

Township of Madawaska Valley Integrity Commissioner

SPECIAL REPORT

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Subsection 223.6(1) of the *Municipal Act* allows me to provide a periodic report to Council on my activities.

Background

At least one individual who was or is party to a Code of Conduct investigation has brought to my attention a Township decision affecting the individual that is alleged to have been a reprisal for participation in a Code of Conduct process.

The Code of Conduct does not give me jurisdiction to address allegations of reprisal.

Several other municipalities have confirmed, in their Codes of Conduct, that their Integrity Commissioners have jurisdiction to deal with issues related to alleged reprisals against parties to a Code of Conduct proceeding and/or alleged obstruction of an Integrity Commissioner.

If I had this jurisdiction then I would be able to address issues of alleged reprisal and/or obstruction

Recommendation

That the Code of Conduct be amended by adding the following section:

Reprisal, Interference and Obstruction

The following are contraventions of the Code of Conduct:

- **A reprisal against any participant in a Code of Conduct proceeding, including a potential proceeding, or against anyone who cooperates or may cooperate with the Integrity Commissioner.**
- **Threats against or intimidation of any participant in a Code of Conduct proceeding, including a potential proceeding, or against or of anyone who cooperates or may cooperate with the Integrity Commissioner.**
- **Interference with enforcement of the Code of Conduct.**
- **Obstruction of the Integrity Commissioner.**

The Integrity Commissioner, in response to a complaint or on his or her own initiative, may investigate and report on whether a reprisal, threat, intimidation, interference or obstruction has occurred.

Respectfully submitted,



Guy Giorno
Integrity Commissioner
Township of Madawaska Valley

August 9, 2018