the west coast and Brian Tobin’s in 1996 until 1999 when Eddie ran again and won the Bay of Islands. He won the 2003 election even though the Liberal lost and he sat in Opposition, we lost the seat in 2007 election but came back in 2011 and of course won in 2015 in the new District of Humber-Bay of Islands.

Anything else, let me know.

Judy Bolt, B.A.
Constituency Assistant
to Hon. Eddie Joyce, MHA
Humber-Bay of Islands District
Minister of Municipal Affairs and Environment, Minister Responsible for the Multi-Materials Stewardship Board
and Registrar General
Ph: (709) 634-7883
Fax: (709) 634-7885
Thank you!

Sent from my iPhone

On Apr 26, 2018, at 8:10 AM, Cannizzaro, Michelle <MichelleCannizzaro@gov.nl.ca> wrote:

Yes Heather! I can send you statement

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Heather Gillis
Sent: Thursday, April 26, 2018 7:59 AM
To: Cannizzaro, Michelle
Subject: Eddie Joyce

Hi Michelle,

Can you confirm that Minister Parsons will be taking over Minister Joyce's duties while a harassment investigation is on going?

Thanks,
Heather

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Hello:

Can you please confirm that Eddie Joyce has agreed to step aside.

Thank you,
Alison Auld
The Canadian Press
(902) [redacted]
Thank you. Has Joyce agreed to step aside?

Please see the below Statement from the Premier:

"Yesterday morning I received a complaint from an MHA in my caucus about alleged undue behavior exhibited by a member of my caucus.

Prior to the House of Assembly, I proactively addressed the public to make them aware of the situation and stress that the complaints were being taken very seriously. I also indicated that I would be working with the complainant to initiate processes in accordance with their comfort and wishes in a prompt manner. I commend the complainant for coming forward.

Last evening a follow-up meeting occurred with the complainant and during the course of that meeting a process was identified to move this issue forward through the appropriate and necessary procedures.

It has been determined that an independent external firm will facilitate the review.

While the review is ongoing, I've asked Minister Joyce, who has given permission to be identified in this review as the respondent, to step aside from his Ministerial duties during the course of the process.

The complainant and Minister Joyce are in full support of this review.

Minister Parsons will assume all the Ministerial duties of Minister Joyce during this review."
To: Cannizzaro, Michelle <MichelleCannizzaro@gov.nl.ca>
Subject: Eddie Joyce

Hello:

I am with The Canadian Press in Halifax and wanted to speak with someone from the premier’s office about the harassment complaint involving MHA Eddie Joyce. If no one is available, is it possible to get a statement from the office please?

Thanks very much,
Alison Auld
The Canadian Press
(902) [redacted]

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Thank you for your email to Premier Dwight Ball.

This is confirmation that your email has been received.

Kind regards,

Premier's Correspondence Unit

Office of the Premier
Executive Council
Government of Newfoundland & Labrador
8th Floor East Block, Confederation Complex P.O. Box 8700, St. John's NL A1B 4J6

(T) 709-729-3570 | (F) 709-729-5875

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

From: [Redacted]
Sent: Saturday, April 28, 2018 8:56 AM
To: Ball, Dwight <DwightBall@gov.nl.ca>
Subject: Well done!

Dear Premier Ball,

I write to congratulate you on swift reaction to accusations of Eddy Joyce's bullying and intimidation. I was once bullied at my place of employment and it was profoundly distressing. The bully was eventually fired but it still took me some time to regain my sense of self-worth.

Best wishes in dealing with this and all matters in Newfoundland and Labrador.
Dear Premier Ball,
I'm writing to you for the second time to say congratulations for refusing to accept people in caucus who don't behave as they should as members of the provincial legislature. Dale Kirby was a terrible member of the NDP caucus when Lorraine Michaels was the head of the party. He helped bring her down. Please don't let him or Mitchelmore or Eddy Joyce damage the workings of your government.

With respect,
From: Cannizzaro, Michelle  
Sent: Wednesday, May 2, 2018 3:52 PM  
To: Barfoot, Scott  
Cc: Foote, Carla; Barnes, Sandra M.  
Subject: Re: CBC Media Request/Minsiterial Salaries

I'll send!

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Barfoot, Scott  
Sent: Wednesday, May 2, 2018 3:49 PM  
To: Cannizzaro, Michelle  
Cc: Foote, Carla; Barnes, Sandra M.  
Subject: CBC Media Request/Minsiterial Salaries

Hello Michelle,

Enclosed is the response to the media request related to ministerial salaries...would you like us to send it to Meghan or would you like to?

Dale Kirby and Eddie Joyce are no longer receiving ministerial salaries. Ministers Hawkins and Parsons will not receive any additional salary for the extra portfolios.

Sandra, can you please send us what you intend to CBC?

Thanks,
Scott

From: Barnes, Sandra M.  
Sent: Wednesday, May 02, 2018 11:38 AM  
To: Foote, Carla  
Subject: RE: Salaries

Hi Carla

We can take the MHA salary piece. Cindy Hussey should be advised of the Ministerial bits. While I can answer those questions, ministerial salaries are the purview of the Executive Branch so it would be inappropriate of me to do so.

Sandra

From: Foote, Carla  
Sent: Wednesday, May 2, 2018 11:35 AM  
To: Barnes, Sandra M. <sbarnes@gov.nl.ca>  
Subject: FW: Salaries

FYI
Hi Sandra, I understand this request from CBC will come to your office today. I am giving you a heads up as Bobbi is away until Monday.

Thanks

Carla J. Foote
Associate Secretary to Cabinet (Communications)
Government of Newfoundland and Labrador
Tel: 709-729-4781
Cell: 709-691-6673
www.gov.nl.ca

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From: Cannizzaro, Michelle
Sent: Wednesday, May 02, 2018 11:29 AM
To: Foote, Carla
Subject: FW: Salaries

Can you let me know who will handle this response 😊

From: MEGHAN MCCABE [mailto:meghan.mccabe@cbc.ca]
Sent: Wednesday, May 2, 2018 11:21 AM
To: Cannizzaro, Michelle <MichelleCannizzaro@gov.nl.ca>; Luther, Adrienne <AdrienneLuther@gov.nl.ca>
Subject: Salaries

Hi Michelle and Adrienne,

Can either of you provide some insight as to what's happening with the pay for MHA Eddie Joyce and MHA Dale Kirby?

Did the stop getting their ministerial salaries when those duties were removed?

Will Al Hawkins and Andrew Parsons get the additional ministerial salaries for taking on the extra portfolios?

Are Kirby and Joyce receiving their regular MHA pay? Obviously they haven't actually been in QP, but are they technically still working? On leave?

We're getting those questions so I'd like to be sure I have it right.

Thanks so much!!
Meghan

--
Meghan McCabe
Reporter / Producer, CBC NL
Hi Scott

Mr. Joyce and Mr. Kirby continue to be elected Members of the House and as such continue to receive their salary.

Who should I send it to?

Hello Michelle,

Enclosed is the response to the media request related to ministerial salaries...would you like us to send it to Meghan or would you like to?

Dale Kirby and Eddie Joyce are no longer receiving ministerial salaries. Ministers Hawkins and Parsons will not receive any additional salary for the extra portfolios.

Sandra, can you please send us what you intend to CBC?

Thanks,
Scott

Hi Carla

We can take the MHA salary piece. Cindy Hussey should be advised of the Ministerial bits. While I can answer those questions, ministerial salaries are the purview of the Executive Branch so it would be inappropriate of me to do so.

Sandra

From: Foote, Carla
Sent: Wednesday, May 2, 2018 11:35 AM
To: Barnes, Sandra M. <sbarnes@gov.nl.ca>
Subject: FW: Salaries
Hi Sandra, I understand this request from CBC will come to your office today. I am giving you a heads up as Bobbi is away until Monday.

Thanks

Carla J. Foote  
Associate Secretary to Cabinet (Communications)  
Government of Newfoundland and Labrador  
Tel: 709-729-4781  
Cell: 709-691-6673  
www.gov.nl.ca

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From: Cannizzaro, Michelle  
Sent: Wednesday, May 02, 2018 11:29 AM  
To: Foote, Carla  
Subject: FW: Salaries

Can you let me know who will handle this response ☺

From: MEGHAN MCCABE [mailto:meghan.mccabe@cbc.ca]  
Sent: Wednesday, May 2, 2018 11:21 AM  
To: Cannizzaro, Michelle <MichelleCannizzaro@gov.nl.ca>; Luther, Adrienne <AdrienneLuther@gov.nl.ca>  
Subject: Salaries

Hi Michelle and Adrienne,

Can either of you provide some insight as to what's happening with the pay for MHA Eddie Joyce and MHA Dale Kirby?

Did the stop getting their ministerial salaries when those duties were removed?

Will Al Hawkins and Andrew Parsons get the additional ministerial salaries for taking on the extra portfolios?

Are Kirby and Joyce receiving their regular MHA pay? Obviously they haven't actually been in QP, but are they technically still working? On leave?

We're getting those questions so I'd like to be sure I have it right.

Thanks so much!!  
Meghan

--
Hey you got a second? And a cell phone I could ring. Just want to give a little more clarity on something.

Thanks, Michelle, that's perfect!

Hey Meghan!
   This is what I received from the Clerk of the House of Assembly

Dale Kirby and Eddie Joyce are no longer receiving ministerial salaries. Ministers Hawkins and Parsons will not receive any additional salary for the extra portfolios. Mr. Joyce and Mr. Kirby continue to be elected Members of the House and as such continue to receive their salary.

Hope this helps!

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Controversy surrounding the decision to reduce ministerial salaries.
Hi Kala,

Attached is an email from [redacted] to Premier Ball regarding the indefinite leave of absence of two house Members.

We are requesting a response on behalf of the Premier. Please copy the Premier on the response and email a copy to premier@gov.nl.ca account within 10 business days.

Thank you,
Joanne

--------< HPE Records Manager record Information >--------

Record Number: ICOR2018/2085
Title: Email from [redacted] to Premier Ball regarding the indefinite leave of Absence of two house Members
May 17, 2018

Kirby, Joyce Take Indefinite Leave Of Absence From House During Harassment Investigation...

Two former Ministers under investigation for harassment are being paid their MHA salaries while they take an indefinite leave of absence from the House of Assembly.

This utterly unbelievable and a slap in the face to every residents of Newfoundland and Labrador and the very people who pay their salaries...

You two must think that the People of Newfoundland and Labrador will sweep this under the rug and closed a blind eyes to this?

Do you think that the People of Newfoundland and Labrador the very same people who pay your salaries are stupid because if you do then you better wake up and smell the coffee...

Mr Premier why are these two being rewarded for doing what they are being investigated for expelled for supposedly doing wrong and now they are being what some are saying rewarded for the very same thing?

Is this Government For Real or Brain Dead?

Since the House Speaker Perry Trimper saw fit to let them to receive their MHA salaries with no time limit attached as the investigation continues which is so utterly unbelievable and disgusting to every taxpayers of this province.

So Mr. Premier I called upon you today to show some leadership and ensure they either sit in the House of Assembly when Open or Lose all of their benefits including, salary, pension time and all other benefits associated with being an MHA...

A Concerned Taxpayer of Newfoundland and Labrador...
Good morning Michelle,

Forgive me from taking away from Vale day, but I've been sent some information that needs some attention.

I understand that on Saturday night there was a fundraiser of some sort for Eddie Joyce, attended by Gerry Byrne, Jerry Dean, Scott Reid, and John Finn.

It appears the event was organized by the local district association.

My basic question is whether or not it's appropriate for a cabinet ministers and three MHAs to have attended the event, given the on-going investigations into Mr. Joyce's conduct.

I do expect to write a story on this for tomorrow's paper. 40(1)

Feel free to reply here or give me a call at [number redacted]

Thanks,
David Maher
Reporter
The Telegram
Perfect.

From: Cannizzaro, Michelle [mailto:MichelleCannizzaro@gov.nl.ca]
Sent: Wednesday, August 08, 2018 11:23 AM
To: 'VOCM Feedback'
Subject: RE: PREMIER RESPONSE TO CHES on Open Line

Thanks sorry for the double down – I noticed an error. Fixed it and resent!

From: VOCM Feedback [mailto:feedback@vocm.com]
Sent: Wednesday, August 08, 2018 11:26 AM
To: Cannizzaro, Michelle <MichelleCannizzaro@gov.nl.ca>
Subject: RE: PREMIER RESPONSE TO CHES on Open Line

Thanks!

From: Cannizzaro, Michelle [mailto:MichelleCannizzaro@gov.nl.ca]
Sent: Wednesday, August 08, 2018 11:18 AM
To: 'feedback@vocm.com'
Subject: PREMIER RESPONSE TO CHES on Open Line

Good Morning Darrell –
The Premier has been in meetings all morning but asked that I send along this statement in response to Ches Crosbie’s allegations that Cathy Bennett resigned over Eddie Joyce’s attendance to a public event.

“Mr. Crosbie made false statements this morning on your program. Ms. Bennett and I had a very positive conversation; at no point did the announcement in Harbour Main nor any acknowledgment of an MHA arise in the conversation. Ms. Bennett has chosen to return to private life and I completely respect that and wished her well in her future endeavors.

Mr. Crosbie’s false comments this morning are yet another demonstration of his inability and reluctance to offer any solutions to the problems cause by the PC party.

My government, and team of cabinet and caucus, will continue to work hard every day to correct the damage the PCs caused this province.”

Kind regards,

Michelle Cannizzaro
Director of Communications
Office of the Premier
Executive Council
Government of Newfoundland & Labrador
8th Floor East Block, Confederation Complex
P.O. Box 8700, St. John’s NL A1B 4J6

709-729-3960 lmichellecannizzaro@gov.nl.ca
Thanks for getting back. Have a good weekend.

On Fri, Aug 24, 2018 at 4:38 PM, Cannizzaro, Michelle <MichelleCannizzaro@gov.nl.ca> wrote:
Hey Ariana,
I can't confirm anything. The CLS reports don't come to the Premier. Sorry not much help.

Sent from my BlackBerry 10 smartphone on the Bell network.

Hi Michelle and Lesley

Reaching out to see if you have confirmation that Eddie Joyce and Dale Kirby have been cleared of wrongdoing in relation to Colin Holloway's complaint.

BREAKING: Source tells me province's Commissioner of Legislative Standards has cleared MHAs Eddie Joyce and Dale Kirby of any wrongdoing re. harassment complaint filed by fellow MHA Colin Holloway. Watch @NTVNewsNL tonight at 6 pm for details. #nlpoli

Thanks,
Ariana

--
Ariana Kelland
CBC News - Newfoundland and Labrador
Twitter: @arianakelland
c: [Redacted]
o: 709-576-5134

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--
Ariana Kelland
As we chatted about - Both releases are imbedded in this email - just scroll down 😊

NLIS 2  
House of Assembly  
August 27, 2018

House of Assembly Management Commission Receives Reports from the Commissioner for Legislative Standards Under the Code of Conduct for Members

The Honourable Perry Trimper, Speaker and Chair of the House of Assembly Management Commission, advises that the Management Commission has received two reports from the Commissioner for Legislative Standards under the Code of Conduct for Members, in accordance with the *House of Assembly, Accountability, Integrity and Administration Act* (the Act). In his transmittal letter, the Commissioner has advised that there are additional reports to follow, and has requested that all reports be dealt with at the same time.

The Speaker, as Chair of the Management Commission, received the reports from the Commissioner, and provided the other seven members of the Commission with a confidential copy. It is understood that the Commissioner for Legislative Standards provided a copy of the reports to the Members concerned (complainant and respondent).

The Act requires the reports to be tabled within 15 sitting days if the House is in Session, or within 15 sitting days of the beginning of the next Session. As Chair of the Management Commission, the Speaker will table the reports within these timelines when the House reconvenes. The Act does not provide for reports to be tabled when the House is not sitting.

- 30 -

Learn more
House of Assembly Management Commission Membership:  
www.assembly.nl.ca/ManComm/

Code of Conduct Process – Sections 35 to 42 *House of Assembly Accountability, Integrity and Administration Act*:  
www.assembly.nl.ca/Legislation/sr/statutes/h10-1.htm#35

Media contact  
Bobbi Russell  
Policy and Communications Officer  
House of Assembly  
709-729-1176  
bobbirussell@gov.nl.ca
NLIS 1
Office of the Commissioner for Legislative Standards
August 23, 2018

Statement from Bruce Chaulk, Commissioner for Legislative Standards

In response to numerous requests for updates on the status of the recent harassment investigations in the legislature, the Commissioner for Legislative Standards for Newfoundland and Labrador, Bruce Chaulk, is assuring those involved that his office will be working strictly in accordance with the provisions of the *House of Assembly, Accountability, Integrity and Administration Act* with regards to the distribution of the investigation reports.

The complaints received by the Commissioner have all been filed under section 36(1) of the *House of Assembly, Accountability, Integrity and Administration Act*. Once the investigations are complete and the reports have been written, section 38(1) of the Act requires that the reports be provided only to the Management Commission of the House of Assembly and the Members involved.

In all cases, the reports will be provided to the relevant parties within the statutory timelines.

- 30 -

Media contact
Adrienne Luther
Communications & Training Manager
Office of the Chief Electoral Officer
Office of the Commissioner for Legislative Standards
709-729-1474
adrienneluther@gov.nl.ca

2018 08 23 10:15 a.m.
Hey got a minute? – What’s the best number to call 😊

From: VOCM Feedback [mailto:feedback@vocm.com]
Sent: Tuesday, August 28, 2018 9:26 AM
To: Cannizzaro, Michelle <MichelleCannizzaro@gov.nl.ca>
Subject: RE: Hi Michelle

Thanks Michelle!

From: Cannizzaro, Michelle [mailto:MichelleCannizzaro@gov.nl.ca]
Sent: Tuesday, August 28, 2018 9:14 AM
To: ‘VOCM Feedback’
Subject: RE: Hi Michelle

Hey Linda!

So good to have you back. I don’t think I got your email!! Let me check it out and get back to you asap!

From: VOCM Feedback [mailto:feedback@vocm.com]
Sent: Tuesday, August 28, 2018 9:16 AM
To: Cannizzaro, Michelle <MichelleCannizzaro@gov.nl.ca>
Subject: Hi Michelle

Hey Michelle,

Linda Swain here once again from work.

Just following up on an email I sent you yesterday about the Commissioner of Legislative Standards reports clearing Kirby and Joyce of the accusations made against him by Colin Holloway.

What does that mean? Will they be brought back into the caucus? What is the process moving forward? (I know there are other accusations and other reports.)

I was wondering if the premier was available for a chat on those matters...

Linda Swain
VOCM News
726-5660

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No worries – all member that filed for opinions went with option 36.1 – I think ☺ Premiers office didn’t get reports so that’s what I’m thinking!

THans!

From: Cannizzaro, Michelle [mailto:MichelleCannizzaro@gov.nl.ca]
Sent: Monday, October 22, 2018 1:59 PM
To: VOCM Feedback
Subject: RE: Hi Michelle!

HOUSE OF ASSEMBLY ACCOUNTABILITY, INTEGRITY AND ADMINISTRATION ACT

Request for opinion

36. (1) A member who has reasonable grounds to believe that another member is in contravention of the code of conduct adopted under subsection 35 (1) may, by application in writing setting out the grounds for the belief and the nature of the alleged contravention, request that the commissioner give an opinion respecting the compliance of the other member with the provisions of the code of conduct.

(2) The commissioner, on his or her own initiative, may conduct an inquiry to determine whether a member has failed to fulfil an obligation under the code of conduct where in the opinion of the commissioner it is in the public interest to do so.

(3) The House of Assembly may, by resolution, request that the commissioner give an opinion on a matter respecting the compliance of a member with the code of conduct.
(4) The Premier may request that the commissioner give an opinion on a matter respecting the compliance of a member with the code of conduct.

(5) Where a matter has been referred to the commissioner under subsection (1) or (3), the House of Assembly or a committee of the House of Assembly shall not conduct an inquiry into the matter until the commissioner has completed his or her work.

Inquiry

37. (1) Upon receiving a request under subsection 36 (1), (3) or (4), or where the commissioner decides to conduct an inquiry under subsection 36 (2), and on giving the member concerned reasonable notice, the commissioner may conduct an inquiry.

(2) Where the commissioner conducts an inquiry under subsection (1), he or she shall give the member to whom the inquiry relates a copy of the request and at all appropriate stages throughout the inquiry the commissioner shall give the member reasonable opportunity to be present and to make representations to the commissioner in writing or in person or by counsel or other representative.

(3) Where the commissioner conducts an inquiry under subsection (1), he or she has all the powers of a commissioner under the Public Inquiries Act, 2006.

(4) Where the commissioner determines that the subject-matter of an inquiry conducted by him or her is under investigation by police or is the subject-matter of criminal proceedings, the commissioner shall hold the inquiry in abeyance pending final disposition of that investigation or those proceedings if, in his or her opinion, the continuation of the inquiry would inappropriately interfere with the investigation or proceeding.

(5) Where during the course of an inquiry the commissioner determines that there are reasonable grounds to believe that an offence contrary to an Act of the province or the Parliament of Canada has been committed, the commissioner shall immediately refer the matter to the
appropriate authorities and hold the inquiry in abeyance pending final disposition of a resulting investigation and proceedings.

**Report**

38. (1) Where a request for an opinion is made under subsection 36 (1) or (3), or where the commissioner conducts an inquiry under subsection 36 (2), he or she shall report his or her opinion to the commission which shall present the report to the House of Assembly within 15 sitting days of receiving it if it is in session or, if not, within 15 sitting days of the beginning of the next session.

(2) Where the request for an opinion is made under subsection 36 (4), the commissioner shall report his or her opinion to the Premier and the member concerned.

(3) In all cases, the commissioner shall report the results of an inquiry to the member concerned.

(4) The commissioner shall report the results of an inquiry as soon as possible, and in any event no later than 90 days after beginning the inquiry.

**Penalties**

39. Where the commissioner determines that a member has failed to fulfil an obligation under the code of conduct, he or she may recommend in the report under section 38

(a) that the member be reprimanded;

(b) that the member make restitution or pay compensation;

(c) that the member be suspended from the House of Assembly, with or without pay, for a period specified in the report; or

(d) that the member's seat be declared vacant.
Hi Michelle!

We're hearing rumours of a possible cabinet shuffle sometime this week?

With the Commissioner's reports being tabled, will Dale Kirby and Eddie Joyce be welcomed back into caucus/cabinet?

What about Pam Parsons and Colin Holloway? Is there any action for them?

Linda Swain
VOCM News
726-5660

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Dear Mr. Prenier,

I've now had the opportunity to read the report of Mr. Chaulk, and the complaint by the member from Terra Nova. In my opinion the two harassment allegations are vexatious and bordering on malicious. I support the claim of Mr. Kirby that harassment process conducted by your member for Terra Nova and Ms Parsons are being used as political weapons to discredit two fine MHA's (Joyce and Kirby) to the betterment of two back bench members.

If this report stands as is and either Eddie Joyce or Dale Kirby face further reprimand I think that would be an affront to valid claims of workplace harassment. The claims I've read sully and are a mockery to survivors. In short I believe they are simply unfounded.

Further in the spirit of upholding the serious work of the People of this province I recommend that Government reprimand the two members who made these fictional allegations to discredit and disserve Her Majesty's Government of Newfoundland and Labrador. Mr. Kirby and Mr. Joyce deserve an apology and compensation for the legal fees they've had to incur due to these preposterous and scandalous false allegations.

In Solidarity,
Dear Premier Ball,

Like the rest of the Newfoundlanders and beyond who read the very disturbing actions of MHA Eddie Joyce and the others mentioned who act the way he does, I am letting you know this is a disgrace to us all. The very fact that these "Ministers" would bully other workers to give favored jobs to their friends is bad enough but on top of that the friends were not even qualified to do the work. There's so much wrong with that but of course you already know how wrong it is. No wonder Nfld. is in the rotten shape we are in. There's no doubt left in our minds that great numbers of "friends" of Ministers hired are not even qualified for the work which is why so many Newfoundlanders are hurting so much today. It explains a lot.

I think it was only a few days ago government found Mr. Joyce not guilty of any wrong doing. What can you be thinking. That man should not be allowed to spend one more minute in a position to cause any more harm and waste of taxpayers money. We've heard so much in recent months of the bullying and harrassment going on in your circle and what I read in today's newspaper about Eddie Joyce just turned my stomach. We ask that Mr. Joyce and all those who are acting the way he does be removed from the position they hold. There are so many hurting Newfoundlanders who are in need and to see money wasted in this way will not be tolerated. Besides that is the fact that he is highly paid and we want that money to go where it belongs.

We are extremely overtaxed to the point we're not taking any more of it and we're left with very little to live on. Low income earners having taxes taken from their pay is grossly unfair and we ask that come to a stop right now.

We are asking for big changes to happen right now to make this province a fit place to live in.

Sincerely,
Hi Michelle,

Wondering if the premier is available to comment on the Chaulk report and comments by Eddie Joyce that he won’t return to cabinet and caucus if Minister Sherry Gamlin-Walsh is still there?

Thanks

Diane

DIANE CROCKER
Journalist

The Western Star
A member of the SaltWire Network

P 709.637.4677
M
E diane.crocker@thewesternstar.com
www.thewesternstar.com

106 West Street
PO Box 460
Corner Brook, Newfoundland and Labrador
A2H 6E7

BE ESSENTIAL
Hi Marian,

I spoke with the Speaker and the Clerk regarding the correspondence ICOR2018/4463. You can advise [REDACTED] that the process is outlined in the legislation by the House of Assembly Accountability, Integrity and Administration Act, and the House votes on the recommendations in the reports from the Commissioner for Legislative Standards.

Kind regards,
Kala

-----Original Message-----
From: Premier of NL
Sent: Tuesday, November 20, 2018 12:43 PM
To: Noel, Kala <KalaNoel@gov.nl.ca>
Subject: HPE Records Manager Incoming Correspondence : ICOR2018/4463 : ICOR2018/4463 - [REDACTED]

Hi Kala,

This email was sent to the Premier from [REDACTED] regarding the allegations of bullying and harassment in the house. I'm not sure who should respond to this, however, I thought I'd start with the Speaker.

Would you please review with the Speaker and provide some direction.

Thank you,

Marian Glavine

-----< HPE Records Manager record Information >-----

Record Number: ICOR2018/4463
Title : Email from [REDACTED] to Premier questioning why MHA's Perry, Gambin-Walsh, and Holloway do not have to apologize to the House.
thank you very much for your response.... I really appreciate it. Even though I live in Ontario, my roots are in Newfoundland. I do not think that my email was accepted with the address that you provided..... Would you kindly forward it to the Speaker of the House on my behalf.... ?..... If fact, my email was rejected.

I would really appreciate it.....

Thank you very much

On Tuesday, November 20, 2018, 3:28:12 p.m. AST, Premier of NL <Premier@gov.nl.ca> wrote:

Good Afternoon

Thank you for your email. I have forwarded your inquiry to the Speaker’s office for consideration and any future questions/comments related to the House of Assembly can be directed to the Speaker’s Office at speakerHOA@gov.nl.ca.

Kind Regards,

Marian Glavine

Office of the Premier
Executive Council
Government of Newfoundland & Labrador
8th Floor East Block, Confederation Complex
P.O. Box 8700, St. John’s NL A1B 4J6
From: [Redacted]
Sent: Tuesday, November 13, 2018 2:32 PM
To: Premier of NL <Premier@gov.nl.ca>
Subject: Eddie Joyce

Dear Mr Ball

100% of the allegations of bullying and harassment were proven untrue and totally unfounded by the experts at Rubin Tomlinson, the firm hired by the province to do the investigation. Why don't the three accusers, Tracey Perry, Sherry Gambin Walsh and Colin Holloway have to apologize? Where is the fairness and justice in this?

I would really appreciate your response

[Redacted]

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As per: [redacted] I am forwarding her inquiry to you for review and response.

Regards,

Marian Glavine

Office of the Premier
Executive Council
Government of Newfoundland & Labrador
2nd Floor East Block, Confederation Complex
P.O. Box 8700, St. John's NL A1B 4J6
(T) 709-729-3570 | (F) 709-729-5875

From: [redacted]
Sent: Tuesday, November 20, 2018 11:11 PM
To: Premier of NL <Premier@gov.nl.ca>
Subject: Re: Eddie Joyce

thank you very much for your response.... I really appreciate it. Even though I live in Ontario, my roots are in Newfoundland. I do not think that my email was accepted with the address that you provided...... Would you kindly forward it to the Speaker of the House on my behalf.... ?..... If fact, my email was rejected.

I would really appreciate it.....

Thank you very much

On Tuesday, November 20, 2018, 3:28:12 p.m. AST, Premier of NL <Premier@gov.nl.ca> wrote:

Good Afternoon [redacted]

Thank you for your email. I have forwarded your inquiry to the Speaker's office for consideration and any future questions/comments related to the House of Assembly can be directed to the Speaker's Office at speakerHOA@gov.nl.ca.
Dear Mr Ball

100% of the allegations of bullying and harassment were proven untrue and totally unfounded by the experts at Rubin Tomlinson, the firm hired by the province to do the investigation. Why don't the three accusers, Tracey Perry, Sherry Gambin Walsh and Colin Holloway have to apologize? Where is the fairness and justice in this?

I would really appreciate your response
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Hey Jason,

Just wondering if the premier has any response to Eddie Joyce's comments in the HOA just now. Here's some transcriptions of what he said, directed towards the premier. It went on for a while.

- "The next time you go to the media, tell them how many discussions we had over those five or six months."
- "Why don't you tell the people of the province how much we discussed it. Tell me what you really thought of it, what you were telling me privately. How many times did you call my house and we discussed it?"
- "Tell the truth, that's all I ask. How many discussions did we have? How many times did you call my house and you went over the report and what I should put in it. Let's put everything on the table here."
- "Did you ever tell me that they were B.S.? Your exact words, they were B.S. Did you tell me that, Premier? Stand up."
- "I'm not letting you go public anymore and destroy my career because you haven't got the courage to stand up for what's right."

I'm here all night if he wants to give me a call. [Redacted]

Thanks,

Ryan.

---

Ryan Cooke
CBC Newfoundland and Labrador

[Redacted]
Dear Mr. Ball:

I recently read the article titled "Dwight Ball asks voters to trust him" in The Western Star - Jan 11.

You are quoted in the piece urging voters to ignore the "noise and fiction" from political opponents.

Below are two questions. Can I "trust you" to give me answers that are not "noise and fiction" but truth and reality?

As reported last October by The Telegram's David Maher in his piece outlining the allegations of bullying Sherry Gamin-Walsh brought forth against Eddie Joyce, we learned that she was blindsided by one of your ministers. Some anonymous minister told your cabinet that she had filed the complaint.
Quoting Ms. Gamin-Walsh from the Chaulk report "I could not believe what had happened".

Question 1:

How did Ms. Gamin-Walsh's bullying complaint get from the ears of either you or someone in your office (when the formal complaint was made) to the ears of the anonymous cabinet minister who then put this confidential information on their tongue and informed cabinet what Ms. Gamin-Walsh was doing?

Question 2:

Quoting from the aforementioned Mr. Maher's article "... though the report doesn't say which minister first outed Gamin-Walsh" my question is:
Who is the minister who told cabinet that Gamin-Walsh had filed a formal complaint about Joyce?
Not knowing if you are reading my email or a political staff person, I have copied various media in the hope that should my email go unanswered, perhaps I might get my two questions answered (in the media) through a more expedited manner should those I have copied consider my questions to be relevant.

Wishing you good health in 2019,

Cc:  
Open lineVOCM  
NTV  
David Maher-Telegram  
Rob Antle-CBC
Thank you Jason!

--

Thanks,
David Maher
Municipal Reporter
The Telegram
Desk: (709) 364-2323 ext. 321
Cell: [redacted]
Twitter: DavidMaherNL

Hi David,

The following statement is being provided on behalf of the Premier:

"I have always respected the House of Assembly and its rules, and will respond to Ches’ comments.

I also respect the people of the province, and I hope this shows them how Ches Crosbie and the PC Party spend their time – playing politics and mudslinging. I encouraged both complainants and respondents to be complete in their submissions to the Commissioner of Legislative Standards, and today, Ches is taking issue with that.

We are more than a month removed from one of the most challenging sessions of the House of Assembly – a session where all members recognized the need to work together to advance the needs of the people of the province.

What Ches has done today does not contribute to collaboration, nor does it advance the priorities of the people we are supposed to serve.

As the PC Party continues playing politics, I remain focused on creating jobs, restoring fiscal balance, and delivering better services and better outcomes for Newfoundlanders and Labradorians."

Best Regards,

Jason Card
Senior Communications Advisor
Premier’s Office
From: David Maher [mailto:david.maher@thetelegram.com]  
Sent: Tuesday, January 15, 2019 3:11 PM  
To: Card, Jason <JasonCard@gov.nl.ca>  
Subject: Request for Comment  

Hey Jason,

Not sure if you’ve seen the release about the PCs asking the commissioner for an investigation into the Premier’s speaking with Eddie Joyce. Just wondering if there’s any comment that can be provided for a story for tomorrow?

--
Thanks,
David Maher
Municipal Reporter
The Telegram
Desk: (709) 364-2323 ext. 321
Cell: [Redacted]
Twitter: DavidMaherNL

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Thanks.

Sent from my BlackBerry - the most secure mobile device - via the Bell Network

Hi Mike,

The following statement is being provided on behalf of the Premier:

"I have always respected the House of Assembly and its rules, and will respond to Ches' comments.

I also respect the people of the province, and I hope this shows them how Ches Crosbie and the PC Party spend their time – playing politics and mudslinging. I encouraged both complainants and respondents to be complete in their submissions to the Commissioner of Legislative Standards, and today, Ches is taking issue with that.

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As the PC Party continues playing politics, I remain focused on creating jobs, restoring fiscal balance, and delivering better services and better outcomes for Newfoundlanders and Labradorians."

Best Regards,

Jason Card
Senior Communications Advisor
Premier's Office
Executive Council
Government of Newfoundland and Labrador
Phone: (709) 729 3558
Fax: (709) 729 5875
E-mail: jasoncard@gov.nl.ca
Ches Crosbie put out a release saying he has asked the Commissioner for Legislative Standards to investigate the premier for allegedly breaching the MHA Code of Conduct.

Would the premier be available for response to this today?

Here is the release:

Office of the Official Opposition

For Immediate Release

Crosbie Asks Commissioner to Investigate Premier for Alleged Code of Conduct Breach

St. John's, NL (January 15, 2019) – PC Opposition Leader Ches Crosbie today announced that he has written to the Commissioner for Legislative Standards to request an investigation of Premier Dwight Ball.

Crosbie’s complaint alleges breach of the House of Assembly Code of Conduct after the Premier admitted counselling at least one Member on how to respond while that Member was being investigated for ethics breaches.

During debate in the House of Assembly on December 3, 2018, the Member for Humber – Bay of Islands (Eddie Joyce) alleged the Premier had many discussions with him about the allegations against him, called to discuss the matter, advised the Member how to respond to the allegations against him, agreed to be a witness for the Member, and downplayed the allegations against the Member.

“The allegations of witness tampering against Premier Ball undermine the integrity of months of deliberation by the House of Assembly,” said Crosbie. “Return to honest government requires they be investigated.”

The Liberal government closed the session of the House early, a day after the Premier was questioned by Crosbie and admitted to coaching Joyce.

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Good afternoon, please see attached.

Krista Dalton
Media Relations Manager
Service NL
709-729-4748
Follow us on Twitter @ServiceNL
QP Issue Note

Department of Service NL

ISSUE:
Several letters were sent to the Minister of Service NL from MHA Eddie Joyce regarding Highway Enforcement Officers coming to his home to advise him of improper licencing on his Kubota. The Minister of Service NL replied to each of MHA Joyce’s letters with information regarding the Motorized Snow Vehicles and All-Terrain Vehicles Act and Regulations.

ANTICIPATED QUESTIONS:
Why did the Highway Enforcement Officer visit the home of MHA Joyce to relay this information?
Is the Minister of Service NL personally harassing the MHA?

KEY MESSAGES:
The Minister of Service NL only became aware of the issue after it was brought to her attention in a letter received from MHA Joyce.

We can also confirm that this enforcement action was initiated locally without the knowledge of the Executive of Service NL or the Registrar of Motor Vehicles.

The Registrar of Motor Vehicles has been tasked with this inquiry and has been in touch with MHA Joyce regarding this matter.

The vehicles affected were Kabota brand and involved a limited number of vehicles on the West Coast of the province.

To ensure the safety of the motoring public there are only certain vehicles that are permitted to be registered for road use.

SECONDARY MESSAGING:

- Kubota is a manufacturer that makes several models of vehicles.

- Some of the larger Kubota models are classified as equipment and are eligible for limited use on highways.

- The Registrar of Motor Vehicles has been in touch with the local Kabota dealer in Corner Brook to advise that UTVs and RTVs are not eligible for registration for road use.
Good with me. Of course, please wait to hear from Erin.

Thanks

From: Dalton, Krista <KristaD@e.gov.nl.ca>
Sent: Wednesday, February 20, 2019 4:29 PM
To: Joyce, Luke <LukeJoyce@e.gov.nl.ca>; Barfoot, Scott <ScottBarfoot@e.gov.nl.ca>; Bruce, Glenn <GlennBruce@e.gov.nl.ca>
Cc: Card, Jason <JasonCard@e.gov.nl.ca>; Sulley, Erin <ErinSulley@e.gov.nl.ca>; O'Neill, Melony <MelonyOneill@e.gov.nl.ca>
Subject: RE: Service NL Media Inquiry

How's this?

From: Joyce, Luke
Sent: Wednesday, February 20, 2019 4:26 PM
To: Dalton, Krista; Barfoot, Scott; Bruce, Glenn
Cc: Card, Jason; Sulley, Erin; O'Neill, Melony
Subject: RE: Service NL Media Inquiry

I think there's value in really pointing that MHA Joyce isn't the only one affected. I know it's at the end of the statement but I think it could be more prominent.

From: Dalton, Krista <KristaD@e.gov.nl.ca>
Sent: Wednesday, February 20, 2019 4:24 PM
To: Joyce, Luke <LukeJoyce@e.gov.nl.ca>; Barfoot, Scott <ScottBarfoot@e.gov.nl.ca>; Bruce, Glenn <GlennBruce@e.gov.nl.ca>
Cc: Card, Jason <JasonCard@e.gov.nl.ca>; Sulley, Erin <ErinSulley@e.gov.nl.ca>; O'Neill, Melony <MelonyOneill@e.gov.nl.ca>
Subject: Service NL Media Inquiry

MEDIA REQUEST INFORMATION

Date: Wednesday, Feb. 20, 2019

Media:
Colleen Connors
CBC

Reporter's Deadline:
Not specified

Context:
Looking for clarification on letter received from MHA Eddie Joyce regarding improper licencing of RTV
Questions:
Any information you can provide about the incident.

Suggested Approach:
Statement

Suggested Statement/Key Messages

The Minister of Service NL only became aware of the issue after it was brought to her attention in a letter received from MHA Joyce. We can also confirm that this enforcement action was initiated locally without the knowledge of the Executive of Service NL or the Registrar of Motor Vehicles.

The Registrar of Motor Vehicles notes that MHA Joyce was previously issued an incorrect licence for his RTV. The Registrar has been tasked with this inquiry and has been in touch with MHA Joyce regarding this matter.

To ensure the safety of the motoring public there are only certain vehicles that are permitted to be registered for road use. MHA Joyce’s UTV was not the only one affected. Those affected were Kabota brand and involved a limited number of vehicles on the West Coast of the province.

In consultation with and approved by:
Deputy Minister

Krista Dalton
Media Relations Manager
Service NL
709-729-4748
Follow us on Twitter @ServiceNL_
Revised with fourth key message added at the request of the 10th.

Thanks
Krista

From: Dalton, Krista
Sent: Wednesday, February 20, 2019 4:19 PM
To: Joyce, Luke; Barfoot, Scott; Bruce, Glenn
Cc: Card, Jason; Sulley, Erin; O’Neill, Melony
Subject: Service NL Key Messages - Improper Licencing

Good afternoon, please see attached.

Krista Dalton
Media Relations Manager
Service NL
709-729-4748
Follow us on Twitter @ServiceNL_
QP Issue Note

Department of Service NL

ISSUE:
Several letters were sent to the Minister of Service NL from MHA Eddie Joyce regarding Highway Enforcement Officers coming to his home to advise him of improper licencing on his Kubota. The Minister of Service NL replied to each of MHA Joyce's letters with information regarding the Motorized Snow Vehicles and All-Terrain Vehicles Act and Regulations.

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• Some of the larger Kubota models are classified as equipment and are eligible for limited use on highways.

• The Registrar of Motor Vehicles has been in touch with the local Kabota dealer in Corner Brook to advise that UTVs and RTVs are not eligible for registration for road use.
Hon premier
As a present WEAK supporter of the liberal party I want to express my opinion and discuss how the issues were handled remember Eddie Joyce, when Mr. Joyce was removed from cabinet Minister Gamble-Walsh should have been removed as well. The whole issue was carried on too long and people are fed up with it, there were more important topics to deal with, Mr. Joyce remains very popular in this region. As a regular volunteer I meet with many people who share my views, Mr. Joyce will get reelected again and it’s unfortunate he has to choose a different route. Unless attitudes change I predict the liberal party will suffer come an election. The selection of Minister Mitchelmore for tourism. Was not a good choice, actually an embarassment to the providence what experience does he have in tourism and he is not in tune with the topics. Please consider my opinion as constructive criticism, the liberal has to do a better job to communicate with the people,

Sincerely,

Sent from my iPad
Hi Dwight,

I deeply appreciate the gracious tone you set after the election last night.

I know you’re getting lots of suggestions and advice. Let me add mine; keep your respectable composure. Stay on message. And maybe even this; consider Eddie Joyce for Speaker.

Best Regards