June 9, 2015

Dear [Redacted]

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our File #: HCS/024/2015]

On February 26, 2015, the Department of Health and Community Services (the Department) received an Access to Information and Protection of Privacy request for the following information/records:

“All correspondence between the Department of Health and Community Services and Eastern Health since January 1, 2006 regarding Iris Kirby House and all correspondence between Health and Community Services and Iris Kirby House since January 1, 2006”.

We contacted you requesting a possible clarification of the request and as agreed upon on March 2, 2015 correspondence the request was as follows:

“All correspondence, including letters and emails, between the Department of Health and Community Services and Eastern Health since January 1, 2006 to present regarding Iris Kirby House’s finances and financial statements and all correspondence, including letters and emails, between the Department of Health and Community Services and Iris Kirby House since January 1, 2006 to present, regarding Iris Kirby House’s finances and financial statement”.

After more discussions, we further refined the request and on April 10, 2015, the request is now as follows:

“Correspondence between Iris Kirby House (IKH) and the Department of Health and Community Services relating to IKH submitting their financial statements and/or a balance sheet to Eastern Health and/or the Department of Health and Community Services since 2006 and correspondence between the Department of Health and Community Services and Eastern Health regarding IKH submission of financial statements and or a balance sheet to Eastern Health and/or the Department of Health and Community Services since 2006.”

On April 28, 2015, the Department notified you of a time extension which was approved by the Information and Privacy Commissioner. The third party was consulted and provided comments and/or recommendations to the Department based on the Access to Information and Protection of Privacy Act (the Act).
Subsequently, on May 19, 2015, the third party was provided the Department’s position on the disclosure of their information and was given 20 days to file a review with the Commissioner. The 20 days have passed and to date, the Department hasn’t received a request for review from the Commissioner and therefore, the Department has reviewed your request in the context of the Act and is pleased to inform you that your request for access to these records has been granted, in part.

Access to the some records and/or information contained within the records, has been refused in accordance with the following exceptions to disclosure, as specified in the Act:

s.21. The head of a public body may refuse to disclose to an applicant information
(a) that is subject to solicitor and client privilege; or
(b) that would disclose legal opinions provided to a public body by a law officer of the Crown.

Pages 23-24 and 30-31 have been fully redacted under s.21 and therefore are removed from the enclosed package.

As a public body, the Department has an obligation under the Act to, with a few exceptions, release information of a public nature which is in its custody or control. Such information includes details related to expenditure of public funds, including public funds provided to IKH. The IKH financial statements include far more information than the lines that relate to public money contributed to IKH and therefore, information contained within the records and/or information will be refused under s.27(1)(b) which states:

s.27(1) The head of a public body shall refuse to disclose to an applicant information that would reveal
(b) commercial, financial, labour relations, scientific or technical information of a third party, that is supplied, implicitly or explicitly, in confidence and is treated consistently as confidential information by the third party.

Pages 56-63, 70-75, 77, 83-88, 90, 96-101, 103, 109-114 and 116 have been fully redacted under s.27(1)(b) and therefore removed from the enclosed package.

s.26(1) The head of a public body may refuse to disclose to an applicant information, including personal information about the applicant, where the disclosure could reasonably be expected to
(a) threaten the safety or mental or physical health of a person other than the applicant.

s.30(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 required by subsection 7(2) of the Act, we have severed information that is excepted from disclosure and have provided you with as much information as possible. In accordance with your request for a copy of the records, the appropriate copies have been enclosed.

Section 43 of the Act provides that you may ask the Information and Privacy Commissioner to review this partial refusal of access or you may appeal the refusal to the Supreme Court Trial Division. A request to the Information and Privacy Commissioner shall be made in writing within 60 days of the date of this letter or within a longer period that may be allowed by the Commissioner.
Records that are refused on the basis of section 21 (legal advice) you must appeal directly to the Supreme Court Trial Division within 30 days after you receive the decision of the public body, pursuant to section 60. You may also contact the Office of the Information and Privacy Commissioner who may decide to initiate an appeal pursuant to subsection 60(1.1).

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
Facsimile: (709) 729-6500

In the event that you choose to appeal to the Trial Division, you must do so within 30 days of the date of this letter. Section 60 of the Act sets out the process to be followed when filing such an appeal.

Please be advised that responsive records 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 feel free to contact the ATIPP Coordinator, Kim Anstey-Stockwood at 709-729-7776 or by email at kimanstey@gov.nl.ca.

Sincerely,

[Signature]

BRUCE COOPER
Deputy Minister

/kas

/Encl.

ATIP/0312/002/022
No problem. Thanks for that. As indicated, I will copy you on my response to [s. 30(1)]

Kim

Kim Baldwin  
Regional Director – Community and Addictions Services  
Mental Health & Addictions Program  
Eastern Health  
Mount Pearl Square  
760 Topsail Rd  
Mount Pearl, NL  
A1N 3J5

(709)752-4336

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Kim

I've sent to Elaine and she is fine-sorry, just re read your message and realized you wanted to hear back from me and then send on to Elaine and Bev. So, both Elaine and I are fine-you just need to send to Bev.

Thanks and have a great evening,
Colleen

HI Colleen,

As we discussed earlier, can you have a look at this draft and offer any input before we send on to Bev and Elaine for review

Kim
Finally, there were no financial statements attached to this submission. As I had indicated last week, we really do need a copy of your most recent audited financials as part of this budgetary consideration. Wondering if you could follow up on that?

Thanks, 
Kim 
Kim Balfwin 
Regional Director – Community and Addictions Services 
Mental Health & Addictions Program 
Eastern Health 
Mount Pearl Square 
760 Topsail Rd 
Mount Pearl, NL 
A1N 3J5 

(709)732-4336

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Colleen

From: Kim Baldwin [mailto:Kim.Baldwin@easternhealth.ca]
Sent: Tuesday, April 01, 2014 2:18 PM
To: Simms, Colleen
Subject: RE: [REDACTED]

Hi Colleen,

I am realizing that I hadn’t responded to you about this. I was hoping to line up a meeting with them once I hear back on the status of our Service Agreement. Hoping to get an update on that within the next week or so. Would be helpful for us to have a discussion re: next steps

Kim

Kim Baldwin
Regional Director – Community and Addictions Services
Mental Health & Addictions Program
Eastern Health
Mount Pearl Square
760 Topsail Rd
Mount Pearl, NL
A1N 3J5

(709)752-4336

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From: Simms, Colleen [mailto:ColleenSimms@gov.nl.ca]
Sent: March-19-14 9:41 AM
To: Kim Baldwin
Subject: FW: [REDACTED]

Colleen
Good Morning Kim & Colleen,

Regarding the Service Agreement, I spoke with lawyer and he informed me that EH had his draft for 3 months and he only got it back on Feb. 21. He says there is still a major privacy concern as EH has taken the position that the financial stms are subject to ATIPA. His schedule will not permit him to meet with us for another couple of weeks.

Thanks and have a good day,
On Tue, 11 Mar 2014 11:42:31 +0000, Kim Baldwin <Kim.Baldwin@easternhealth.ca> wrote:

Hi,

s.30(1)

NR

Finally, there were no financial statements attached to this submission. As I had indicated last week, we really do need a copy of your most recent audited financials as part of this budgetary consideration. Wondering if you could follow up on that?

NR

s.30(1)

Thanks,
Kim Baldwin  
Regional Director – Community and Addictions Services  
Mental Health & Addictions Program  
Eastern Health  
Mount Pearl Square  
760 Topsail Rd  
Mount Pearl, NL  
A1N 3J5  

(709)752-4335

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From: Simms, Colleen
Sent: Monday, April 28, 2014 4:24 PM
To: Kim Baldwin
Subject: RE: [redacted]  

Hi Colleen,

I am realizing that I hadn't responded to you about this. I was hoping to line up a meeting with them once I hear back on the status of our Service Agreement. Hoping to get an update on that within the next week or so. Would be helpful for us to have a discussion re: next steps.

Kim

Kim Baldwin
Regional Director - Community and Addictions Services
Mental Health & Addictions Program
Eastern Health
Mount Pearl Square
760 Topsail Rd
Mount Pearl, NL
A1N 3J5

(709)752-4336

---

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From: Simms, Colleen [mailto:ColleenSimms@gov.nl.ca]
Sent: March-19-14 9:41 AM
To: Kim Baldwin
Subject: FW: [redacted]  

Colleen
Good Morning Kim & Colleen,

Regarding the Service Agreement, I spoke with lawyer and he informed me that EH had his draft for 3 months and he only got it back on Feb. 21. He says there is still a major privacy concern as EH has taken the position that the financial stmts are subject to ATIPPA. His schedule will not permit him to meet with us for another couple of weeks.

Thanks and have a good day,
I will

Kim Baldwin
Regional Director – Community and Addictions Services
Mental Health & Addictions Program
Eastern Health
Mount Pearl Square
760 Topsail Rd
Mount Pearl, NL
A1N 3J6

(709)752-4336

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From: Beverley Clarke
Sent: May-13-14 4:16 PM
To: 'Simms, Colleen'; Chatigny, Elaine
Cc: Kim Baldwin
Subject: RE: Visit to Iris Kirby House

I was assuming there wasn’t anything ....
Kim – could you ask Kerry to follow up with Harold Smith again?
Bev

From: Simms, Colleen [mailto:ColleenSimms@gov.nl.ca]
Sent: Tuesday, May 13, 2014 4:13 PM
To: Chatigny, Elaine; Beverley Clarke
Cc: Kim Baldwin
Subject: Re: Visit to Iris Kirby House

I’m not aware of anything.
Department of Health & Community Services
Executive Council
Government of Newfoundland and Labrador
P.O.Box 8700
St.John’s, NL
Canada
A1B 4J6

From: Chatigny, Elaine
Sent: Tuesday, May 13, 2014 04:09 PM
To: Beverley Clarke <BEV.CLARKE@easternhealth.ca>
Cc: Simms, Colleen; Kim Baldwin <Kim.Baldwin@easternhealth.ca>
Subject: Re: Visit to Iris Kirby House

Odd. Not aware of what he means.
Are you comfortable asking him what he means?

Elaine

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Beverley Clarke
Sent: Tuesday, May 13, 2014 2:37 PM
To: Chatigny, Elaine
Cc: Simms, Colleen; Kim Baldwin
Subject: RE: Visit to Iris Kirby House

Elaine,
thanks for the reminder. I did speak with Kim today and she will follow up with Colleen. I am copying you on a note our legal counsel Kerry] received from IKH’s lawyer last week when we queried yet again about the service agreement: I am not sure what “matter IKH is working on with the Dept”- Colleen and Kim will discuss and then Kim will arrange a meeting with IKH.
Bev

From: Harold M. Smith, C.L.C. [mailto:hsmith@stewartmckelvey.com]
Sent: May-05-14 11:35 AM
To: Kerry Hatfield
Subject: Re: Iris Kirby House Agreement

In the interim we are working on a matter with Dept of health which may have an impact on the service agreement. Will advise shortly with any luck.

Harold

From: Chatigny, Elaine [mailto:ElaineChatigny@gov.nl.ca]
Sent: Tuesday, May 13, 2014 2:32 PM
To: Beverley Clarke
Subject: Visit to Iris Kirby House

Hi Bev
Wondering if you had a chat with Kim and if the meeting with IKH is worked out?

Thanks
Elaine
Sent from my BlackBerry 10 smartphone on the Bell network.

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On Tue, 11 Mar 2014 11:42:31 +0000, Kim Baldwin <Kim.Baldwin@easternhealth.ca> wrote:

Hi

Finally, there were no financial statements attached to this submission. As I had indicated last week, we really do need a copy of your most recent audited financials as part of this budgetary consideration. Wondering if you could follow up on that?

Thanks,
Kim Baldwin  
Regional Director – Community and Addictions Services  
Mental Health & Addictions Program  
Eastern Health  
Mount Pearl Square  
760 Topsail Rd  
Mount Pearl, NL  
A1N 3J5  
(709)752-4336  

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Hi Colleen,

I haven’t received anything from IKH. I am following up to see what is happening.

Isobel

From: Isobel Keefe (Mental Health & Addictions)
Sent: Wednesday, July 16, 2014 12:49 PM
To: Simms, Colleen
Subject: RE: Iris Kirby House

Hi Colleen,

I haven’t received anything from IKH. I am following up to see what is happening.

Isobel
Cc: Beverley Clarke
Subject: Fw: Iris Kirby House

Hi Isobel

Dd EH receive the financials yet from IKH? Or is the MOU signed? Kim mentioned below that she was following up with your lawyer that day. [REDACTED] told Kim and I that her lawyer would be [REDACTED] and she would see then about getting the financial statements released.

Thanks,

Colleen
Department of Health & Community Services
Executive Council
Government of Newfoundland and Labrador
P.O. Box 8700
St. John's, NL
Canada
A1B 4J6

From: Kim Baldwin [mailto:Kim.Baldwin@easternhealth.ca]
Sent: Friday, June 27, 2014 04:07 PM
To: Simms, Colleen
Cc: Isobel Keefe (Mental Health & Addictions) <Isobel.Keefe@easternhealth.ca>; Beverley Clarke <BEV.CLAVER@easternhealth.ca>
Subject: RE: Iris Kirby House Budget

Hi Colleen,

As per our telephone discussion, we have yet to receive any audited financial statements from IKH. I spoke with our lawyer today and she is following up with their lawyer to determine exactly what their issues may be and see how we might be able to find a compromise.

Kim

Kim Baldwin
Regional Director – Community and Addictions Services
Mental Health & Addictions Program
Eastern Health
Mount Pearl Square
760 Topsail Rd
Mount Pearl, NL
A1N 3J5
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From: Simms, Colleen [mailto:ColleenSimms@gov.nl.ca]
Sent: June-27-14 10:41 AM
To: Kim Baldwin
Cc: Isobel Keefe (Mental Health & Addictions)
Subject: RE: Iris Kirby House

Right.

Thanks, Colleen

From: Kim Baldwin [mailto:Kim.Baldwin@easternhealth.ca]
Sent: Friday, June 27, 2014 10:38 AM
To: Simms, Colleen
Subject: RE: Iris Kirby House

I had asked our lawyer to connect with theirs and work through the concerns that were identified by

---

Kim Baldwin
Regional Director - Community and Addictions Services
Mental Health & Addictions Program
Eastern Health
Mount Pearl Square
760 Topsail Rd
Mount Pearl, NL
A1N 3J5

(709)752-4336

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From: Simms, Colleen [mailto:ColleenSimms@gov.nl.ca]
Sent: June-27-14 10:35 AM
To: Kim Baldwin
Subject: RE: Iris Kirby House Budget

Thanks. What is it that you are checking with your lawyer on? Can’t recall...

From: Kim Baldwin [mailto:Kim.Baldwin@easternhealth.ca]
Sent: Friday, June 27, 2014 9:38 AM
To: Simms, Colleen
Cc: Isobel Keefe (Mental Health & Addictions)
Subject: RE: Iris Kirby House

Colleen,
I have not heard a word from IKH since we met with them. I am following up with our lawyer this afternoon and will let you know the outcome before I head off.

Kim

Kim Baldwin  
Regional Director - Community and Addictions Services  
Mental Health & Addictions Program  
Eastern Health  
Mount Pearl Square  
760 Topsail Rd  
Mount Pearl, NL  
A1N 3J5  
(709)752-4336

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From: Simms, Colleen [mailto:ColleenSimms@gov.nl.ca]  
Sent: June-26-14 1:27 PM  
To: Kim Baldwin  
Cc: Isabel Keefe (Mental Health & Addictions)  
Subject: RE: Iris Kirby House  

Sorry, forgot to copy Isabel.

From: Simms, Colleen  
Sent: Thursday, June 26, 2014 1:26 PM  
To: 'Kim Baldwin'  
Subject: Iris Kirby House Budget

HI Kim  

--- IKH lawyer was returning and we were to hear from them regarding producing their financial statements. Assuming we receive and all is in order with their statements ---

Thanks, Colleen

---

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Isobel,

Before I send this to Elaine I just noticed that Kim says audited statements below...can you clarify for me if they have been received—you mentioned there was an email from your lawyer saying they needed detailed financials.

Thanks Colleen

Hi Elaine,

I spoke to Isobel today regarding this and Isobel confirmed that [reddedacted] the detailed financial statements have not been received (audited ones may have been) and EH lawyer is dealing with the IKH lawyer. [reddedacted] I agree with Kim’s recommendation below.

Hi Colleen,

As per our telephone discussion, we have yet to receive any audited financial statements from IKH. I spoke with our lawyer today and she is following up with their lawyer to determine exactly what their issues may be and see how we might be able to find a compromise.
Kim Baldwin  
Regional Director – Community and Addictions Services  
Mental Health & Addictions Program  
Eastern Health  
Mount Pearl Square  
760 Topsail Rd  
Mount Pearl, NL  
A1N 3J5  
(709) 752-4330

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From: Simms, Colleen [mailto:ColleenSimms@gov.nl.ca]  
Sent: June-27-14 10:41 AM  
To: Kim Baldwin  
Cc: Isobel Keefe (Mental Health & Addictions)  
Subject: RE: Iris Kirby House  

Right.

Thanks, Colleen

From: Kim Baldwin [mailto:Kim.Baldwin@easternhealth.ca]  
Sent: Friday, June 27, 2014 10:38 AM  
To: Simms, Colleen  
Subject: RE: Iris Kirby House

I had asked our lawyer to connect with theirs and work through the concerns that were identified by

Kim Baldwin  
Regional Director – Community and Addictions Services  
Mental Health & Addictions Program  
Eastern Health  
Mount Pearl Square  
760 Topsail Rd  
Mount Pearl, NL  
A1N 3J5  
(709) 752-4330

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From: Simms, Colleen [mailto:ColleenSimms@gov.nl.ca]  
Sent: June-27-14 10:35 AM  
To: Kim Baldwin  
Subject: RE: Iris Kirby House

Thanks. What is it that you are checking with your lawyer on? Can’t recall...
From: Kim Baldwin [mailto:Kim.Baldwin@easternhealth.ca]
Sent: Friday, June 27, 2014 9:38 AM
To: Simms, Colleen
Cc: Isobel Keeffe (Mental Health & Addictions)
Subject: RE: Iris Kirby House

Colleen,

I have not heard a word from IKH since we met with them. I am following up with our lawyer this afternoon and will let you know the outcome.

Kim

Kim Baldwin
Regional Director - Community and Addictions Services
Mental Health & Addictions Program
Eastern Health
Mount Pearl Square
760 Topsail Rd
Mount Pearl, NL
A1N 3J5
(709)752-4336

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From: Simms, Colleen [mailto:ColleenSimms@gov.nl.ca]
Sent: June 26-14 1:27 PM
To: Kim Baldwin
Cc: Isobel Keeffe (Mental Health & Addictions)
Subject: RE: Iris Kirby House

Sorry, forgot to copy Isobel.

From: Simms, Colleen
Sent: Thursday, June 26, 2014 1:26 PM
To: 'Kim Baldwin'
Subject: Iris Kirby House

Hi Kim

It is the end of June, the time frame when IKH lawyer was returning and we were to hear from them regarding producing their financial statements. Assuming we receive and all is in order with their statements,

Thanks, Colleen

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Fyi

Department of Health & Community Services
Executive Council
Government of Newfoundland and Labrador
P.O.Box 8700
St.John's, NL
Canada
A1B 4J6

From: Harold M. Smith, Q.C. [mailto:hsmith@stewartmckelvey.com]
Sent: Monday, August 04, 2014 06:03 PM
To: Simms, Colleen
Cc: S.30(1)
Subject: Dispute over Confidentiality of Financial Information of Iris Kirby House

Ms. Simms
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Elaine, as per our discussion.
Bev

From: Ann Murray
Sent: Thursday, September 18, 2014 2:53 PM
To: 'hsmith@stewartmckelvey.com'
Cc: Beverley Clarke; Kim Baldwin; Kerry Hatfield
Subject: Iris Kirby House

Good afternoon Mr. Smith,

Please find attached correspondence from Kerry Hatfield regarding the above-noted.

Regards,

Ann Murray
Legal Assistant to Janie L. Bussey
and Kerry R. Hatfield
Legal Services
Eastern Health
Building 532
Charter Avenue
Pleasantville
P.O. Box 13122
St. John’s, NL, A1B 4A4
T: 709-777-3858  F: 709-752-4219
ann.murray@easternhealth.ca

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Hi there
Colleen looking at it now as well. Your thoughts please.
Thanks
Élaine
September 29, 2014

Ms Beihn, Ms Tobin,

Thank you for taking the time to meet with me and with officials from the Department of Health and Community Services and from Eastern Health this morning. I thought it helpful to recap our discussion and to ensure we are moving forward to find a mutually beneficial resolution.

It is my understanding that you and your Board of Directors wish to be fully transparent and to provide Eastern Health with audited financial statements as per the requirements of the Provincial Transition Houses Operational Standards.

It is also my understanding that your reluctance to submit the documents relates to one specific line item in the 2013-14 statement which is of a labour relations nature. More specifically, you are concerned that if the information were to become public, the management of Iris Kirby House would be called into question and the confidentiality of your clients would be put at risk. While the disclosure could be awkward, I do not see how anyone’s personal information would be breached.

It is important to underscore that the release of any information in the possession of Eastern Health or the Department of Health and Community Services Is subject to the Access to Information and Privacy Act and as such there are provisions in the act that protect personal information and the business interests of third parties. Should an access request for your financial statement be made, Eastern Health would advise you of the request and all appropriate sections of the Act would be applied such that confidential information like the one you are most concerned with would be redacted. As recipients of public funds, I am sure you appreciate and respect the need for public accountability. My officials will follow up on this correspondence with a more detailed letter outlining the parameters of the Act and which sections would be applied in such a circumstance. I would also like to suggest that an expert in the ATIPPA make a presentation to your Board of Directors to help raise awareness and assuage concerns that they may have.
I am optimistic that we have found a suitable approach and I am confident that officials will assess your financial needs with the utmost diligence and keeping the needs of the community and the women and children we serve top of mind.

Regards,

Minister Clyde Jackman
Thank you for taking the time to meet with me and with officials from the Department of Health and Community Services and from Eastern Health this morning. I thought it helpful to recap our discussion and to ensure we are moving forward to find a mutually beneficial resolution.

It is my understanding that you and your Board of Directors wish to be fully transparent and to provide Eastern Health with audited financial statements as per the requirements of the Provincial Transition Houses Operational Standards. [Redacted] cannot be met unless the statements are provided to Eastern Health for their analysis and consideration.

I appreciate your concerns regarding client confidentiality and overall confidence in your organization. It is important to underscore that the release of any information in the possession of Eastern Health or the Department of Health and Community Services is subject to the Access to Information and Privacy Act and as such there are provisions in the act that protect personal information and the business interests of third parties. As recipients of public funds, I am sure you appreciate and respect the need for public accountability. My officials will follow up on this correspondence with a more detailed letter outlining the parameters of the Act and which sections would be applied in such a circumstance. I would also like to suggest that an expert in the ATIPPA make a presentation to your Board of Directors to help raise awareness and assuage concerns that they may have.
I am optimistic that we have found a suitable approach and I am confident that officials will assess your financial needs with the utmost diligence and keeping the needs of the community and the women and children we serve top of mind.

Sincerely yours,

[Signature]

CLYDE JACKMAN, M.H.A.
Burin – Placentia West
Minister of Health and Community Services
Thank you for taking the time to meet with me and with officials from the Department of Health and Community Services and from Eastern Health this morning. I thought it helpful to recap our discussion and to ensure we are moving forward to find a mutually beneficial resolution.

It is my understanding that you and your Board of Directors wish to be fully transparent and to provide Eastern Health with audited financial statements as per the requirements of the Provincial Transition Houses Operational Standards. [REDACTED] cannot be met unless the statements are provided to Eastern Health for their analysis and consideration.

I appreciate your concerns regarding client confidentiality and overall confidence in your organization. It is important to underscore that the release of any information in the possession of Eastern Health or the Department of Health and Community Services is subject to the Access to Information and Privacy Act and as such there are provisions in the act that protect personal information and the business interests of third parties. As recipients of public funds, I am sure you appreciate and respect the need for public accountability. My officials will follow up on this correspondence with a more detailed letter outlining the parameters of the Act and which sections would be applied in such a circumstance. I would also like to suggest that an expert in the ATIPPA make a presentation to your Board of Directors to help raise awareness and assuage concerns that they may have.
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Sincerely yours,

CLYDE JACKMAN, M.H.A.
Burin – Placentia West
Minister of Health and Community Services
From: Chatigny, Elaine  
Sent: Friday, October 17, 2014 2:00 PM  
To:  
Cc: Simms, Colleen; RE: Touching base  
Subject:  

Thanks - I appreciate your passion and commitment!

Élaine

-----Original Message-----  
From:  
Sent: Friday, October 17, 2014 1:50 PM  
To: Chatigny, Elaine  
Cc: Simms, Colleen;  
Subject: Re: Touching base

Hi Elaine,

I am meeting with the board on Monday and I have a full budget doc for their review which includes financials, prior to submission to EH and the Dept of Health. I am feeling positive as we move forward and I will touch base with you after that meeting. I have both you and Colleen copied on the entire pkg. Thanks for touching base and hope you all have a great w/e!

Regards,

On Fri, 17 Oct 2014 14:24:04 +0000, "Chatigny, Elaine"
<ElaineChatigny@gov.nl.ca> wrote:

Hi  
> It's been a week since we've spoken. I am anxious to resolve the  
> outstanding issue of the financial statements. Are you able to share  
> statements that are presented in a way that meets your needs?  
>  
> Thanks  
> Elaine  
>  
> Sent from my BlackBerry 10 smartphone on the Bell network.
Hi Elaine,

> no the sole intent of that email is to keep you in the loop. We have
> an issue, due to the request that went to EH, that could potentially
> hit the media and, thus felt it important that you/the dept be kept in
> the know. The issue of the financial statements and release to EH is
> still very active and we are mindful of the 3-week timeline that
> Minister Jackman indicated in our meeting held on Sept. 29th. We look
> forward to reaching a positive resolve to that ongoing issue.
>
> Kind regards,

On 10/10/2014 12:29 PM, Chatigny, Elaine wrote:  
> Thanks  
> > Am I to take from this correspondence that Iris Kirby House has
> > decided to not provide Eastern Health with its audited financial
> > statements? In our last conversation a week ago you mentioned that you
> > had met with the Board and that you had referred two issues to legal
> > counsel before you could get back to me on whether or not financial
> > statement would be forthcoming. I haven't heard back from you until
> > now. I am asking because I certainly don't want to misunderstand the
> > intent of sharing this letter with me.
> >
> > > Élaine
> >
> > > ----Original Message----
> > > From:  
> > > Sent: Friday, October 10, 2014 12:17 PM
> > > To: Chatigny, Elaine
Hi Elaine,

I hope this email finds you well. In keeping you updated, I wanted to let you know that EH’s communication division received a request from the media (CBC) this week for our financial statements. Kim Grant called to let me know of the request and informed me in responding to the request, EH would be releasing what they had on file, 2007 and 2008.

I am attaching to this email, fyi, the email that our legal counsel sent to EH’s legal counsel re this matter, which will fill in the details for you. I would want you to know of this, esp involving the media, so your Minister and Communications ppl are aware.

I hope you have a nice Thanksgiving w/e, it is a beauty day out there to start it off!

Kindest regards,

“This email and any attached files are intended for the sole use of the primary and copied addressee(s) and may contain privileged and/or confidential information. Any distribution, use or copying by any means of this information is strictly prohibited. If you received this email in error, please delete it immediately and notify the sender.”
Hi Colleen,

I will confirm that date and time. I am meeting with my Board this coming Monday and at that time I will extend the invitation to the executive and let you know who will be joining me. Thank you for your email and have a great weekend.

Regards,

On Fri, 17 Oct 2014 16:21:56 +0000, "Power, Colleen (HCS)" <colleenp@gov.nl.ca> wrote:

Further to your 16 October 2014 e-mail, please be advised Minister Kent will be available and pleased to meet with you in relation to the Iris Kirby House on Friday, 24 October 2014 at 9:00 a.m. in the Executive Boardroom of the Department of Health and Community Services, 1st Floor, West Block, Confederation Building. Could I ask you to please confirm your attendance on this date/time.

Colleen Power

Secretary to the Minister

Steve Kent, M.H.A.

Mount Pearl North

Minister of Health and Community Services
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I truly hope so, I am feeling very confident! I think we will all agreed there is far too much good work to be done!
On 10/20/2014 3:48 PM, Simms, Colleen wrote:

Thank you

I sense we are getting closer! I’m following up on who is attending and will be in touch.

Regards, Colleen

Thanks,

On 10/20/2014 3:13 PM, """" wrote:

Hi Elaine & Colleen,
We look forward to presenting you with our budget submission at our meeting with Minister Kent on Friday, Oct. 24th. Included with this submission will be our audited financial statements. We will be forwarding this same budget package to Kim Grant, at EH on Oct. 24th.

Thanks so much and have a great week, hope to see you both on Friday.

Regards,

---

On 10/17/2014 2:00 PM, Chatigny, Elaine wrote:

Thanks I appreciate your passion and commitment!

Elaine

-----Original Message-----
From: 
Sent: Friday, October 17, 2014 1:50 PM
To: Chatigny, Elaine
Cc: Simms, Colleen;
Subject: Re: Touching base

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Regards,

On Fri, 17 Oct 2014 14:24:04 +0000, "Chatigny, Elaine" <ElaineChatigny@gov.nl.ca> wrote:
Hi [REDACTED]

It's been a week since we've spoken. I am anxious to resolve the outstanding issue of the financial statements. Are you able to share statements that are presented in a way that meets your needs?

Thanks
Elaine

Sent from my BlackBerry 10 smartphone on the Bell network.
Original Message
From: Chatigny, Elaine
Sent: Friday, October 10, 2014 12:46 PM
To: [REDACTED]
Cc: Simms, Colleen; [REDACTED]
Subject: Re: Touching base

Thanks for clarifying.

Have a good Thanksgiving weekend.
Elaine

Sent from my BlackBerry 10 smartphone on the Bell network.
Original Message
From: [REDACTED]
Sent: Friday, October 10, 2014 12:42 PM
To: Chatigny, Elaine
Cc: Simms, Colleen; [REDACTED]
Subject: Re: Touching base

Hi Elaine,

no the sole intent of that email is to keep you in the loop. We have an issue, due to the request that went to EH, that could potentially hit the media and, thus felt it important that you/the dept be kept in the know. The issue of the financial statements and release to EH is still very active and we are mindful of the 3 week timeline that Minister Jackman indicated in our meeting held on Sept. 29th. We look forward to reaching a positive resolve to that ongoing issue.
Kind regards,

On 10/10/2014 12:29 PM, Chatigny, Elaine wrote:

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Am I to take from this correspondence that Iris Kirby House has decided to not provide Eastern Health with its audited financial statements? In our last conversation a week ago you mentioned that you had met with the Board and that you had referred two issues to legal counsel before you could get back to me on whether or not financial statement would be forthcoming. I haven't heard back from you until now. I am asking because I certainly don't want to misunderstand the intent of sharing this letter with me.

Élaine

-----Original Message-----
From: [REDACTED]
Sent: Friday, October 10, 2014 12:17 PM
To: Chatigny, Elaine
Cc: Simms, Colleen; [REDACTED]
Subject: Touching base

Hi Elaine,

I hope this email finds you well. In keeping you updated, I wanted to let you know that EH's communication division received a request from the media (CBC) this week for our financial statements. Kim Grant called to let me know of the request and informed me in responding to the request, EH would be releasing what they had on file, 2007 and 2008.

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I hope you have a nice Thanksgiving w/e, it is a beauty day out there to start it off!

Kindest regards,
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s. 30(1)

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Simms, Colleen

From: Beverley Clarke <BEV.CLARKE@easternhealth.ca>
Sent: Tuesday, October 21, 2014 11:54 AM
To: Simms, Colleen
Cc: Isobel Keefe (Mental Health & Addictions)
Subject: Re: Ministerial Meeting: Iris Kirby House

---

Sent from my BlackBerry 10 smartphone on the Bell network.

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From: Simms, Colleen
Sent: Tuesday, October 21, 2014 11:43 AM
To: Beverley Clarke
Subject: RE: Ministerial Meeting: Iris Kirby House

You're off the hook—we will just go with Dept at the meeting.

---

Colleen

From: Simms, Colleen
Sent: Monday, October 20, 2014 7:11 PM
To: 'BEV.CLARKE@easternhealth.ca'
Subject: Re: Ministerial Meeting: Iris Kirby House

I will check tomorrow morning and get back to you.

Enjoy your evening,
Colleen
Department of Health & Community Services
Executive Council
Government of Newfoundland and Labrador
P.O.Box B700
St.John's, NL
Canada
A1B 4J6

---

From: Beverley Clarke [mailto:BEV.CLARKE@easternhealth.ca]
Sent: Monday, October 20, 2014 07:05 PM
To: Simms, Colleen
Subject: Re: Ministerial Meeting: Iris Kirby House

I will see what I can do—what about Kim? Bev

---

Sent from my BlackBerry 10 smartphone on the Bell network.

---

From: Simms, Colleen
Hi Bev

The Minister is meeting with [REDACTED] and Board Reps Friday morning, October 24 at 9AM to submit audited financial statements and their budget. I was asked to invite you. Are you able to attend?

Thanks, Colleen
Accepted: Meeting re Iris Kirby House Budget Submission (Kim Grant, Scott Bishop, Colleen Simms, Don Furlong)
Simms, Colleen

Subject: Meeting re Iris Kirby House Budget Submission (Kim Grant, Scott Bishop, Colleen Simms, Don Furlong)
Location: Boardroom 2, DoHCS
Start: Fri 11/7/2014 1:30 PM
End: Fri 11/7/2014 3:00 PM
Recurrence: (none)
Meeting Status: Accepted
Organizer: Kim Grant
Required Attendees: Simms, Colleen; Scott Bishop; Furlong, Don J.

*** This communication (including all attachments) is intended solely for the use of the person or persons to whom it is addressed and should be treated as a confidential communication from Eastern Health. If you are not the intended recipient, any use, distribution, printing, or copying of this email is strictly prohibited. If you received this email in error, please immediately notify the originator and delete it from your system. Your cooperation is appreciated. ***
Good afternoon Minister Kent,

as a follow up from our discussions on Thursday evening, I am forwarding to you copies of IKH’s financial statements for the last 5 years, which covers the periods ending, 2010, 2011, 2012, 2013. Your department currently has the 2014 statements.

I will be couriering them directly to your attention marked "Personal & Confidential".

Thank you for attending our Gala on Thursday evening and for supporting the work we do with victims of domestic violence. If you have any questions regarding the statements pls do not hesitate to contact me.

Kind regards,
Bev, I'll call you tomorrow morning to discuss actions being taken in the department and how we can align/complement.

Elaine

Sent from my BlackBerry 10 smartphone on the Bell network.

Original Message
From: Sharon Lehr
Sent: Tuesday, February 3, 2015 8:33 PM
To: Beverley Clarke
Cc: Chatigny, Elaine; Kim Grant; Amy Howard
Subject: Re: Request for financial stm's

Thank you Bev... I agree. Let's get Finance to do a detailed review.

Sharon

Sent from my BlackBerry 10 smartphone on the Bell network.

Original Message
From: Beverley Clarke
Sent: Tuesday, February 3, 2015 8:28 PM
To: Sharon Lehr
Cc: Elaine Chatigny; Kim Grant; Amy Howard
Subject: Re: Request for financial stm's

Sharon, we have the statements from the DHCS and have provided them to tip applicants. The DHCS is aware of this but I am just swing this email from IKH for the first time. I am copying Elaine so she is aware as well as our legal counsel. As per my email yesterday I think we should use the financials to review current final situation of IKH. Bev

Sent from my iPad

> On Feb 3, 2015, at 7:28 PM, Sharon Lehr <sharon.lehr@easternhealth.ca> wrote:
> 
> Thank you Kim...
> Bev - have you had any further conversations with Bruce on this?
> Sharon
> 
> Sent from my iPad
> 
>> On Feb 3, 2015, at 10:27 AM, Kim Grant <kim.grant@easternhealth.ca> wrote:
>>
>> FYI
Hi Kim,

Thank you for your inquiry into whether IKH would forward 2006-2013 statements of IKH to EH. We have only released redacted versions of the statements for the years 2010 through 2014 (you have 2014). Upon further consideration and consultation we have concluded that it would not be appropriate to release redacted historical statements without a proper legal framework. As a consequence of this and our desire in ensuring no interference with the pending court matter my Board has decided not to release redacted historical documents of IKH to EH. This position will be revisited once the court processes are concluded.

Kind regards,