

From: Koren Thomson
To: Worsfold, Scott; Noseworthy, Maggie
Cc: Jayna Green; Dawe, Emily Abigail; Joanne Taylor
Subject: RE: Report A-2025-015 Opinion
Date: Friday, May 2, 2025 9:57:54 AM

Good Morning:

s. 40 (1)

Further to the below, please note that both the ATIPP Requester, [REDACTED] and the OIPC have intervened in this matter. [REDACTED]

s. 30 (1)(a)

Thanks,
Koren

Koren A. Thomson
Partner
Stewart McKelvey
D: 709.570.8848

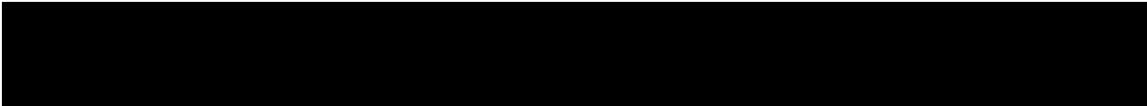
From: Koren Thomson
Sent: Friday, April 25, 2025 2:20 PM
To: Worsfold, Scott <dsworsfold@mun.ca>; Noseworthy, Maggie <maggie.noseworthy@mun.ca>
Cc: Jayna Green <jgreen@stewartmckelvey.com>; Dawe, Emily Abigail <ead383@mun.ca>; Joanne Taylor <jmtaylor@stewartmckelvey.com>
Subject: RE: Report A-2025-015 Opinion

Hi Scott & Maggie,

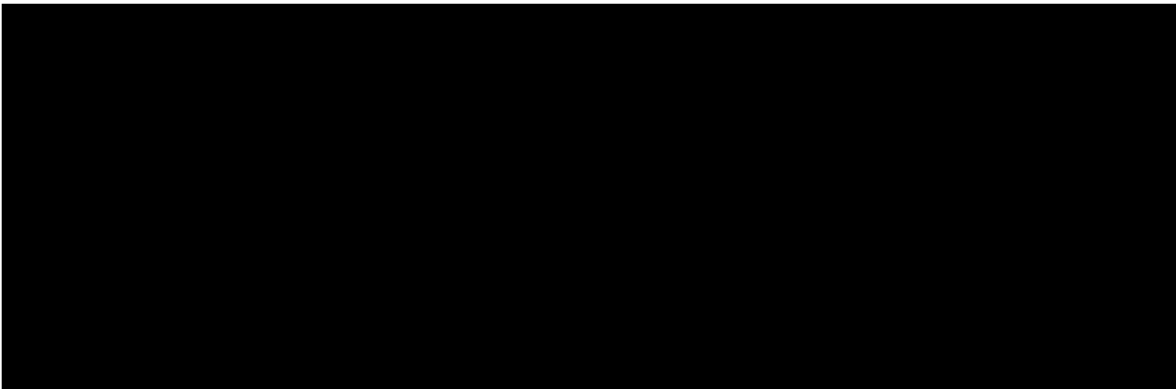
[REDACTED]
s. 30 (1)(a)

[REDACTED]
s. 30 (1)(a)

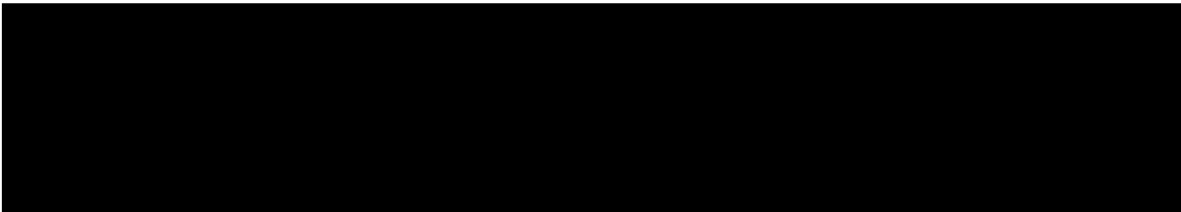
[REDACTED]
s. 30 (1)(a)



s. 30 (1)(a)



s. 30 (1)(a)



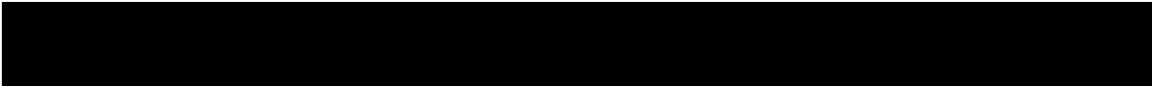
s. 30 (1)(a)



s. 30 (1)(a)



s. 30 (1)(a)



s. 30 (1)(a)

Please let us know if you'd like to discuss this further.

Happy Friday!
Koren

Koren A. Thomson

Partner
Stewart McKelvey
D: 709.570.8848

From: Koren Thomson

Sent: Wednesday, April 2, 2025 12:20 PM

To: Worsfold, Scott <dsworsfold@mun.ca>; Noseworthy, Maggie <maggie.noseworthy@mun.ca>

Cc: Jayna Green <jgreen@stewartmckelvey.com>

Subject: Report A-2025-015 Opinion

Importance: High

Privileged & Confidential

Hi Scott & Maggie,

[REDACTED]

s. 30 (1)(a)

[REDACTED]

s. 30 (1)(a)

[REDACTED]

s. 30 (1)(a)

[REDACTED]

s. 30 (1)(a)

I'm happy to chat through this if needed. I note that the filing deadline is tomorrow.

Thanks,
Koren



Koren A. Thomson

Partner

D: 709.570.8848

kthomson@stewartmckelvey.com

stewartmckelvey.com

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From: [Worsfold, Scott](#)
To: [Koren Thomson](#)
Cc: [Jayna Green](#)
Subject: RE: Harlow ATIPP Declaration
Date: Thursday, June 12, 2025 9:46:00 AM

Thanks Koren.

[REDACTED] s. 30 (1)(a)

Scott



Scott Worsfold, BA, M.Div., LLB
 General Counsel
 Office of the General Counsel
 Arts & Administration Building Rm A-1005
 230 Elizabeth Ave.,
 PO Box 4200
 St. John's, NL
 A1C 5S7
 T: 709-864-7695
 E: dsworsfold@mun.ca

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From: Koren Thomson <kthomson@stewartmckelvey.com>
Sent: Wednesday, June 11, 2025 4:26 PM
To: Worsfold, Scott <dsworsfold@mun.ca>
Cc: Jayna Green <jgreen@stewartmckelvey.com>
Subject: Harlow ATIPP Declaration

Hi Scott,

[REDACTED] s. 30 (1)(a)

In the meantime, the Court has set this down for a first appearance on June 27th. [REDACTED] s. 40 (1)
 [REDACTED] but Jayna is available to dial in and set a date. [REDACTED]

[REDACTED] s. 30 (1)(a)

[REDACTED] s. 30 (1)(a)

[REDACTED] s. 30 (1)(a)

[REDACTED] s. 30 (1)(a)

Thanks in advance,
Koren



Koren A. Thomson

Partner

D: 709.570.8848

kthomson@stewartmckelvey.com

stewartmckelvey.com

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From: [Jayna Green](#)
To: [Worsfold, Scott](#)
Cc: [Koren Thomson](#)
Subject: Delivery: Memorial ATIPPA Declaration Record (2025 01G 2260)
Date: Wednesday, June 25, 2025 2:34:58 PM
Attachments: Record - June 25, 2025 #4136-5672-6621 v.1.pdf

NOTE: The attachment covers pages 15-39 of the responsive records.

IAP Office

Good afternoon Scott,

Please find attached a copy of the Record for this matter, which was filed with the Court this afternoon.

Kind regards,
Jayna



Jayna Green
Associate
She/Her
D: 709.570.8864
jgreen@stewartmckelvey.com
stewartmckelvey.com

This e-mail message (including attachments, if any) is confidential and may be privileged. Any unauthorized distribution or disclosure is prohibited. Disclosure to anyone other than the intended recipient does not constitute waiver of privilege. If you have received this e-mail in error, please notify us and delete it and any attachments from your computer system and records.

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2025 01G 2260

IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
GENERAL DIVISION

BETWEEN:

NEIL BOSE, THE PRESIDENT AND
VICE-CHANCELLOR *PRO TEMPORE* OF MEMORIAL
UNIVERSITY OF NEWFOUNDLAND

APPLICANT

AND:

KERRY HATFIELD, in her capacity as
THE INFORMATION AND PRIVACY COMMISSIONER
OF NEWFOUNDLAND & LABRADOR

FIRST INTERVENOR

AND:

s. 40 (1)

the Access to Information Requester
And Complainant before the Information and Privacy
Commissioner of Newfoundland & Labrador

SECOND INTERVENOR

THE RECORD

SUMMARY OF CURRENT DOCUMENT	
Court File Number(s):	2025 01G 2260
Date of Filing Document:	June 25, 2025
Name of Party Filing or Person:	Neil Bose, The President and Vice-Chancellor <i>Pro Tempore</i> of Memorial University of Newfoundland
Application to which Document being filed relates:	Originating Application pursuant to section 50(2)(b) of the <i>Access to Information and Protection of Privacy Act, 2015</i> , c A-1.2 seeking a declaration that the Applicant is not required to comply with recommendations of the Information and Privacy Commissioner of Newfoundland and Labrador.
Statement of Purpose in filing:	Compliance with section 56(7) of the <i>Access to Information Protection of Privacy Act, 2015</i> and Rule 58.09 of the <i>Rules of Supreme Court, 1986 S.N.L. 1986 c. 42 Schedule D</i>

- 2 -

**KOREN A THOMSON
STEWART MCKELVEY
Suite 1100, Cabot Place
100 New Gower Street
P.O. Box 5038
St. John's, NL A1C 5V3
Solicitors for the Applicant**

**TO: Andrew A. Fitzgerald, K.C.
LEARMONTH, BOULOS &
FITZGERALD
Suite 804, TD Bldg.
140 Water Street
St. John's NL A1C 5L7
Solicitors for the Intervenor**

 s. 40 (1)

**AND TO: Supreme Court of Newfoundland
and Labrador
General Division
309 Duckworth Street
St. John's, NL A1C 5M3**

Form 58.09(A)

2025 01G 2260

IN THE SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
GENERAL DIVISION

BETWEEN:

NEIL BOSE, THE PRESIDENT AND
VICE-CHANCELLOR *PRO TEMPORE* OF MEMORIAL
UNIVERSITY OF NEWFOUNDLAND

APPLICANT

AND:

KERRY HATFIELD, in her capacity as
THE INFORMATION AND PRIVACY COMMISSIONER
OF NEWFOUNDLAND & LABRADOR

FIRST INTERVENOR

AND:

s. 40 (1)

the Access to Information Requester
And Complainant before the Information and Privacy
Commissioner of Newfoundland & Labrador

SECOND INTERVENOR

RECORD

(Rule 58.09)

INDEX OF DOCUMENTS

Parts 1 and 2 – Decision

Tab	Description	Date
1.	Office of the Information and Privacy Commissioner ("OIPC") Report A-2025-015	March 20, 2025
2.	Correspondence from Memorial to OIPC regarding Report A- 2025-015	April 3, 2025
3.	Correspondence from Memorial to Complainant regarding Report A-2025-015	April 3, 2025

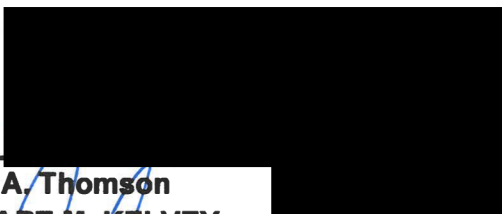
Part 3 – Evidence

NIL

Part 4 – Other Relevant Documents

Tab	Description	Date
4.	Submission of Memorial University to the OIPC regarding Complaint #002-17-384-24	September 16, 2024
5.	Additional Submission of Memorial University to the OIPC regarding Complaint #002-17-384-24	October 25, 2024
6.	OIPC Report A-2024-053	November 28, 2024
7.	Submission of Memorial University to the OIPC regarding Complaint #002-17-384-24	January 10, 2025

Dated at St. John's, this 25th day of June 2025.

 s. 40 (1)

for **Koren A. Thomson**
STEWART McKELVEY
100 New Gower St., Suite 110
St. John's, NL A1C 6K3
Solicitors for the Applicant

NOTE TO APPLICANT: The remainder of this document has been removed as it is already publicly available on the OIPC website - <https://www.oipc.nl.ca/files/A-2025-015.pdf>

IAP Office



OFFICE OF THE INFORMATION
AND PRIVACY COMMISSIONER
NEWFOUNDLAND AND LABRADOR

Report A-2025-015

March 20, 2025

Memorial University

Summary:

The Complainant had previously made an access request to Memorial University for the employment contract of the Associate Vice-President, Harlow Campus (MUN (UK) Limited). Memorial refused the request. In Report A-2024-053 this Office recommended disclosure. Memorial then provided the record, but with almost all the information redacted, citing section 40(1) (disclosure harmful to personal privacy) of the **Access to Information and Protection of Privacy Act, 2015**. The Complainant filed a new complaint with this Office objecting to the redactions. The Commissioner concluded, as this Office had already found in the previous Report, that MUN (UK) is a part of Memorial University, that it is therefore subject to the **Access to Information and Protection of Privacy Act, 2025**, that Memorial has custody and control of the record, that UK law does not apply to limit disclosure of the record in Newfoundland and Labrador, and that section 40(1) does not prohibit disclosure of most of the information in the record. The Commissioner therefore recommended that the record be disclosed, subject only to redaction of a small amount of personal information.

Statutes Cited:

Access to Information and Protection of Privacy Act, 2015, SNL 2015, c. A-1.2, sections 2(u), 12, 40.

Authorities Relied On: NL OIPC Report A-2024-053;

Bose v. Newfoundland and Labrador (Information and Privacy Commissioner), 2025 NLSC 18.

From: [Noseworthy, Maggie](#)
To: [Joyce, Mitchell](#)
Subject: FW: Correspondence from Dr. N. Bose/Memorial
Date: Thursday, April 3, 2025 2:35:04 PM
Attachments: [HATF0403.pdf](#)
[image003.png](#)

NOTE TO APPLICANT: The attachment is on page 22.

IAP Office

Maggie Noseworthy | B.A., LL.B. (she/her)
University Privacy Officer
Office of the General Counsel
Memorial University of Newfoundland
St. John's | Newfoundland and Labrador | A1C 5S7

From: President, The <munpres@mun.ca>
Sent: Thursday, April 3, 2025 2:28 PM
To: Clarke, Lionel <LionelClarke@oipc.nl.ca>; OIPC, Commissioner <Commissioner@oipc.nl.ca>
Cc: Noseworthy, Maggie <maggie.noseworthy@mun.ca>; Worsfold, Scott <dsworsfold@mun.ca>
Subject: Correspondence from Dr. N. Bose/Memorial

Good afternoon,

Please see attached correspondence being issued on behalf of Dr. Neil Bose, President and Vice-Chancellor *pro tempore*. This is for the attention of the Information and Privacy Commissioner, Kerry Hatfield, in response to email below.

Thanks and best regards,

Rose

Rose M. Frew, Executive Assistant to the President (Correspondence)
President's Office, Room A-2028
Arts and Administration Building | 230 Elizabeth Avenue
Memorial University | St. John's | Newfoundland and Labrador | A1C 5S7
t: 709.864.8212 | f: 709.864.2059 | email: president@mun.ca



We acknowledge that the lands on which Memorial University's campuses are situated are in the traditional territories of diverse Indigenous groups, and we acknowledge with respect the diverse histories and cultures of the Beothuk, Mi'kmaq, Innu, and Inuit of this province.

From: Clarke, Lionel <LionelClarke@oipc.nl.ca>
Sent: Thursday, March 20, 2025 2:33 PM
To: President, The <munpres@mun.ca>
Cc: Noseworthy, Maggie <maggie.noseworthy@mun.ca>
Subject: Notification of Commissioner's Report

Good Day, Dr. Bose,

Attached is a letter to you from Commissioner Kerry Hatfield, enclosing a copy of our Report A-2025-015 involving Memorial University. If you have any questions please contact our Office.

Regards,
Lionel Clarke

Lionel G. Clarke

Access and Privacy Analyst
Office of the Information and Privacy Commissioner
P.O. Box 13004, Sta. A
Beothuk Building
20 Crosbie Place
St. John's, NL A1B 3V8
709-729-6309
lionelclarke@oipc.nl.ca



www.oipc.nl.ca

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**Office of the President**

St. John's, NL Canada A1C 5S7
Tel: 709 864 8212 Fax: 709 864 2059
president@mun.ca www.mun.ca

April 3, 2025

Ms. Kerry Hatfield
Information and Privacy Commissioner
Office of the Information and Privacy Commissioner
P.O. Box 13004, Station "A"
St. John's, NL A1B 3V8

Via Email: commissioner@oipc.nl.ca

Dear Commissioner:

Re: Complaint under the Access to Information and Protection of Privacy Act, 2015
(Our file #002-17-384-24; OIPC file #0020-062-24-159)

Thank you for your letter and Report A-2025-015 of March 20, 2025. Pursuant to ss.49(1) of the ATIPPA, 2015, I am writing to advise that the university will be applying to Court for a Declaration that it does not have to comply with the Recommendations set out in the Report. A copy of the Declaration will be served to your office by Counsel.

We will provide you with a copy of our notice to the Complainant.

Sincerely,

A black rectangular redaction box covering the signature of Neil Bose.

s. 40 (1)

Neil Bose, Ph.D., FCAE
President and Vice-Chancellor
pro tempore

c: Ms. Maggie Noseworthy, University Privacy Officer
Mr. Scott Worsfold, General Counsel

Ref: O/NB/HATF0403 (2025)

From: Noseworthy, Maggie
To: Joyce, Mitchell
Subject: FW: Correspondence from Dr. N. Bose/Memorial
Date: Thursday, April 3, 2025 2:35:13 PM
Attachments: [REDACTED]403.pdf

NOTE TO APPLICANT: The attachment is on page 24.

IAP Office

s. 40 (1)

Maggie Noseworthy | B.A., LL.B. (she/her)
University Privacy Officer
Office of the General Counsel
Memorial University of Newfoundland
St. John's | Newfoundland and Labrador | A1C 5S7

From: President, The <munpres@mun.ca>
Sent: Thursday, April 3, 2025 2:30 PM
To: [REDACTED] s. 40 (1)
Cc: Noseworthy, Maggie <maggie.noseworthy@mun.ca>; OIPC, Commissioner <Commissioner@oipc.nl.ca>; Clarke, Lionel <LionelClarke@oipc.nl.ca>
Subject: Correspondence from Dr. N. Bose/Memorial

Good afternoon,
Please see attached correspondence being issued on behalf of Dr. Neil Bose, President and Vice-Chancellor pro tempore.

Best regards,
Rose
Rose M. Frew, Executive Assistant to the President (Correspondence)
President's Office, Room A-2028
Arts and Administration Building | 230 Elizabeth Avenue
Memorial University | St. John's | Newfoundland and Labrador | A1C 5S7
t: 709.864.8212 | f: 709.864.2059 | email: president@mun.ca



We acknowledge that the lands on which Memorial University's campuses are situated are in the traditional territories of diverse Indigenous groups, and we acknowledge with respect the diverse histories and cultures of the Beothuk, Mi'kmaq, Innu, and Inuit of this province.

**Office of the President**

St. John's, NL Canada A1C 5S7
Tel: 709 864 8212 Fax: 709 864 2059
president@mun.ca www.mun.ca

April 3, 2025

[REDACTED]
Via Email: [REDACTED]

s. 40 (1)

Dear [REDACTED]

Re: Complaint under the Access to Information and Protection of Privacy Act, 2015
(Our file #002-17-384-24; OIPC file #0020-062-24-159)

We have reviewed the Commissioner's Report A-2025-015 of March 20, 2025. Pursuant to ss.49(1) of the ATIPPA, 2015, I am writing to advise that Memorial University will be applying to Court for a Declaration that it does not have to comply with the Recommendations set out in the Report.

Pursuant to ss.49(3)(a), a complainant has a right under section 54 to appeal a decision to grant or refuse access to a record or part of a record. An appeal must be made to the Supreme Court of Newfoundland and Labrador within 10 business days of receipt of this letter.

Sincerely,

[REDACTED] s. 40 (1)

Neil Bose, Ph.D., FCAE
President and Vice-Chancellor
pro tempore

c: Ms. Maggie Noseworthy, University Privacy Officer
Ms. Kerry Hatfield, Information and Privacy Commissioner

s. 40 (1)

Ref: O/NB/[REDACTED] 0403 (2025)

IAP Office



OFFICE OF THE INFORMATION
AND PRIVACY COMMISSIONER
NEWFOUNDLAND AND LABRADOR

Report A-2024-053

November 28, 2024

Memorial University

Summary:

The Complainant made an access to information request to Memorial University for the employment contract of a newly-created position for its Harlow campus located in the United Kingdom. Memorial University withheld the records pursuant to section 40(1) (disclosure harmful to personal privacy) of the **Access to Information and Protection of Privacy Act, 2015**, claiming the employment contract is not for a public body employee as it is between a third party individual and a third party entity (Harlow Campus) that is governed by a separate legal entity under United Kingdom law. For the same reasons, Memorial University refused to provide a copy of the record to this Office for review. Memorial University also claimed that Memorial University only has bare possession of the record and they do not have custody or control of the record. An analysis of Memorial University's custody or control showed that on a balance of probabilities Memorial University has custody or control of the record sought by the Complainant's access request.

Statutes Cited:

Access to Information and Protection of Privacy Act, 2015, SNL 2015, c. A-1.2, sections 2, 3(1), 5(1), 8(1) and 40(1).

Auditor General Act, 2021 SNL c. A-22.01, section 19.

Memorial University Act RSNL 1990 c. M-7 sections 3(1), 34(1)(s).

Authorities Relied On: Canada (Information Commissioner) v. Canada (Minister of Defence) [2011] 2 S.C.R. 306.

Ontario IPC Order MO-2750

NL OIPC Reports A-2024-006; A-2021-008; A-2023-029; A-2023-029

Memorial University Independent Auditor's Report

From: [Jayna Green](#)
To: [Worsfold, Scott](#); [Koren Thomson](#)
Subject: RE: Harlow ATIPP Declaration
Date: Monday, July 21, 2025 3:53:22 PM

Hi Scott,

[REDACTED]

s. 30 (1)(a)

[REDACTED]

s. 30 (1)(a)

Kind regards,
Jayna
Jayna Green
Associate
She/Her
Stewart McKelvey
D: 709.570.8864

From: Worsfold, Scott <dsworsfold@mun.ca>
Sent: Friday, June 27, 2025 11:47 AM
To: Jayna Green <jgreen@stewartmckelvey.com>; Koren Thomson <kthomson@stewartmckelvey.com>
Subject: RE: Harlow ATIPP Declaration

This is an external email.

Thanks Jayna:

[REDACTED]

s. 30 (1)(a)

Scott



Scott Worsfold, BA, M.Div., LLB
General Counsel

Office of the General Counsel
Arts & Administration Building Rm A-1005
230 Elizabeth Ave.,
PO Box 4200
St. John's, NL
A1C 5S7
T: 709-864-7695
E: dsworsfold@mun.ca

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From: Jayna Green <jgreen@stewartmckelvey.com>
Sent: Friday, June 27, 2025 11:24 AM
To: Worsfold, Scott <dsworsfold@mun.ca>; Koren Thomson <kthomson@stewartmckelvey.com>
Subject: RE: Harlow ATIPP Declaration

Good morning Scott,

s. 40 (1)

I appeared virtually for the first appearance in front of Justice Ryan today for this matter. Andy Fitzgerald and [REDACTED] also called in. Andy proposed that before we set dates for the hearing of the Application that we set filing dates for affidavits first and then seek case management. By that point, Andy will know if he will be cross examining any of our affiants and how much time might be needed. We consented to this request [REDACTED]

s. 30 (1)(a)

Our affidavits will have to be filed by the end of August and following that, we have a case management set for November 4th, 2025 at 2pm to set dates. [REDACTED]

s. 30 (1)(a)

Additionally, Justice Ryan granted our request for an Order allowing Memorial to file the employment contract under seal, which we will prepare and file with the Court.

s. 30 (1)(a)

Please let me know if you have any questions or would like to discuss further.

Kind regards,
Jayna
Jayna Green
 Associate
She/Her
 Stewart McKelvey
 D: 709.570.8864

From: Worsfold, Scott <dsworsfold@mun.ca>
Sent: Thursday, June 12, 2025 9:46 AM
To: Koren Thomson <ktthomson@stewartmckelvey.com>
Cc: Jayna Green <jgreen@stewartmckelvey.com>
Subject: RE: Harlow ATIPP Declaration

This is an external email.

Thanks Koren.

[REDACTED] s. 30 (1)(a)

Scott



Scott Worsfold, BA, M.Div., LLB
 General Counsel
 Office of the General Counsel
 Arts & Administration Building Rm A-1005
 230 Elizabeth Ave.,
 PO Box 4200
 St. John's, NL
 A1C 5S7
 T: 709-864-7695
 E: dsworsfold@mun.ca

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From: Koren Thomson <ktthomson@stewartmckelvey.com>
Sent: Wednesday, June 11, 2025 4:26 PM

NOTE TO APPLICANT: The remainder of this thread has been removed as it is already found above in the responsive records.

IAP Office

From: Raske, Matthew
To: Jayna Green
Cc: Koren Thomson; Worsfold, Scott
Subject: Withdrawal of Application
Date: Friday, August 22, 2025 4:39:23 PM

Hi Jayna & Koren,

s. 30 (1)(a) [REDACTED] We will be complying with the OIPC's recommendation to disclose the employment contract, redacting personal addresses and signatures.

s. 30 (1)(a) [REDACTED]

s. 30 (1)(a) [REDACTED]
[REDACTED]

Thanks again for all your work on this. We appreciate you!

Happy Friday,
Matthew

.....
MATTHEW RASKE | ASSOCIATE COUNSEL
Office of the General Counsel
Memorial University of Newfoundland
Arts and Administration Building | Room A1005
St. John's, NL
709-864-4017 | mraske@mun.ca

From: Jayna Green <jgreen@stewartmckelvey.com>
Sent: Friday, August 22, 2025 11:19 AM
To: Raske, Matthew <mraske@mun.ca>
Cc: Koren Thomson <kthomson@stewartmckelvey.com>
Subject: FW: [REDACTED] re: Harlow ATIPP Declaration

Privileged & Confidential

s. 30 (1)(a)

Hi Matthew,

s. 30 (1)(a)

We've just sent the below [REDACTED] to Scott in relation to Memorial's ATIPP Declaration Application whereby Memorial is seeking a declaration that it does not have to comply with the OIPC's recommendation that Memorial must disclose the employment contract of the Associate VP of the Harlow Campus. We've been working with Scott on this [REDACTED]

s. 30 (1)(a)

I understand that Scott is out of the office until September 2nd, [REDACTED]

s. 30 (1)(a)

[REDACTED]
[REDACTED]

Thank you in advance for your assistance and please let me know if you have questions as I'm happy to discuss further.

Kind regards,
Jayna
Jayna Green
Associate
She/Her
Stewart McKelvey
D: 709.570.8864

From: Jayna Green
Sent: Friday, August 22, 2025 10:25 AM
To: Worsfold, Scott <dsworsfold@mun.ca>
Cc: Koren Thomson <kthomson@stewartmckelvey.com>
Subject: [REDACTED] re: Harlow ATIPP Declaration
Importance: High s. 30 (1)(a)

Good morning Scott,

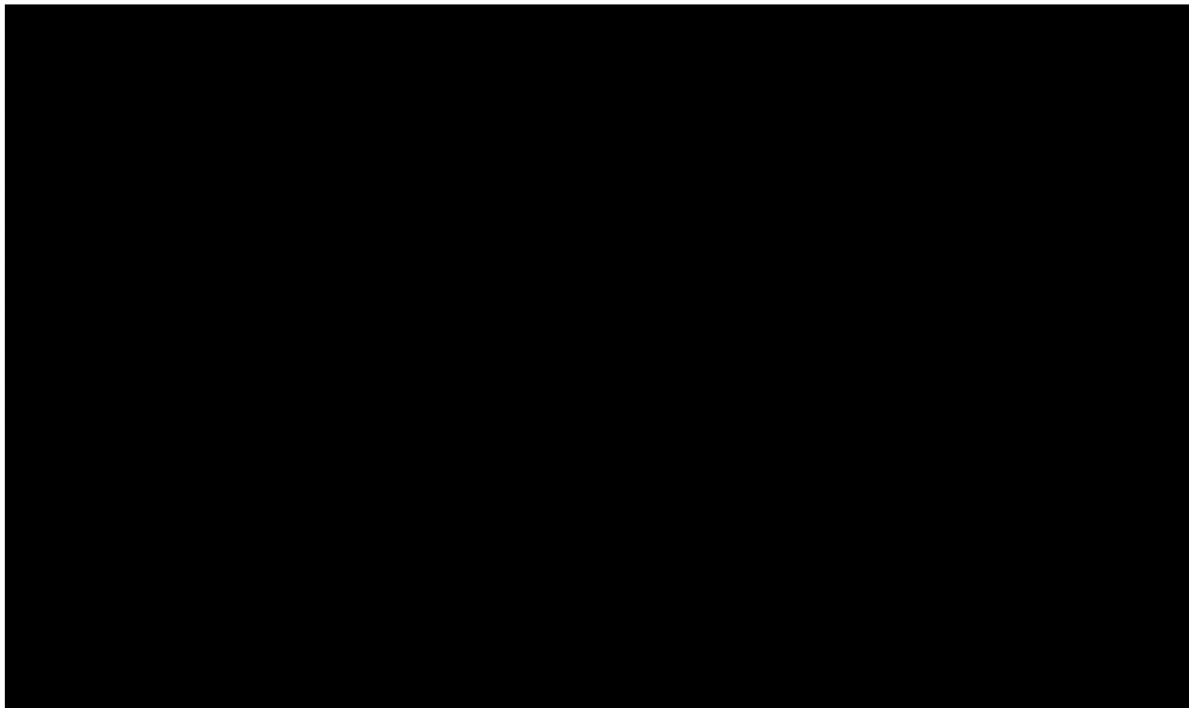
[REDACTED]

s. 30 (1)(a)

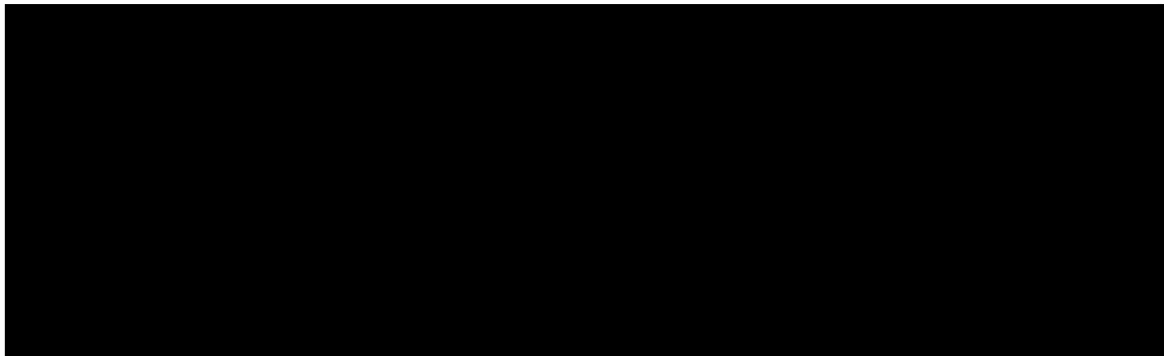
[REDACTED]

[REDACTED]

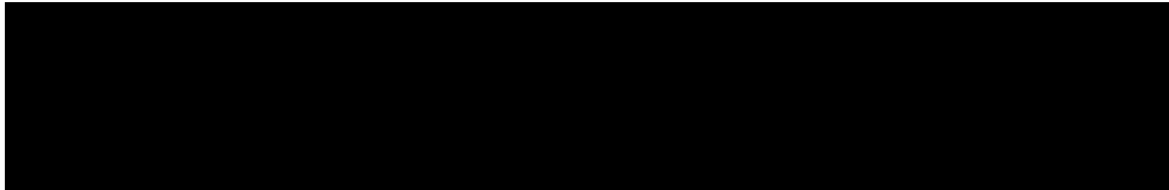
s. 30 (1)(a)



s. 30 (1)(a)



s. 30 (1)(a)



Please let us know if you have any questions or would like to discuss further.

Kind regards,
Jayna



Jayna Green

Associate

She/Her

D: 709 570 8864

jgreen@stewartmckelvey.com

stewartmckelvey.com

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From: [Raske, Matthew](#)
To: [Frew, Rose Mary](#)
Cc: [Worsfold, Scott](#)
Subject: Re: Draft Correspondence to AVP Harlow
Date: Monday, August 25, 2025 9:58:50 AM

Hi Rose,

Please let me know if you need anything from me to facilitate Janet's signature and send the letter. [REDACTED] s. 40 (1)

Also — [REDACTED] s. 30 (1)(a)

Thanks,
 Matthew

.....
MATTHEW RASKE | ASSOCIATE COUNSEL
Office of the General Counsel
 Memorial University of Newfoundland
 Arts and Administration Building | Room A1005
 St. John's, NL
 709-864-4017 | mraske@mun.ca

From: Morrison, Janet <jmorrison@mun.ca>
Sent: Sunday, August 24, 2025 10:27 PM
To: Raske, Matthew <mraske@mun.ca>
Cc: Worsfold, Scott <dsworsfold@mun.ca>; Frew, Rose Mary <rmfrew@mun.ca>
Subject: Re: Draft Correspondence to AVP Harlow

Thank you Matthew; this is excellent. Please liaise with my colleague Rose, copied above, to facilitate a signature.

Warmly,
 Janet

Get Outlook for Mac

From: Raske, Matthew <mraske@mun.ca>
Date: Friday, August 22, 2025 at 5:13 PM
To: Morrison, Janet <jmorrison@mun.ca>
Cc: Worsfold, Scott <dsworsfold@mun.ca>
Subject: Draft Correspondence to AVP Harlow

Hi Janet,

It was great meeting with you this afternoon — thanks again for taking the time.

As we discussed, I will proceed to withdraw the application. [REDACTED]

s. 30 (1)(a)

[REDACTED] Please let me know if you'd like to see any

changes.

Once you've sent the letter, I will ask our IAP team to disclose the contract pursuant to the Privacy Commissioner's recommendation.

In the meantime, enjoy the weekend!

Matthew

.....
MATTHEW RASKE | ASSOCIATE COUNSEL
Office of the General Counsel
Memorial University of Newfoundland
Arts and Administration Building | Room A1005
St. John's, NL
709-864-4017 | mraske@mun.ca

From: [Worsfold, Scott](#)
To: [Morrison, Janet](#)
Cc: [Brown, Margot](#)
Subject: RE: Correspondence from Dr. J. Morrison
Date: Sunday, August 31, 2025 8:42:00 PM

SOLICITOR-CLIENT PRIVILEGED

Thanks Janet:

I will. [REDACTED]

s. 30 (1)(a)

Scott



Scott Worsfold, BA, M.Div., LLB
 General Counsel
 Office of the General Counsel
 Arts & Administration Building Rm A-1005
 230 Elizabeth Ave.,
 PO Box 4200
 St. John's, NL
 A1C 5S7
 T: 709-864-7695
 E: dsworsfold@mun.ca

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From: Morrison, Janet <jmorrison@mun.ca>
Sent: Tuesday, August 26, 2025 5:38 PM
To: Worsfold, Scott <dsworsfold@mun.ca>
Cc: Brown, Margot <mbrown@mun.ca>
Subject: FW: Correspondence from Dr. J. Morrison

s. 30 (1)(a)

Scott: please see below from Dr. Xu; [REDACTED]

s. 29 (1)(a)

Thank you,
Janet

Get [Outlook for Mac](#)

From: Xu, Jingjing <jingjingx@mun.ca>
Date: Tuesday, August 26, 2025 at 4:14 PM
To: Morrison, Janet <jmorrison@mun.ca>
Cc: President, The <munpres@mun.ca>
Subject: Re: Correspondence from Dr. J. Morrison

Dear Dr. Morrison,

I write in response to your letter of 26 August 2025 concerning Memorial University's decision to release my contract with MUN UK Ltd pursuant to an ATIPPA request. [REDACTED]

s. 40 (1)

In April 2025, Memorial's General Counsel expressly informed me that Memorial had "decided to file an application with court for a declaration that Memorial does not have to comply with the Privacy Commissioner's recommendation to disclose your contract, based on it being a breach of the law in the UK." I have enclosed this correspondence below, highlighted in yellow, for your reference. [REDACTED]

s. 29 (1)(a)

For avoidance of doubt, my employment contract with MUN UK Ltd contains binding provisions regarding applicable law and jurisdiction:

Clause 23.3: "The Company will process your personal information in accordance with the applicable Data Protection Legislation at the relevant time."

Clause 28: "This Agreement will be governed by and construed in accordance with the laws of England and Wales and the parties hereby submit to the exclusive jurisdiction of the English and Welsh courts."

These clauses are unambiguous. They establish that (i) any processing of my personal data must comply with the UK GDPR and the Data Protection Act 2018, and (ii) any disputes concerning the contract fall exclusively within the jurisdiction of the courts of England and Wales.

Your letter asserts that disclosure is "necessary for compliance with a legal obligation to which Memorial and/or MUN UK Limited is subject and constitutes lawful processing pursuant to section 1(c) of Article 6 of the UK GDPR." [REDACTED]

s. 29 (1)(a)

[REDACTED] s. 29 (1)(a)

[REDACTED] s. 29 (1)(a)

[REDACTED] s. 40 (1)

[REDACTED] s. 40 (1)

s. 40 (1) [REDACTED]

[REDACTED] s. 30 (1)(a)

[REDACTED] s. 29 (1)(a)

Yours sincerely,

Dr. Jingjing Xu

Prof. Jingjing Xu, PhD, FRIN, FHEA, MNI
Associate Vice-President (Harlow Campus and Global Partnerships)
Memorial University of Newfoundland

Address:
Harlow Campus
The Maltings
Harlow, Essex, CM17 0AJ
United Kingdom

From: Worsfold, Scott <dsworsfold@mun.ca>
Date: Monday, 7 April 2025 at 21:08
To: Xu, Jingjing <jingjingx@mun.ca>
Cc: Lokash, Jennifer <jlokash@mun.ca>, Noseworthy, Maggie
 <maggie.noseworthy@mun.ca>
Subject: OIPC

Hi Jingjing:

Just to update you, we have decided to file an application with court for a declaration that Memorial does not have to comply with the Privacy Commissioner's recommendation to disclose your contract, based on it being a breach of the law in the UK.

s. 30 (1)(a)

Thanks,
 Scott

From: President, The <munpres@mun.ca>
Date: Tuesday, 26 August 2025 at 18:31
To: Xu, Jingjing <jingjingx@mun.ca>
Subject: Correspondence from Dr. J. Morrison

Good afternoon,
 Please see attached correspondence being issued on behalf of Dr. Janet Morrison, President and Vice-Chancellor, Memorial University.

Best regards,
 Rose
 Rose M. Frew, Executive Assistant to the President (Correspondence)
 President's Office, Room A-2028
 Arts and Administration Building | 230 Elizabeth Avenue
 Memorial University | St. John's | Newfoundland and Labrador | A1C 5S7
 t: 709.864.8212 | f: 709.864.2059 | email: president@mun.ca



We acknowledge that the lands on which Memorial University's campuses are situated are in the traditional territories of diverse Indigenous groups, and we acknowledge with respect the diverse histories and cultures of the Beothuk, Mi'kmaq, Innu, and Inuit of this province.

From: President, The
To: Brown, Margot; Worsfold, Scott
Cc: Raske, Matthew
Subject: FW: Correspondence from Dr. J. Morrison
Date: Tuesday, September 2, 2025 12:53:57 PM
Importance: High

Please see below.

Best regards,

Rose

Rose M. Frew, Executive Assistant to the President (Correspondence)

President's Office, Room A-2028

Arts and Administration Building | 230 Elizabeth Avenue

Memorial University | St. John's | Newfoundland and Labrador | A1C 5S7

t: 709.864.8212 | f: 709.864.2059 | email: president@mun.ca



We acknowledge that the lands on which Memorial University's campuses are situated are in the traditional territories of diverse Indigenous groups, and we acknowledge with respect the diverse histories and cultures of the Beothuk, Mi'kmaq, Innu, and Inuit of this province.

From: Xu, Jingjing <jingjingx@mun.ca>
Sent: Tuesday, September 2, 2025 12:35 PM
To: Morrison, Janet <jmorrison@mun.ca>
Cc: President, The <munpres@mun.ca>; J XU [REDACTED] s. 40 (1)
Subject: Re: Correspondence from Dr. J. Morrison
Importance: High

Dear Dr. Morrison,

As I have not received a response to my previous email regarding the proposed release of my contract with MUN UK Ltd, I am writing to follow up. [REDACTED] s. 40 (1)

As Director and Chair of MUN UK Ltd, you will be aware that the Company is subject to the laws of England and Wales and the UK GDPR, [REDACTED] s. 29 (1)(a)

[REDACTED] My contract explicitly establishes this governing law. In the UK, an employment contract constitutes personal data. [REDACTED] s. 29 (1)(a)
 [REDACTED] s. 40 (1)

I also wish to remind you that, under UK law, directors owe a personal duty to ensure that the companies they oversee comply with all applicable legal obligations. Importantly, under the Data Protection Act 2018, where a company commits an offence under the UK GDPR with the consent, connivance, or neglect of a director, that director may also be personally liable, including exposure to fines and civil remedies. The risk of such liability is well established, and directors have been held accountable where oversight has failed.

For clarity, the potential consequences of violating the UK GDPR are extremely serious. Organisations found in breach can face administrative fines of up to £17.5 million or 4% of total worldwide annual turnover (whichever is higher). The Information Commissioner's Office has repeatedly issued multi-million-pound fines in cases of unlawful processing or disclosure of personal data. The reputational and legal consequences for both the company and its directors can be profound.

s. 40 (1)

In your capacity as Chair of MUN UK Ltd, and as President and Vice-Chancellor of Memorial University, you bear responsibility for ensuring that MUN UK Ltd complies fully with its legal obligations under UK law.

s. 40 (1)

I am copying this email to my personal email address to ensure continuity of correspondence. As I will be following up on this matter after my departure from the Company if necessary, I kindly ask that you copy both my work and personal addresses in all future responses.

Yours sincerely,

Jingjing

Prof. Jingjing Xu, PhD, FRIN, FHEA, MNI

Associate Vice-President (Harlow Campus and Global Partnerships)

Memorial University of Newfoundland

Address:

Harlow Campus

The Maltings

Harlow, Essex, CM17 0AJ

United Kingdom

From: Xu, Jingjing <jingjingx@mun.ca>
Date: Tuesday, 26 August 2025 at 19:44
To: Morrison, Janet <jmorrison@mun.ca>
Cc: President, The <munpres@mun.ca>
Subject: Re: Correspondence from Dr. J. Morrison

Dear Dr. Morrison,

I write in response to your letter of 26 August 2025 concerning Memorial University's decision to

NOTE TO APPLICANT: The remainder of this thread has been removed as it is already found above in the responsive records.

IAP Office