

Town of Deep River Integrity Commissioner Files 2017-02, 2017-03, 2017-04

SECOND INTERIM REPORT ON COMPLAINTS

These three complaint files involve allegations that a Council Member contravened the *Municipal Conflict of Interest Act* and in so doing contravened the Council Code of Conduct.

Each complaint relates in part to the relationship between this Council Member and a company. After opening the three complaint files and assigning them numbers, I learned that some other lawyers in my firm provide legal services to this company. I personally do not but, through my colleagues, the law firm in which I am a partner does.

As previously reported to Council, I have therefore decided to recuse myself from further involvement in these three complaints and to exercise my authority under the *Municipal Act* to appoint a delegate. Subsection 223.3(3) of the *Municipal Act* provides as follows:

The Commissioner may delegate in writing to any person, other than a member of council, any of the Commissioner's powers and duties under this Part.

I previously delegated my powers but the first delegate subsequently recused himself.

I am, therefore, once again delegating my powers and duties in relation to Files 2017-02, 2017-03 and 2017-04. The delegation will not affect other files (unless in the case of any new file in which the same need to recuse arises).

The delegate, who will serve as Acting Integrity Commissioner for these files, is Professor Lorne Sossin, Dean of Osgoode Hall Law School.

The Acting Integrity Commissioner is an expert with great credentials and an excellent reputation.

Professor Sossin is a former municipal Integrity Commissioner. He served as the City of Toronto Integrity Commissioner from 2008 to 2009.

Currently Professor Sossin is currently Open Meeting Investigator for the City of Toronto.

Professor Sossin has published numerous books, journal articles, reviews and essays, including *Boundaries of Judicial Review: The Law of Justiciability*, 2nd ed. (Toronto: Carswell, 2010) and *Administrative Law in Context* (Toronto: Emond Montgomery, 2008) (co-edited with Colleen Flood).

He was a law clerk to former Chief Justice Antonio Lamer of the Supreme Court of Canada, a former Associate in Law at Columbia Law School and a former litigation lawyer with the firm of Borden & Elliot (now Borden Ladner Gervais LLP).

Dean Sossin served as Research Director for the Law Society of Upper Canada's Task Force on the Independence of the Bar and has written commissioned papers for the Gomery Inquiry, the Ipperwash Inquiry and the Goudge Inquiry. He also serves on the Boards of the National Judicial Institute and the Law Commission of Ontario.

The terms of the delegation will provide that Acting Integrity Commissioner Sossin is to operate completely independently of me and my law firm. He will report directly to Council and will deal directly with Council and the CAO/Clerk. I will have no dealings with the delegated files.

Respectfully submitted,



Guy Giorno
Integrity Commissioner

February 27, 2018