

**TO: THE MAYOR AND MEMBERS OF COUNCIL
OF THE CITY OF HAMILTON**

SEPTEMBER 14, 2017

**ATTENTION: The City Clerk, Re: Complaint to the
Integrity Commissioner File No. 17-001**

FROM: George Rust-D'Eye, Integrity Commissioner

This is to advise of having dismissed a Complaint by a citizen against a Member of Council, in which the Complainant alleged that the Councillor had contravened the City Council's Code of Conduct by disrupting a press conference held by another Councillor with respect to an important matter of City business, as well as "misrepresenting [the] other councillor's opinions", and other alleged conduct, at Council meetings and other occasions.

Before making this decision, I reviewed a video of the press conference, press reports relating to it, and further information provided to me by the Complainant, and made the following observations and conclusions:

- the other Councillor who, if anyone, was the 'injured party', did not complain to me, nor does the Complainant appear to be complaining on that Councillor's behalf;

- the Complainant, and the press who covered the event, appear to acknowledge that the first Councillor had finished the intended remarks, not that the Councillor interrupted him, disrupted the speech, attacked the Councillor personally or prevented the accomplishment of the objectives of the press conference;

- there is no suggestion that the Councillor who held the press conference incurred expenses to bring it about, contracted for exclusive rights to speak, or suffered any financial damage or loss due to the other Councillor's actions.

CONCLUSIONS: I do not believe that my role as Integrity Commissioner to the City involves monitoring or policing all of the political actions and statements of Members of Council, their positions on policy issues, or their treatment of each other in the performance of their responsibilities as Councillors. In this case, I have concluded that, whatever generally accepted standards of propriety and decorum the Councillor's conduct may be alleged to have infringed, the conduct in this case was not so serious or significant to warrant my conducting a more substantial inquiry or

recommending to the Council that it impose sanctions or consequences upon him arising out of this matter, or with respect to any of the alleged statements which may have been made as set out in the Complaint. Neither the integrity of the City's processes nor the public interest were seriously threatened or compromised.

I hope that this report will provide to the Council, and to the public, notice of the nature of the approach and some of principles, which I expect to bring to bear in addressing complaints alleging contravention of the Code of Conduct through policy or politically motivated practices of Members of City Council.

George Rust-D'Eye, Integrity Commissioner to The City of Hamilton