



Progressive Conservative Party of Newfoundland and Labrador

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Via email: garynorris@gov.nl.ca

March 16, 2021

Mr. Gary Norris
Clerk of the Executive Council
Government of Newfoundland and Labrador
Box 8700
St. John's, NL A1B 4J6

Dear Mr. Norris,

Premier Furey justified the timing of his election call saying he had public health modelling showing a probable spike in COVID-19 cases around the end of March, which he hoped to avoid by calling the election early. We and others have requested copies of these modelling documents but they have been denied us under ATIPPA on the grounds that they are protected by cabinet confidentiality. This objection is groundless. Public health modelling related to COVID-19 is in the public domain, here and around the world, and everyone knows this. Dr. Janice Fitzgerald and her modelling team leader, Dr. Proton Rahman, have repeatedly released their modelling data into the public domain, because of the overriding public interest. Premier Furey has reportedly said (via CBC) that the modelling he was referring to did not come from her office, but from other jurisdictions. If that is so, then how could this be a cabinet confidence? People want to see the modelling and find out where it came from.

As Clerk, you have the authority to release information if the disclosure is in the public interest. This is your right by law. Subsection 27(3) of the *Access to Information and Protection of Privacy Act, 2015* states:

(3) Notwithstanding subsection (2), the Clerk of the Executive Council may disclose a cabinet record or information that would reveal the substance of deliberations of Cabinet where the Clerk is satisfied that the public interest in the disclosure of the information outweighs the reason for the exception.

It is obviously in the public interest to know why the Premier is going outside the office of the Chief Medical Officer of Health to obtain modelling on which to base decisions affecting Newfoundland and Labrador.

We write to urge you to exercise this right and immediately release the documentation to which Premier Furey referred.

We look forward to your response.

Sincerely,



CHES CROSBIE

Leader

Progressive Conservative Party of Newfoundland and Labrador