August 18, 2016

Dear [Redacted]

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our File #: HRS-19-2016]

On July 21, 2016 the Human Resource Secretariat received your request for access to the following records/information:

"A detailed breakdown of the services for which Ms. Cathy Dornan was paid and any and all correspondence related to Ms. Dornan and her role."

I am pleased to inform you that a decision has been made by the Deputy Minister for the HRS, to provide access to the requested information – please find attached.

As required by 8(2) of the Act, we have severed information that is unable to be disclosed, and have provided you with as much information as possible. Specifically, access to information contained within the records has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy (ATIPP) Act:

- **Section 27, Cabinet Confidences**
  - (1)(c) a memorandum, the purpose of which is to present proposals or recommendations to the Cabinet
  - (2) The head of a public body shall refuse to disclose to an applicant
    - (a) a cabinet record

- **Section 40, Disclosure harmful to personal privacy**
  - (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.

As previously noted, the Department of Justice and Public Safety will be responding to the portion of the request relating to "a detailed breakdown of the services for which Ms. Cathy Dornan was paid".

Please be advised that you may ask the Information and Privacy Commissioner to review the processing of your access request, as set out in section 42 of the Access to Information and Protection of Privacy Act (the Act). 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.
The address and contact information of 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 the decision of the public body, pursuant to section 52 of the Act.

Please be advised that this letter will be published following a 72 hour period after it 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 letter 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 feel free to contact me by telephone 709-729-6158 or by e-mail at vburry@gov.nl.ca.

Sincerely,

Veronica Burry
ATIPP Coordinator, CIPP/C
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If you wish to obtain a copy please contact the ATIPP Office at (709) 729-7072 or atippoffice@gov.nl.ca.
Office of the Official Opposition
NEWS RELEASE

July 22, 2016
For Immediate Release

Ball Liberals are "Hands-On" Only When It Suits Them, and Unaccountable When It Doesn't

Paul Davis, Leader for the Official Opposition, was surprised to hear Finance Minister taking credit for kicking Cathy Dornan off the McInnis Cooper contract when, under questioning in the House just weeks ago, she washed her hands of responsibility for the employment of the external communications specialist, saying it was the law firm's responsibility.

Davis said, "It's part of a Ball Liberal pattern to be hands-on only when it suits them, but hands-off and unaccountable whenever it doesn't, which is often."

In a statement this week, the Finance Minister said: "As of the end of June, government determined that the remaining communications work for collective bargaining would be completed internally. Government advised McInnes Cooper that external communications resources would no longer be required."

But under questioning in the House on May 10, the Finance Minister refused to take responsibility for the communications consultant, saying the government contracted with McInnis Cooper and "they chose who they bring in as a subcontractor."

"Now that she's taken ownership of the communications consultant's employment, maybe she can tell the public exactly what the province received for the $40,000 the consultant was paid," he said.

Davis said the Liberals took the same approach to replacing the CEO of Nalcor. If there were any difficult questions, it was always the board's responsibility. "Whenever they were asked questions about Nalcor that made them uncomfortable, the Premier and his Ministers tried to wash their hands and blame the board, even when they were directly engaged."

Davis said, "It's become a common theme, and people have learned to associate the Liberal brand with 'can't be trusted' because of this pattern of dodging and distorting the truth."
"When the questions are tough, the Premier and his Minister go into hiding, refuse media requests for interviews and ignore questions from the Opposition and the public. Accountability means nothing if it’s only when it’s convenient. A government that won’t own up to its mistakes is not to be trusted,” he said.

-30-

Media Contact: Heather MacLean, Director of Communications, Office of the Official Opposition (709) 729 6105, heathermaclean@gov.nl.ca
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Burry, Veronica

From: O'Connor, Nancy
Sent: Wednesday, July 20, 2016 10:33 AM
To: Bennett, Cathy (Minister); Tulk, Jennifer; Foote, Carla
Cc: Williams, Geoff; Mercer, Greg
Subject: Re: Cathy Dornan

I have a lot of questions around how this got into place with Cathy Dornan. The Premier is now going to be faced with these questions and our office had nothing to do with this other than requiring the contract with Cathy D to be cancelled once learning of it.

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Bennett, Cathy (Minister)
Sent: Wednesday, July 20, 2016 5:57 AM
To: Tulk, Jennifer; Foote, Carla; O'Connor, Nancy
Cc: Williams, Geoff
Subject: Re: Cathy Dornan

I would expect ALL Advice from McInnes is advice to Cabinet...

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Bennett, Cathy (Minister)
Sent: Wednesday, July 20, 2016 10:20 AM
To: Tulk, Jennifer; Foote, Carla; O'Connor, Nancy
Cc: Williams, Geoff
Subject: Re: Cathy Dornan

It's with JP... need to ask Heather

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Tulk, Jennifer
Sent: Wednesday, July 20, 2016 10:04 AM
To: Foote, Carla; Bennett, Cathy (Minister); O'Connor, Nancy
Cc: Williams, Geoff
Subject: RE: Cathy Dornan

I can't speak to that, maybe Geoff can advise.

The response I provided to the first question was provided to media in April.

From: Foote, Carla
Sent: Wednesday, July 20, 2016 10:03 AM
To: Bennett, Cathy (Minister); Tulk, Jennifer; O'Connor, Nancy
Subject: RE: Cathy Dornan

Jennifer, is the contract with McInnes Cooper subject to cabinet confidencesm or is it fully accessible through ATIPPA? My concern is with the second part of the first question. Are we legally able to detail the activity of McInnes Cooper?
From: Bennett, Cathy (Minister)
Sent: Wednesday, July 20, 2016 9:57 AM
To: Tulk, Jennifer; O'Connor, Nancy; Foote, Carla
Subject: Re: Cathy Dornan

Yes

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Tulk, Jennifer
Sent: Wednesday, July 20, 2016 8:55 AM
To: Bennett, Cathy (Minister); O'Connor, Nancy; Foote, Carla
Subject: FW: Cathy Dornan

Please see the below follow-up questions and proposed responses. Please advise if I’m ok to provide to CBC.

1. What did Ms. Dornan do during her time consulting for the government? What did she accomplish?

McInnes Cooper engaged the services of Cathy Dornan to support the provision of advice for the collective bargaining process.

2. What changed at the end of June so the government could make this decision?

As the statement indicated, government determined that the remaining Communications work for collective bargaining would be completed internally.

From: GARRETT BARRY [mailto:garrett.barry@cbc.ca]
Sent: Wednesday, July 20, 2016 8:10 AM
To: Tulk, Jennifer
Subject: Re: Cathy Dornan

A few follow-ups if you could:

1. What did Ms. Dornan do during her time consulting for the government? What did she accomplish?
2. What changed at the end of June so the government could make this decision?
On Wed, Jul 20, 2016 at 8:04 AM, Tulk, Jennifer <jenniferTulk@gov.nl.ca> wrote:
Garrett,

Here is a statement on behalf of the minister: "As of the end of June, government determined that the remaining Communications work for collective bargaining would be completed internally. Government advised McInnes Cooper that external Communications resources would no longer be required."

And for clarification, the contract for Ms. Dornan was between McInnes Cooper and Ms. Dornan.

Thanks,
Jennifer

Sent from my BlackBerry 10 smartphone on the Bell network.

From: GARRETT BARRY
Sent: Wednesday, July 20, 2016 6:01 AM
To: Tulk, Jennifer
Subject: Cathy Dornan

Hi Jennifer,

Has Cathy Dornan's contract been terminated? Is McInnes Cooper's contract still ongoing?

Thanks,
Garrett Barry
CBC Newfoundland and Labrador

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From: O'Connor, Nancy
Sent: Wednesday, July 20, 2016 10:28 AM
To: Bennett, Cathy (Minister); Tulk, Jennifer; Foote, Carla
Cc: Williams, Geoff
Subject: Re: Cathy Dornan

Folks is email the best way to sort this out?

Sent from my BlackBerry 10 smartphone on the Bell network.

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Carla

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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Section 27(1)(c), (2)(a)