



OFFICE OF THE INTEGRITY COMMISSIONER

October 23, 2013

City Council
City of Hamilton

RE: Report under Integrity Commissioner By-Law Section 22(1)

As Integrity Commissioner I report to Council and through Council to the citizens of the City of Hamilton. As Integrity Commissioner, it is incumbent on me to comply with all provisions and amendments, of the Integrity Commissioner By-Law and all other By-Laws. This report is being submitted to Council to inform Council of outstanding Integrity Commissioner Inquiries and to apologize to Council and to the citizens of Hamilton for my inadvertent failure to comply with Integrity Commissioner By-Law Section 22(1) which states:

Where the Integrity Commissioner has received a Complaint regarding a member of Council, they shall, within 60 days of receiving the Complaint, prepare and file with the City Clerk a report to Council regarding their inquiry into the Complaint.

This 60 day timeline is a new amendment to the Integrity Commissioner By-Law. In May 2012 I was informed by email that an amendment to the Integrity Commissioner By-Law Section 22 was being proposed to Council and that this amendment imposed a 60 day timeline for reporting to Council on the results of inquiries into Complaints. The amendment passed Council in June 2012.

I misunderstood the process and did not ask for an updated Consolidated Version of the amended Integrity Commissioner By-Law once the amendment was passed by Council. As a result, my reference By-Law on file at my office was out of date and I did not submit the reports on the current outstanding inquiries in accordance with the timeline imposed by the Section 22(1) of the amended Integrity Commissioner By-Law.

I am reporting herein the status of the current four outstanding inquiries that are beyond the 60 day limit and requesting extensions as noted:

<u>File</u>	<u>Status</u>	<u>Extension Date</u>
A	Investigation and Report complete – Unable to submit report to Council until the disposition of other proceedings that indirectly relate to this Complaint.	December 11, 2013

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| B | Complexity of complaint requires lengthy investigation and forensic analysis of a large volume of documentation. Investigation active. | December 11, 2013 |
| C | Report to Council being compiled. | November 13, 2013 |
| D | Large number of witnesses to interview along with analysis of information and statements. Investigation active. | December 11, 2013 |

I would ask that Council and the citizens of Hamilton accept my apology for my inadvertent failure to comply with Section 22(1) of the Integrity Commissioner By-Law. In future I can assure Council and the citizens of Hamilton that I will comply with all provisions of Integrity Commissioner By-Law and all other relevant By-Laws.



Earl D. Basse, Integrity Commissioner