

Monday, October 23, 2023

The House met at 1:30 p.m.

Point of Order – Ruling

Respecting the point of order raised by the Government House Leader (J. Hogan) on October 19, 2023, the Speaker ruled the statements made by the Member for St. John's Centre during Oral Questions on that day were unparliamentary in accordance with Standing Order 49 and called upon the Member to unequivocally withdraw the comments.

The Member for St. John's Centre refused to unequivocally withdraw the comments. The Speaker further ruled that the Member would not be recognized in debate until the offending words are withdrawn.

The Speaker acknowledged the appointment of Gerrie Smith to the position of Law Clerk and Parliamentary Counsel (A).

ROUTINE PROCEEDINGS

Members' Statements

The following Members provided statements:

The Member for St. George's - Humber (S. Reid) congratulating Judy White on their recent appointment as Newfoundland and Labrador's first female Indigenous Senator.

The Member for Stephenville - Port au Port (T. Wakeham) recognizing Don Russell for his work and contributions in running the Addiction Recovery Drop-in Centre in Stephenville.

The Member for Topsail - Paradise (P. Dinn) congratulating athletes from the district who were recipients of the 2023 Premier's Athletic Awards.

The Member for Terra Nova (L. Parrott) congratulating Susan Dean of the Flying Blades Figure Skating Club in Clarenville on being the recipient of the Skate Canada National Volunteer Award for the Newfoundland and Labrador Section.

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Ministerial Statements

The following Ministers provided statements:

The Minister of Tourism, Culture, Arts and Recreation (S. Crocker) highlighting the work of staff and leadership at The Rooms in preserving, celebrating and sharing Newfoundland and Labrador's unique history and culture.

The Members for Placentia West - Bellevue (J. Dwyer) and Labrador West (J. Brown) responded to the statement.

Oral Questions

The House proceeded to Oral Questions.

Presenting Reports by Standing and Select Committees

There were no reports by Standing or Select Committees presented.

Tabling of Documents

There were no documents tabled.

Notices of Motion

The Member for Humber - Bay of Islands (E. Joyce) gave notice they would on tomorrow move the following motion/resolution:

WHEREAS, this Assembly is guided by the House of Assembly Accountability, Integrity and Administration Act;

WHEREAS, during the process related to events of bullying and harassment in 2018, this Assembly failed to live up to the principles that guide us;

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WHEREAS, through political interference, failure to follow the oath we took and not realizing, due to political motivation, the human toll it takes on politicians, their families who should never go through this again;

WHEREAS, this House of Assembly prides itself on truth and honesty and free of bullying and harassment, I can assure you in this Private Member's Motion, this House of Assembly failed miserably in living up to these principles and we must put safeguards in to avoid this in the future;

WHEREAS, I am a strong person and if we don't reflect and ensure this does not happen to another person, he or she may do harm to themselves or others, or turn to drugs and alcohol;

WHEREAS, I ask all Members to reflect inside to always find the truth, let people be heard, don't let political motivation outweigh the truth as it takes a toll on families;

WHEREAS, I ask one question, is it worth it to try and destroy people's reputation and lives for political advancement? Politics is not worth it;

WHEREAS, I always feel privileged to be a Member of this Honorable House and my prayer is that we learn from this episode in our past and ensure it will never happen again;

WHEREAS, I have tried for five years to have the truth and facts on the record and I was told by numerous Speakers, dating back to 2019, you can present a Private Member's Resolution in October 2023. Well, here I am to stand up for my reputation, my family and supporters;

WHEREAS, I ask all Members to review the information and in the future, ensure safeguards are in place to strengthen our accountability and integrity.

WHEREAS, there were false allegations made about myself of bullying and harassment;

WHEREAS, there was no finding of bullying and harassment but I was found in violation of Principle #10 of the Code of Conduct;

WHEREAS, Principle #10 states – "Relationships between Members and government employees should be based upon mutual respect and should have

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regard to the duty of these employees to remain politically impartial when carrying out their duties”.

WHEREAS, the Member for Placentia-St. Mary’s, the Complainant, was classified as a public sector government employee by Bruce Chaulk, former Commissioner for Legislative Standards;

WHEREAS, former MHA, Dale Kirby, appealed to the Privacy Commissioner for a full copy of the Rubin-Thomlinson report;

WHEREAS, the request was denied as the Privacy Commissioner stated that Members are not government employees;

WHEREAS, two witnesses, Bruce Chaulk and Sandra Barnes, former Clerk of the House, gave evidence that Members are not government employees. In the Report it states, “The Commissioner for Legislative Standards states that the Complainant is not an “employee”. By Bruce Chaulk’s own admission, Principle #10 did not pertain to government members. “In support of this position, the Commissioner for Legislative Standards provided this Office with an opinion from the Clerk of the House of Assembly: MHAs are not considered employees. They are public office holders. They are governed by legislation and policies specific to them.” and

WHEREAS, the current Clerk of the House wrote a letter, dated June 11th, 2019 that, “No, a MHA is not a government employee. A MHA is an elected official and is not bound by a contract of service or subject to any control when performing his or her duties. Further, the following is also noted:

- A MHA is elected to the position.
- No one dictates how a MHA makes decision on various issues.
- A MHA is not eligible for employment insurance.
- An MHA can normally be removed or dismissed only by the electoral process as an MHA stays in office until he or she loses an election, or does not seek re-election.

The Privacy Commissioner stated that Members are not government employees and the request for the Report by Rubin Thomlinson was denied as former MHA, Dale Kirby, was not a government employee.

WHEREAS, Dale Kirby appealed the decision to the Supreme Court of Newfoundland and Labrador and they upheld the decision of the Privacy Commissioner that Members are not government employees and Dale Kirby was

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not entitled to receive the Report as a government employee would be entitled to obtain a copy of the Report.

WHEREAS, this concludes that the Commissioner's classification that the MHA for Placentia-St. Mary's was a government employee was false and I feel it was intentional and I will explain my rationale later in the PMR;

WHEREAS, the current Speaker informed on October 19, 2023 that Fraser March was an Officer of the House of Assembly and the Management Commission can do a referral to an independent body but they can't for a Member of the House. That statement is inaccurate and the Management Commission do have that authority.

WHEREAS, I tried, on many occasions, to ask the Management Commission to bring this request back to the House of Assembly which they have the authority as precedence was set by bringing the Fraser March Report back to the House;

WHEREAS, false statements were made by the former Commissioner, Bruce Chaulk, to the Management Commission, a cover up, political interference and false statements by Bruce Chaulk in the House of Assembly;

WHEREAS, on October 24th, 2018, during a Technical Briefing on the Report, Siobhan Coady asked if all MHAs participated. Bruce Chaulk stated one refused to participate;

WHEREAS, former Justice Minister and Attorney General, Andrew Parsons, asked who was that?" and Bruce Chaulk replied "Eddie Joyce";

WHEREAS, Andrew Parsons said, Eddie Joyce would not participate? and Bruce Chaulk replied, "yes";

WHEREAS, this was proven false by documentation from my Solicitor showing I did request a meeting;

WHEREAS, Bruce Chaulk stated in the Joyce Report of October 18, 2018, "where MHA Joyce has been co-operative throughout", which refutes his statement to the Management Commission that I refused to participate.

WHEREAS, I will show an intentional cover up of this meeting and why I am making this Private Member's Resolution to defend my reputation;

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WHEREAS, one request to the Management Commission was rejected and I confronted the Minister of Tourism, Culture, Arts and Recreation and Government House Leader who assured me he would have it brought back to the House of Assembly;

WHEREAS, it was rejected and I confronted the Member for Carbonear-Trinity-Baie de Verde and asked him what happened, he stated "I am following orders", and

WHEREAS, I stated the only one who can give you orders is the Premier and

WHEREAS, the Member stated, "He is the Boss".

WHEREAS, I stated you sold me down the drain, the Member for Carbonear-Trinity-Baie de Verde stated, "You know how this works";

WHEREAS, the Management Commission refused to bring the Joyce Report of October 18, 2018 for debate with all the information;

WHEREAS, I stood on a Point of Privilege on several occasions and they were all rejected;

WHEREAS, I will correct the miscarriage of Justice and put the truth on the record;

WHEREAS, the Citizens' Representative presented a report to the former Commissioner for Legislative Standards;

WHEREAS, the Management Commission asked former Justice Green to review this report and report his findings;

WHEREAS, the Management Commission accepted the findings for Justice Green's Report;

WHEREAS, Justice Green stated,

1. Although there were legitimate questions about witnesses, the Chief Electoral Officer was never informed of the details of witnesses' evidence. Because he was not able to challenge the witnesses evidence, the findings are unreliable and procedurally unfair".

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WHEREAS, the Management Commission accepted the Green Report whereby a respondent must be informed of the details of witnesses' evidence, and unable to do so, the findings are unreliable and procedurally unfair;

WHEREAS, there were three reports filed against myself;

WHEREAS, there were over twenty witnesses and complainants interviewed.

WHEREAS, the only person never interviewed for the three Reports was myself, and Justice Green declared this would be procedurally unfair.

WHEREAS, the Joyce Report of October 18, 2018 has many witnesses and;

WHEREAS, I never had the opportunity to see any testimony of the following witnesses, according Justice Green, it would be procedurally unfair:

1. Member for Placentia-St. Mary's, her testimony to my submission and response to all witnesses
2. MHA Scott Reid
3. MHA Derrick Bragg
4. Former MHA Cathy Bennett
5. MHA Bernard Davis
6. Greg Mercer, Former Chief of Staff to Dwight Ball
7. Deputy Minister Sean Dutton
8. Kelly White, former Executive Assistant to the MHA for Placentia-St. Mary's
9. Joy Buckle, former staff member in Premier's Office
10. Karen Stone
11. MHA Andrew Parsons
12. Former Premier Dwight Ball's complaint to the Commissioner – April 27, 2018
Media Release Executive Council "I have engaged the Commissioner for Legislative Standards"
13. Media statement release of May 2, 2018 from Bruce Chaulk, Commissioner for Legislative Standards, advising that he, "on the request of the Premier, will conduct two separate investigations into the conduct of MHA Joyce and MHA Kirby".
14. Text message from the Member of Placentia-St. Mary's to Greg Mercer on April 11, 2018.
15. No response to my submission

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WHEREAS, Justice Green has declared that this is unreliable and procedurally unfair and it should not be considered.

The Citizens' Representative's investigation of Bruce Chaulk included interviews with at least twenty witnesses. He gave the Chief Electoral officer a 59 page document summarizing the evidence for each charge. However, the summary did not indicate which witnesses had provided what evidence, and the Citizens' Representative did not provide the Chief Electoral Officer with notes or recordings. Justice Green stated that this is procedurally unfair.

WHEREAS, I never received any notes taken during the interview process with an opportunity to dispute these statements;

In my respectful opinion, the Citizens' Representative's findings should not be used as a basis for further action against the Chief Electoral officer, Justice Green stated.

WHEREAS, the Green Report was accepted by the Management Commission due to lack of procedural fairness then this House of Assembly should have the Joyce Report of October 18, 2018 reviewed by an independent retired Judge due to the lack of procedural fairness.

WHEREAS, if I had been provided with evidence given by Deputy Minister Sean Dutton concerning the Management job which the Member for Placentia- St. Mary's claimed I pressured her, I would have provided evidence to refute this testimony;

WHEREAS, Deputy Minister Sean Dutton gave testimony which he knew or should have known was false;

WHEREAS, the Member for Placentia-St. Mary's stated when the job competition was opened, I began to pressure her to get a certain person in the position;

WHEREAS, Deputy Minister Sean Dutton said that after the process was on-going, MHA Joyce provided the Parliamentary Secretary with the resume of an individual whom he thought was a good candidate.

WHEREAS, Sean Dutton stated this initial conversation would have been late September or early October;

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WHEREAS, the Member for Placentia-St. Mary's gave testimony that when asked, in six weeks how many times did MHA Joyce talk to her about the position? The Complainant estimated it was at least four times, all in passing;

WHEREAS, Deputy Minister Sean Dutton and the Complainant, Member for Placentia-St. Mary's, gave testimony that the process started in late September or early October;

WHEREAS, in a letter dated May 29, 2019, "Thank you for your letter of April 8, 2019 and May 27, 2019 concerning the competition for Manager of Workplace, Health and Safety Inspections based in Corner Brook with the Occupational Health and Safety Division of Service NL. The key dates related to this competition, November 17, 2017 – the vacancy was re-advertised on the Government website as a Public Opportunity and you apply on the On-Line Job Portal.

WHEREAS, the signature to this letter was Deputy Minister Sean Dutton and

WHEREAS, by his own admission in the letter of November 17th, 2019, the competition for the publicly advertised position was not available for public competition in late September or early October.

WHEREAS, I was not given the opportunity to see, review, dispute the testimony of Sean Dutton until I received the Joyce Report of October 18, 2018 on October 18th, 2018.

WHEREAS, Robert Simmons stated on December 5th, 2018 in an email, "the file number is slightly off, but assuming you are looking at SNL.17.18.R0734- Manager of Workplace Health and Safety Inspections, position was posted on November 17, 2017 and closed December 1, 2017";

WHEREAS, the Complainant, the Member for Placentia-St. Mary's stated in her evidence the MHA should be discouraged from interfering with the Public Service Commission concerning hiring;

WHEREAS, I have a letter dated July 16th, 2018 stating, "With respect to your further enquiry regarding competition number SNL 17.18.R0734, I can confirm that the PSC has not, as of today's date, received a complaint regarding that position", and signed by Bruce Hollett, Chair and Chief Executive Officer of the Public Service Commission;

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WHEREAS, if I interfered with the PSC job, the Complainant and Deputy Minister had a duty to report this. It was never reported as the incident never happened;

WHEREAS, this letter was introduced as evidence but ignored by the Commissioner for Legislative Standards, Bruce Chaulk;

WHEREAS, the statements by the Complainant and Sean Dutton were false as documents provided by Sean Dutton, himself, and Robert Simmons clearly prove that the position in question was not available to the public in September or October.

WHEREAS, the Deputy Minister Sean Dutton gave the Member for Placentia-St. Mary's the documents to prove that a person was not qualified, and

WHEREAS, Sean Dutton did not give the testimony that the information was given on April 11th, 2018 after the Member for Placentia-St. Mary's made the complaint to former Premier Ball's Chief of Staff, Greg Mercer, to justify her false statements that I was upset over the competition;

WHEREAS, a complaint was made by the Member for Placentia-St. Mary's to Dwight Ball on April 25, 2018;

WHEREAS, the complaints were of mannerism, non-verbal behavior, old boys clubs and manipulative;

WHEREAS, on page 31 of the Report, evidence of the complaint taken by Dwight Ball and Joy Buckle is that the Complainant spoke about former MHA Tracy Perry's experience, MHA lobbying against MHA Pam Parsons, MHA actions with MHA Davis regarding the June convention and the SPC meeting referenced;

WHEREAS, Ms. Buckle stated in her evidence, the Complainant did not discuss Placentia, the Composting Facility or the OHS competition;

WHEREAS, on April 25th, 2018, I met with Dwight Ball, Peter Miles and Michelle Candezzerro;

WHEREAS, Dwight Ball informed me that the complaints were all BS, about glaring, mannerism and wanted mediation;

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WHEREAS, I asked “to mediate what” and Dwight Ball said, “I know it is all BS but to shut her up, will you go to mediation?”

WHEREAS, on April 27th, 2018 Dwight Ball stated that he asked the Commissioner for Legislative Standards to conduct an investigation on these complaints of bullying and harassment.

WHEREAS, on May 2nd, 2018, Bruce Chaulk stated the he, “upon a request from Premier Dwight Ball, he will conduct two Investigations concerning myself and MHA Dale Kirby”;

WHEREAS, in the Legislation of the House of Assembly Accountability, Integrity and Administration Act, Section 38 (4) states, “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”;

WHEREAS, on May 10th, 2018, the Commissioner had a meeting with the Member for Placentia-St. Mary’s, Cathy Bennett, Cathy Bennett’s lawyer and a Letter of Intent was given to the Commissioner, Bruce Chalk;

WHEREAS, on June 12, 2018, a complaint was received from the Complainant;

WHEREAS, Bruce Chaulk stated on November 5th, 2018 in the House of Assembly, “The normal procedure would be whatever I have, I forwarded it to the Respondent immediately”;

WHEREAS, Bruce Chaulk held on to the complaint for 16 days before he forwarded it to my Lawyer;

WHEREAS, the information I received on June 28, 2018 as the complaint was incomplete;

WHEREAS, the information I received, there were no names included, just numbers;

WHEREAS, the Commissioner, Bruce Chaulk, or the Member from Placentia-St. Mary’s, or both, withheld the names;

WHEREAS, I received a complaint with 30 numbers and I had to try and guess who they were;

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WHEREAS, as this was procedurally unfair and bias;

WHEREAS, I had two weeks to complete a report with 30 names I did not know and I had to try and match them with corresponding numbers;

WHEREAS; my lawyer complained how unfair this is, legally, and procedural fairness was not upheld;

WHEREAS, Bruce Chaulk threatened that if I didn't sign a confidentiality agreement, only one of all the complainants and respondents who had information withheld, until I signed this confidentiality agreement or I would not receive the names corresponding with the numbers. I refused to sign the confidentiality agreement;

WHEREAS, Bruce Chaulk interviewed the Member for Placentia-St. Mary's on July 3rd, 2018 and the Complainant provided the completed submission.

WHEREAS, Bruce Chaulk held on to the information until July 13th, 2018 and sent it to my Lawyer on July 13th, 2018 at 4:15 pm with another 10 days of withholding this information;

WHEREAS, July 13th, 2018 was a Friday and I flew to St. John's on Monday, July 16th, I had 2 days to respond;

WHEREAS, this timeline was intentional to ensure that I never had the proper time to file a response;

WHEREAS, there were numbers we had to clarify with names;

WHEREAS, the PC Party was raising questions in the House of Assembly on April 26th, 2018 concerning the meeting with Dwight Ball and the second one with Greg Mercer;

WHEREAS, Fred Hutton presented it as breaking news of the complaint, on CBC News;

WHEREAS, the name, Tammy, was code name for Tracy Perry and

WHEREAS, the second name, Michael, was code name for Fred Hutton;

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WHEREAS, Bruce Chaulk interviewed over 20 people but I was never interviewed;

WHEREAS, he asked my Lawyer to meet on August 1st, 2018 which was a civic holiday, Regatta Day in St. John's;

WHEREAS, my Lawyer explained to the Commissioner that she was not available but I would meet with Bruce Chaulk without my Lawyer present;

WHEREAS, an email was sent to Bruce Chaulk asking what time I was meeting;

WHEREAS, Bruce Chaulk stated, "I wasn't expecting you or your client. I apologize for the misunderstanding";

WHEREAS, there were interviews on the following dates, August 29th, 2018, September 18th, 2018 and September 24th, 2018.

WHEREAS, I was never asked to be interviewed;

WHEREAS, on October 24th, 2018, Bruce Chaulk had a meeting with the Management Commission on the process of the Reports;

WHEREAS, the Minister of Finance and President of Treasury Board asked the question, "Did all MHAs participate?" and Bruce Chaulk stated, "One never", and the Member for Burgeo-LaPoile asked who that was;

WHEREAS, Bruce Chaulk replied, "Eddie Joyce", the Member for Burgeo –LaPoile said Eddie Joyce refused to participate? and Bruce Chaulk said "Yes";

WHEREAS, I asked the Minister of Finance, "Did you see the letters from my lawyer?", her statement, "That is not what he said this morning";

WHEREAS, I presented the letter from my Lawyer to the Speaker, Perry Trimper, in front of the Speaker's chair stated, "You were definitely willing to meet";

WHEREAS, I turned to Bruce Chaulk and asked if he made the statement and said here are the letters from my Lawyer;

WHEREAS, Bruce Chaulk stated, "I forgot about them, I will correct the Record"! and Speaker Trimper stated he heard the statement by Bruce Chaulk;

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WHEREAS, the Member from Burgeo-LaPoile stated publicly about the false statement Bruce Chaulk made in the Management Commission meeting;

WHEREAS, I have sworn affidavits, one from the Member for Burgeo-LaPoile which states, "On October 24, 2018, the Management Commission held a technical briefing with Mr. Bruce Chaulk, Commissioner for Legislative Standards, concerning the process of his investigations into the bullying and harassment complaints. During this briefing, Ms. Siobhan Coady asked Mr. Chaulk, did members of the House of Assembly participate in the interviews and Mr. Chaulk responded, "one refused to participate".

I asked who was that and Mr. Chaulk stated, "Eddie Joyce".

I asked again, "Eddie Joyce refused to participate?" Mr. Chaulk replied, "Yes".

The briefing continued on the process used by Mr. Chaulk";

WHEREAS, the second affidavit is from the Deputy Speaker after the Speaker made a ruling in the House of Assembly which I felt was unfair. The affidavit states, "On October 29, 2018, Mr. Eddie Joyce, MHA for Humber-Bay of Islands, raised a Point of Privilege in the House of Assembly.

On October 30, 2018, Mr. Perry Trimper, Speaker of the House of Assembly, made a ruling that there was no prima facie case on the Point of Privilege.

In November, Eddie Joyce asked me to join him in a meeting with Speaker Trimper. The three of us met in the Speaker's office.

Eddie Joyce showed him the two emails that he wrote saying it was an in-camera session.

Eddie Joyce stated, "Perry, you were in the meeting, you heard Bruce Chaulk say I refused to participate". Eddie Joyce then said, "Perry, you told me in front of the Speaker's Chair, that is not what he said this morning, you were definitely willing to meet".

Eddie Joyce said, "Perry, you heard Bruce Chaulk say, I forgot those letters, I will correct the record".

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Eddie Joyce then said, how can you make that ruling and Perry Trimper replied, "Eddie, I know you are right, but he is an Officer of the House of Assembly, it is hard for me to do".

Eddie Joyce turned to me and said remember this conversation and see the bullshit I have to put up with.

Eddie Joyce then left the room".

WHEREAS, this is more evidence that Bruce Chaulk misled the Management Commission and that the former Chair of the Management Commission and Speaker, the Member for Lake Melville, confirming he knew Bruce Chaulk made a false and misleading statement to the Management Commission;

WHEREAS, I wrote the former Speaker and Member for Lake Melville, on October 26th, 2018 asking that he confirm the statement by Bruce Chaulk on October 24th, 2018 in the Management Commission meeting with Bruce Chaulk. The Speaker replied, "Unfortunately, it is not appropriate for me to comment on the contents of an in-camera technical briefing of the Management Commission";

WHEREAS, again, I wrote the Speaker, the Member for Lake Melville, on November 6th, 2018 and stated, "You, as Speaker and Chair of the Management Commission, have the responsibility to uphold the rights of all members of the House of Assembly. My rights have been violated and I am requesting you, as Speaker, to ask Mr. Chaulk for a written and public apology. He is an Officer of the House of Assembly and answers to the Management Commission and I expect you will fulfil your sworn duties to protect the rights of all members of the House of Assembly";

WHEREAS, the response I received on November 6th, 2018 stated, "As the request refers to an in-camera technical briefing of the Management Commission, it is inappropriate for me to comment on the discussion therein".

WHEREAS, I raised a Point of Privilege on March 4th. 2019;

WHEREAS, on March 14th, the Speaker, the Member for Lake Melville, made a ruling and in his ruling he stated, "With the exception of the Clerk of the House, members of the Management Commission are members of the House of Assembly. Any questions they had about comments the Commissioner made

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have made in the technical briefing could have easily been raised when questioning the Commissioner or in debate on the reports”;

WHEREAS, the Speaker, in his two emails, said he couldn't confirm the statements because it was an in-camera session but to justify a ruling, he deemed the meeting a technical briefing. The Speaker stated, “The members have provided no further correspondence after this exchange to indicate he sought an in-person meeting with the Commission”. A typical case of blaming the victim to justify a wrongdoing;

WHEREAS, Section 21(1) of the House of Assembly Accountability, Integrity and Administration Act under Duty to Document states, “The commission, officers and staff of the House of Assembly service shall be responsible and accountable for ensuring that all advice, deliberations, decisions and recommendations of the commission that result from formal or informal meetings of the members of the commission are properly documented in accordance with the Records Management Policy of the House of Assembly”.

WHEREAS, I asked for a copy of the minutes but I was informed that there were no minutes taken;

WHEREAS, I appealed to the Privacy Commissioner who's Report was issued October 22nd, 2020;

WHEREAS, the Privacy Commissioner stated, “We are satisfied that the meeting of October 23rd, 2018 with the Commissioner for Legislative Standards we called a technical briefing”.

WHEREAS, this is contrary to the Speaker's, the Member for Lake Melville, emails where I was refused information where Bruce Chaulk stated I refused to participate as it was an in-camera technical briefing;

WHEREAS, the Privacy Commissioner stated, “The House of Assembly conducted a search for records and determined there were no minutes”;

WHEREAS, the House of Assembly found some members of the Management Commission present at the technical briefing did take some personal notes and I was refused their personal notes as no official minutes were taken;

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WHEREAS, the Speaker made another false statement to justify Bruce Chaulk's refusal to interview me and to justify the false statement to the Management Commission that I refused to participate;

WHEREAS, the Speaker and Member for Lake Melville, wrote, "With respect to your second question on whether or not a respondent choose to appear in person, you were not required to appear nor was it expected. The Act provides that you can make representation to the Commissioner in writing or in person or by counsel or other representation";

WHEREAS, this statement is not accurate as Section 37(2) of the Act states, "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";

WHEREAS, the Act clearly states I have the right to present at all appropriate stages of the inquiry which is contrary to the statement by the Speaker and the statement by Bruce Chaulk in the Management Commission;

WHEREAS, section 38(4) states, "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";

WHEREAS, Bruce Chaulk stated publicly on May 2nd, 2018 that he will conduct an investigation on myself and Dale Kirby upon the request of the Premier and delivered his Report 169 days later, contrary to the Act of 90 days;

WHEREAS, I asked former Premier, Dwight Ball, a question, if he was in contact with Bruce Chaulk during the investigation;

WHEREAS, there were over 100 questions asked on this issue and many to the Premier;

WHEREAS, the Speaker and Member for Lake Melville, ruled the question out of order as it was concerning the fiscal policy of the government;

WHEREAS, these are some of the road blocks I faced trying to get to the truth and restore my reputation;

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WHEREAS, in a ruling by the Speaker that the meeting of October 24th, 2019 with Bruce Chaulk was a technical briefing and he stated members of the Management Commission are Members of the House of Assembly. Any questions they had about comments the Commissioner made in the technical briefing could easily have been raised;

I asked the question to the Member for Burgeo-LaPoile on April 11th, 2019, same member who was in the technical briefing with Bruce Chaulk. The Speaker ruled it out of order as it relates to activities of the Management Commission.

Section 12. The following Acts, matters and things are prohibited and constitutes infringement of this Act.

WHEREAS, I ask Members to think of Section 12(f) of the House of Assembly Act.

“Tampering with a witness in respect of his or her evidence, to be given to the House of Assembly or a committee of the House of Assembly or directly trying to deter or hinder a person from appearing or giving evidence”.

WHEREAS, there was no findings of bullying and harassment;

WHEREAS, I was never interviewed and there is mounting evidence that I did not interfere with a public service position;

WHEREAS, Principle #10 did apply to another Member, I was asked by many people, including the media, “How were you found in violation of the Code of Conduct?”;

WHEREAS, I cited Dwight Ball with not forwarding relevant information to the Investigator, political interference and trying to ensure that I agreed with the Report and I did not speak on the Joyce Report of October 18, 2018;

WHEREAS, Bruce Chaulk stated on many occasions that he is an independent officer of the House of Assembly;

WHEREAS Dwight Ball made many statements in the House of Assembly and in the public domain concerning the independence of the Commissioner;

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WHEREAS, on December 4th, 2018, Dwight Ball stated, "Let's be clear. The responses, allegations and back and forth that would have occurred between the Commissioner, I first found out about when the Reports were tabled". This statement is false;

WHEREAS, on December 4th, 2018 when former Opposition Leader, Ches Crosbie asked Dwight Ball would it be consistent with what the Premier said on May 2nd, 2018 and I quote, "This is an independent process. It must maintain the integrity and confidence of these dealing with it";

Premier Ball: Off course it was an independent process". This statement is false;

WHEREAS, Premier Ball stated on December 4th, 2018, "Mr. Speaker, the written responses were supplied, they were made public here, that's when I would have seen the information that would have come out from the Commissioner". This statement is false by Dwight Ball;

WHEREAS, on May 16th, 2018, Dwight Ball stated in the House of Assembly, "I can guarantee you, no way will I be inserting myself proactively". This statement will be proven false;

WHEREAS, on November 5th, 2018, Dwight Ball stated in the House of Assembly, "Some where along the line, off course the processes had changed, but Members took a different route to actually get the allegations dealt with and investigated".

"So, that was my only involvement in all of this".

Mr. Chaulk: "Yes, very much so".

WHEREAS, I will prove these statements false.

WHEREAS, on May 2nd, 2018, Dwight Ball stated in Hansard, "This is an independent process, it must maintain the integrity and the confidence of those who are dealing with it". This statement will be proven false and Dwight Ball, himself, involved himself in the process.

WHEREAS, on July 13th, 2018 in a CBC interview, "Premier says, No room for political interference so hasn't sought update".

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Premier Dwight Ball was asked about the Report at an event Wednesday and he said he has not seen or sought out any information given it is an independent process. "There is no room for political interference in these reports, said Ball. I've not received any information from the Commissioner, neither have I went looking for any. Dwight Ball went on to say, the investigation and the release of the Report isn't something he has any control or say over".

These statements by Dwight Ball are absolutely false;

WHEREAS, on August 6th, 2018, Dwight Ball informed me that the Colin Holloway Report would be coming out on August 7th, 2018;

WHEREAS, Dwight Ball called me that night and said the Report will not be coming tomorrow but both will be coming out together in the near future.

WHEREAS, both Reports came out together on August 23rd, 2018;

WHEREAS, Dwight Ball, his office or both were in contact with Bruce Chaulk during the investigation;

WHEREAS, Dwight Ball confirmed to me that John Samms, an Advisor in the Premier's Office, was in contact with Bruce Chaulk;

WHEREAS, John Samms informed me, on several occasions, he was the contact with Bruce Chaulk on Dwight Ball's orders;

WHEREAS, John Samms informed me, at a later date, that Dwight Ball knew of the preliminary report and he was asked to talk to Bruce Chaulk to find something "easy on Eddie and Dale";

WHEREAS, I wrote Dwight Ball on March 19th, 2019 and stated, "Mr. Premier, you informed me, on several occasions that Mr. John Samms, an advisor in your office, contacted Mr. Chaulk to ask for status of the Reports. Premier, I am asking for the following:

1. How many times has John Samms contact Mr. Chaulk throughout the process?
2. Under what direction and by whom in your office was this direction given:
3. How many times, with dates, did Mr. Samms contact Mr. Chaulk?

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4. Will you release any and all notes taken briefing you or senior officials in your office?
5. Who informed you that the Holloway Report would be released on August 7th, 2018 but later informed you that the Reports would be released together?

If your statement to me is correct and there was any contact by your staff to Bruce Chaulk in any part of this investigation, it is a serious violation of privacy”;

WHEREAS, I wrote Dwight Ball again on April 5th, 2019 seeking this information;

WHEREAS, I wrote again on May 27th, 2019 seeking the information;

WHEREAS, on May 31, 2019, I received a response from Dwight Ball and I quote, “I can confirm there were limited occasions whereby my office contacted the office of the Commissioner for Legislative Standard”;

WHEREAS, how many people in this House of Assembly voted on these motions and knew Dwight Ball was personally involved with the Commissioner for Legislative Standards during the investigation and directed the final outcome;

WHEREAS, this confirms that there was political interference with the investigation and the independence of the Commissioner is called into question. Dwight Ball made many statements that he never contacted Bruce Chaulk during the investigation but this is proven false and he would never contact his office for updates but he did;

WHEREAS, my rights to a fair process has been jeopardized and the Joyce Report of October 18, 2018, and the Kirby Report should be rescinded due to political interference as we will never know what was discussed and I feel confident as John Samms said to me, Dwight seen a copy of mine and Dale Kirby’s Reports where Rubin-Thomlinson stated that there was no bullying and harassment and he was asked by Dwight to ask Bruce Chaulk to find something “easy on Eddie and Dale to balance it out”.

WHEREAS, this is why Bruce Chaulk found me in violation of Principle #10 when he classified the Complainant as a government employee.

WHEREAS, Rubin-Thomlinson found there was no bullying and harassment and Bruce Chaulk had to try and justify why I was never interviewed as there was political interference;

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WHEREAS, this was a very serious breach of trust by the then Premier, Dwight Ball and an Officer of the House of Assembly.

WHEREAS, Dwight Ball stated on November 4th, 2018, "Mr. Speaker, if the Commissioner or anyone wanted me to participate in these areas, I absolutely would have been there, absolutely would have been there";

WHEREAS, Dwight Ball committed to be a witness as a person who took the complaints, as a person who had important evidence and committed to present it but refused;

WHEREAS, I will provide proof that Dwight Ball stymied the investigation and as Premier, he had an obligation to make the submissions;

WHEREAS, on April 27th, 2018, I received a call from former MHAs, Mark Brown and Carolann Haley around 11:30 pm;

WHEREAS, they informed me that they had 150-200 text messages from Sherry Gambin-Walsh concerning discussions in Cabinet;

WHEREAS; they stated that had text messages that weren't very nice about me;

WHEREAS, Mark Brown and Carolann Haley informed me that they sent the text messages to Dwight Ball;

WHEREAS, Dwight Ball informed me that he received the text messages and he used profane language and stated he will get rid of her;

WHEREAS, I told Dwight Ball he should release the leaked text messages now but he refused as he stated people would think he is doing this because we are friends;

WHEREAS, if Dwight Ball released the information, the investigation would have stopped;

WHEREAS, on June 7, 2018, Dwight Ball came of the Sir Richard Squires Building in Corner Brook and had a conversation with two individuals;

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WHEREAS, a sworn affidavit by Ms. Veronica Hickey, my sister, stated, “Veronica said if it wasn’t for Eddie and his supporters, he wouldn’t be Premier and he replied, I know that, do you think I like looking over at her ____ face every day”;

WHEREAS, Dwight asked if we had seen the text messages from Sherry Gambin -Walsh to Mark Brown. He started to go through his binder but couldn’t find it. He then made the comment, “I have enough information to clear him. Eddie is going to be all right.

WHEREAS, Judy Bolt was present at the same encounter and, in a sworn affidavit, Judy stated, “Dwight you have a leak in your Cabinet, you got to do something about her and he replied, ‘She’s going to be taken care off”

WHEREAS, Dwight Ball tried to show her the text messages;

WHEREAS, when a Premier withholds evidence pertaining to an investigation, he denied my rights to a fair hearing.

WHEREAS, Dwight Ball committed to me that he would be a witness and give evidence about the bias towards me by the Member of Placentia-St. Mary’s;

WHEREAS, with political interference and refusing to present evidence in an investigation show the bias of Dwight Ball;

WHEREAS, before debate in the House of Assembly, I met with two people in an official capacity and I will release the names if there is an investigation;

WHEREAS, during this meeting, I was adamant that I was wrongly accused and found in violation;

WHEREAS, I was offered my loss salary and pension benefits amounting to over \$30,000 if I read a seven sentence response, admitting guilt and stating that I would have no further comment on this matter;

WHEREAS, this offer as I was told was from Dwight Ball. I was very upset that I would be offered money to try and make me apologize for something I did not do and not be able to speak on the matter;

WHEREAS, I stated, “Tell Dwight Ball I am not for sale”;

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WHEREAS, to use tax payers funds, in my opinion to guarantee my silence as some people described as a bribe, is unethical from Dwight Ball as Premier.

WHEREAS, I feel very strongly that there should be an investigation under Section 12 (f) of the House of Assembly Act to see if the Act was violated;

WHEREAS, there are MHAs in the House of Assembly who can confirm that offer was presented to me;

WHEREAS, with the documentation provided of a faulty investigation with political interference by Dwight Ball, withholding evidence by Dwight Ball during an investigation and offering funds for a confession, I urge the House of Assembly to send the Joyce Report of October 18, 2018 and the Kirby Report of October 9, 2018 to an independent retired Judge to review and report back to the House of Assembly the findings.

Point of Order

The Member for Lake Melville (P. Trimper) raised a point of order regarding comments made by the Member for Humber - Bay of Islands during debate identifying individuals by their full names.

The Member for Conception Bay South (B. Petten) spoke to the point of order.

The Speaker reminded Members of the practice of this House to identify individuals by their district or title, as opposed to their full name.

Pursuant to Standing Order 63(3), the Speaker confirmed with the Member for Humber - Bay of Islands (E. Joyce) that the resolution introduced by that Member will be the one presented on Wednesday, October 25, 2023.

Point of Order

The Member for Lake Melville (P. Trimper) raised a point of order that the Private Member's Resolution for which notice was given by the Member for Humber - Bay of Islands be ruled out of order.

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The Member for Humber - Bay of Islands spoke to the point of order.

The Speaker took the matter under advisement.

Pursuant to Standing Order 11(1), the Government House Leader (J. Hogan) gave notice they would on tomorrow move the House not adjourn at 5:30 p.m. on Tuesday, October 24, 2023.

The Government House Leader (J. Hogan) gave notice they would on tomorrow move the following motion:

THAT notwithstanding Standing Order 9(3), this House shall not adjourn at 5 p.m. on Wednesday, October 25, 2023 but shall continue to sit to conduct Government business and, if not earlier adjourned, the Speaker shall adjourn the House at midnight.

Pursuant to Standing Order 11(1), the Government House Leader (J. Hogan) gave notice they would on tomorrow move the House not adjourn at 5:30 p.m. on Thursday, October 26, 2023.

Answers to Questions for Which Notice Has Been Given

There were no answers to questions for which notice had been given.

Petitions

The following Members presented petitions:

The Member for Placentia West - Bellevue (J. Dwyer) regarding a replacement for the Canning Bridge in Marystown.

The Member for Torngat Mountains (L. Evans) regarding amendments to the *Limitations Act* to remove limitation periods on civil child abuse claims.

The Member for Humber - Bay of Islands (E. Joyce) regarding amendments to the *Limitations Act* to remove limitation periods on civil child abuse claims.

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ORDERS OF THE DAY

The Speaker called orders of the day.

Pursuant to notice, the Government House Leader (J. Hogan) moved the House not adjourn at 5:30 p.m.

The Speaker put the question and declared the motion carried.

Pursuant to notice and on motion, the following bill was introduced and read the first time:

A bill, "An Act to Repeal the Colonial Building Act" (Bill 57).

On motion, it was ordered the above-noted bill be read the second time on tomorrow.

Pursuant to notice and on motion, debate commenced and concluded on the motion standing in the name of the Government House Leader (J. Hogan) as follows:

THAT, notwithstanding the 2023 Parliamentary Calendar, this House not sit on Tuesday, November 14, 2023 but shall instead meet for the installation of the Lieutenant Governor designate, Joan Marie Aylward, at 11:30 in the morning.

The Speaker put the question and declared the motion carried.

Pursuant to order and on motion, debate commenced and concluded on second reading of a bill entitled "An Act to Amend the Change of Name Act, 2009" (Bill 50).

Pursuant to order and on motion, a bill entitled "An Act to Amend the Change of Name Act, 2009" (Bill 50) was read the second time and, on motion, it was ordered that Bill 50 be referred to a Committee of the Whole now.

Pursuant to order and on motion, the House resolved itself into a Committee of the Whole to consider a bill entitled "An Act to Amend the Change of Name Act, 2009" (Bill 50).

The Speaker left the Chair.

The Deputy Speaker (B. Warr) took the Chair of Committee of the Whole.

On motion, the Committee rose.

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The Speaker resumed the Chair.

The Chair (B. Warr) reported the Committee of the Whole had considered the matters to them referred and had directed them to report the Committee had recommended, without amendment, a bill entitled:

“An Act to Amend the Change of Name Act, 2009” (Bill 50).

The Speaker put the question and it was ordered the report be received and adopted.

On motion, it was ordered that Bill 50 be read the third time tomorrow.

Pursuant to order and on motion, debate commenced and concluded on second reading of a bill entitled “An Act to Amend the Embalmers and Funeral Directors Act, 2008” (Bill 51).

Pursuant to order and on motion, a bill entitled “An Act to Amend the Embalmers and Funeral Directors Act, 2008” (Bill 51) was read the second time and, on motion, it was ordered that Bill 51 be referred to a Committee of the Whole now.

Pursuant to order and on motion, the House resolved itself into a Committee of the Whole to consider a bill entitled “An Act to Amend the Embalmers and Funeral Directors Act, 2008” (Bill 51).

The Speaker left the Chair.

The Deputy Speaker (B. Warr) took the Chair of Committee of the Whole.

On motion, the Committee rose.

The Speaker resumed the Chair.

The Chair (B. Warr) reported the Committee of the Whole had considered the matters to them referred and had directed them to report the Committee had recommended, without amendment, a bill entitled:

“An Act to Amend the Embalmers and Funeral Directors Act, 2008” (Bill 51).

The Speaker put the question and it was ordered the report be received and adopted.

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On motion, it was ordered that Bill 51 be read the third time tomorrow.

On motion, the House adjourned until tomorrow, Tuesday, October 24 at 1:30 p.m.

Kim Hawley George, KC
Clerk of the House of Assembly (A)