

Nfld. &amp; Labrador

## Former cabinet minister suing over harassment complaints, claiming malice and negligence

Dale Kirby files lawsuit against Colin Holloway, Pam Parsons and Bruce Chaulk

[Mark Quinn](#) · CBC News · Posted: Aug 21, 2020 6:00 AM NT | Last Updated: August 21



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In a lawsuit filed at the Supreme Court of Newfoundland and Labrador, the former education minister also says the investigation into those complaints was negligent.

"Complaints made by Parsons and Holloway were baseless, without merit, made for the purpose of gaining certain political advantages, and intended to harm Kirby and his reputation," says the statement of claim, filed Aug. 11 by Kirby's lawyer.



Pam Parsons, Liberal MHA for Harbour Grace-Port de Grave, is being sued by Kirby. (Katie Breen/CBC)

"Their complaints, as well as subsequent public statements and in conversations and correspondence with other political actors, constitute defamation."

The court document goes on to claim that Parsons' and Holloway's complaints "were motivated by malice."

The statement of claim also says the investigation into the complaints against Kirby conducted

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Former Terra Nova MHA Colin Holloway is also named in the suit. (CBC)

"The first defendant [Chaulk] was negligent in the exercise of his authority, responsibilities and obligations," says the court document.

"Chaulk's investigation was motivated by malice or another purpose other than carrying the law into effect."

Kirby was [removed from cabinet and caucus](#) by then premier Dwight Ball in the spring of 2018 after Parsons and Holloway complained that Kirby harassed them, and Chaulk was asked to investigate the allegations.

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Bruce Chaulk, Newfoundland and Labrador's commissioner for legislative standards, is also a defendant in the suit. (CBC)

Chaulk's investigation found Kirby had not bullied or harassed his colleagues but had breached the code of conduct for MHAs in relation to Parsons' complaint. It also found Kirby was not in violation of any of the alleged breaches of the code of conduct raised by Holloway.

The statement of claim calls for the findings to be "denounced."

"Chaulk and those under his direction permitted the premier's office to make repeated inquiries into the purportedly independent investigations, calling into question whether these investigations were indeed independent, fair and respectful of Kirby's rights. Such inquiries call the investigative process and result into disrepute to the extent that any findings made must be denounced."

Kirby claims Parsons, Holloway and Chaulk are directly responsible for his losses, including "being removed from cabinet, having to resign from the Liberal caucus, reputational loss and diminished income, salary and pension."

Kirby, represented by lawyer William Hiscock of Budden & Associates, is suing Parsons, Holloway and Chaulk and the provincial government for an undisclosed amount of damages,

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