

May 6, 2019



Dear 

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [JPS/42/2019]

On April 23, 2019, the Department of Justice and Public Safety (JPS) received your request for access to the following records:

“All emails sent/received re MP Nick Whalen from 2015 to present.”

On April 4, 2019, you confirmed that the search for records could be limited to records of Ministers, Deputy Ministers and assistants to the Deputy Minister.

Please be advised that a decision has been made by the Deputy Minister of JPS to provide access to some of the requested information. However, access to the remainder of the 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):

29. (1) The head of a public body may refuse to disclose to an applicant information that would reveal
 - (a) advice, proposals, recommendations, analyses or policy options developed by or for a public body or minister;

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

- 31.(1) The head of a public body may refuse to disclose information to an applicant where the disclosure could reasonably be expected to
 - (a) interfere with or harm a law enforcement matter;
 - (c) reveal investigative techniques and procedures currently used, or likely to be used, in law enforcement;
 - (e) reveal law enforcement intelligence information;

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.

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. In accordance with your request for a copy of the records, the appropriate copies have been enclosed. However, please note the following pages have been withheld in their entirety:

- p.6 – s.29(1)(a); s.30(1)(a); s.30(1)(b); s.31(1)(a); s.31(1)(c); s.31(1)(e); and s.40(1)
- p.7 – s.29(1)(a); s.30(1)(a); s.30(1)(b); s.31(1)(a); s.31(1)(e); and s.40(1)

The Act requires us to provide an advisory response within 10 days of receiving the request. As this request has been completed prior to day 10, this letter also serves as our Advisory Response.

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 Act (a copy of this section has been enclosed for your reference). A request to the Commissioner must be made in writing not later than 15 business days of the date of this letter or a longer period that may be allowed by the Commissioner.

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

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

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

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

Please be advised that 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 Completed Access to Information Requests 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 questions please contact me by telephone at 709-729-7128, or by email at sonjaelgohary@gov.nl.ca.

Sincerely,



Sonja El-Gohary
ATIPP Coordinator

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).

Discovery - Justice

From: Parsons, Andrew
Sent: Thursday, June 30, 2016 2:32 PM
To: Joyce, Luke
Subject: RE: Drug Treatment Court Announcement

Same to you buddy

Andrew K. Parsons
MHA, District of Burgeo-La Poile

From: Joyce, Luke
Sent: Thursday, June 30, 2016 2:32 PM
To: Parsons, Andrew
Subject: RE: Drug Treatment Court Announcement

Will do. Enjoy the Canada Day holiday...

From: Parsons, Andrew
Sent: Thursday, June 30, 2016 2:30 PM
To: Joyce, Luke
Cc: Stewart, Rhonda
Subject: RE: Drug Treatment Court Announcement

Go ahead and plan for it

Andrew K. Parsons
MHA, District of Burgeo-La Poile

From: Joyce, Luke
Sent: Thursday, June 30, 2016 2:28 PM
To: Parsons, Andrew
Subject: RE: Drug Treatment Court Announcement

Thursday after 2:30 works for them.

From: Parsons, Andrew
Sent: Thursday, June 30, 2016 2:18 PM
To: Joyce, Luke
Subject: RE: Drug Treatment Court Announcement

Thursday is preferable, means I don't spend an extra day away. Is that possible?

Andrew K. Parsons
MHA, District of Burgeo-La Poile

From: Joyce, Luke
Sent: Thursday, June 30, 2016 2:07 PM
To: Parsons, Andrew; Samms, John; Langor, Fiona
Subject: Drug Treatment Court Announcement

Minister, the Feds are asking if next Friday works for us for an announcement on the funding for the Drug Treatment Court study. MP Nick Whelan would be their representative. Would that work for you? I know you're scheduled to fly back to the west coast that morning.

Luke Joyce

Director of Communications
Department of Justice and Public Safety
Government of Newfoundland and Labrador
709-729-6985 (office)
709-725-4165 (cell)
lukejoyce@gov.nl.ca

Discovery - Justice

From: Parsons, Andrew
Sent: Wednesday, July 6, 2016 8:38 PM
To: Jacobs, Heather; Langor, Fiona; Samms, John
Subject: Fw: Addictions Court

Talked to John tonight and let him know what's happening. He will need to be involved for sure I think.

Sent from my BlackBerry 10 smartphone on the Bell network.

From: John Duggan <johndugganlawyer@gmail.com>
Sent: Wednesday, July 6, 2016 7:16 PM
To: Parsons, Andrew
Cc: Samms, John
Subject: Addictions Court

2016-07-06

Hi Andrew:

I am writing to follow up on our founding meeting regarding the establishment of a Therapeutic Drug Treatment court in St. John's.

I recently attended a four day conference in Regina, Saskatchewan on June 21-24 entitled "Where Justice and Treatment Meet". I was the only one from our province in attendance. I had the opportunity to view the operation of the Regina Drug Treatment Court and visit their Drug Treatment facility. I also met with many different professionals from across Canada to discuss with them the problems and solutions they arrived at when setting up their own courts. Further, I have established contacts in almost every Drug Treatment Court in Canada including judges, crown prosecutors, defense counsel and drug treatment professionals, all of whom have graciously offered whatever help we may need in setting up our own pilot project. I adopted this approach as I did not see the value in trying to reinvent the wheel! Also your direction to us was no bricks and mortar, what better way to save much needed resources!

I came away from that conference convinced that we are on the right track. I also came away very enthused about this Court and how it can be of great assistance to the people of our province particularly those suffering from a drug addiction and how it can save a great deal of money in the Justice system.

Since our initial meeting Heidi Marshall and I have kept in close contact regarding the set up for this court and what is entailed in establishing same. [REDACTED]

Andrew, I have become aware that my Federal member, Mr. Nick Whelan, is going to make some sort of funding announcement regarding a drug treatment court on Thursday, July 7 in Courtroom # 7. If my information is correct then this is very exciting news, as there is only eight funded drug treatment courts across the country.

[REDACTED]

[REDACTED]

[REDACTED]

I would be pleased to meet with you at your convenience to further discuss moving forward with our mutual goal of a Therapeutic Drug Treatment Court.

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No one cares how much you know until they know how much you care!

Regards

John

JOHN DUGGAN LAW
BARRISTER - SOLICITOR - NOTARY PUBLIC
P.O. Box 21141 St. John's NL A1A 5B2
Cell (709) 685-8333 Fax (709) 722-5753
Email: johndugganlawyer@gmail.com

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Discovery - Justice

From: [REDACTED]
Sent: Sunday, July 10, 2016 2:11 PM
To: letters@thetelegram.com
Cc: [REDACTED] Parsons, Andrew
Subject: Drug Addiction Court

Dear Editor:

I write in response to Rosie Mullaly's article, July 7, 2016 on the \$30,000.00 provided by our federal government to explore the viability of a drug addiction court whereby non-violent offenders may be diverted to treatment and not punishment.

Bravo, Bravo to MP, Nick Whalen, and MHA, Andrew Parsons for supporting this overdue, yet forward-thinking, study.

It is time NL society, as a whole, stopped wanting to punish the addicted and realize that there comes a point where drug and alcohol overuse and abuse become real and threatening health issues. There cannot be a family in this province that is in some way untouched by the horrible reality of addiction and its vicious and often catastrophic consequences.

Quite frankly, it is my own experience that the social and professional 'judgement' of addiction, even among those in the treatment of addiction, and among family and friends, that makes the hideousness of the problem even worse.

Now, the next step in de-stigmatizing addiction and seeing it for the personal health problem that is; will be to get media for example, the publicly funded CBC-NL, to stop showing those charged but not convicted of drug related offenses as part of supertime 'news'. The latter is, in my opinion, ethically criminal.

[REDACTED]

Discovery - Justice

From: Parsons, Andrew
Sent: Thursday, August 17, 2017 3:24 PM
To: Nick.Whalen.C1@parl.gc.ca
Subject: Re: Funding Announcement with Nick Whalen, MP

Appreciate the invite - on the west coast on a few days off. Hope it went well!

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Nick.Whalen.C1@parl.gc.ca
Sent: Wednesday, August 16, 2017 4:57 PM
To: Parsons, Andrew
Subject: Funding Announcement with Nick Whalen, MP

Hi Andrew,

Hope all is well and you're enjoying the summer. Nick has an announcement at *Thrive* tomorrow morning and would like to extend an invitation for you to share the event, if you are in the city? The details are below. If you're interested, let me know.

Nick Whalen, Member of Parliament for St. John's East, *will* announce, on behalf of the Honourable Ralph Goodale, Minister of Public Safety and Emergency Preparedness, that \$2.3 million in federal funding has been made available under the National Crime Prevention Strategy (NCPS)'s *Measures to Support Exiting Prostitution* for the *Blue Door Program* delivered by the Thrive Community Youth Network.

The *Blue Door Program* aims to support individuals in exiting the sex trade and/or sexually exploitive situations including sex trafficking. Inclusive of gender and sexual orientation, the program offers individualized services to overcome barriers to exiting sex trade situations with dignity, self-determination and an environment of respect.

The *Blue Door Program* will be delivered in collaboration with the Coalition Against the Sexual Exploitation of Youth, which includes representation from Eastern Health, Newfoundland and Labrador Housing Corporation, shelter services, police services, and individuals with lived experience.

Date
 Thursday, August 17, 2017

Time
 10:00 a.m. NDT

Location
 Newfoundland and Labrador Housing and Homelessness Network
 77 Charter Avenue
 St. John's, Newfoundland & Labrador

Hope to see you there!

Glenda



Glenda Ellis

Constituency Manager

Office of Nick Whalen

Member of Parliament for St. John's East

Suite E130, Prince Charles Building

120 Torbay Road

St. John's, NL A1A 2G8

Tel: 709.772.7171

Fax: 709.772.7175

E: nick.whalen.c1@parl.gc.ca



Before printing this e-mail, think about the Environment

Discovery - Justice

From: Parsons, Andrew
Sent: Thursday, January 17, 2019 9:18 AM
To: Osborne, Tom
Subject: link

<http://ntv.ca/liberal-mp-nick-whalen-talks-re-election-rate-mitigation-and-atlantic-accord/>

Hon. Andrew Parsons, QC
MHA Burgeo La- Poile
Minister of Justice & Attorney General
Department of Justice & Public Safety
P.O. Box 8700
St. John's, NL A1B 4J6
T: (709)729-2869/695-3585
F: (709)729-0469
andrewparsons@gov.nl.ca

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