



Election Compliance Audit Committee

DRAFT MINUTES 8

Tuesday, 10 March 2020

9:30 am

Champlain Room, 110 Laurier Avenue West

- Notes:**
1. *Please note that these Minutes are to be considered DRAFT until confirmed by Committee.*
 2. *Underlining indicates a new or amended recommendation approved by Committee.*

Present: **Chair: D. Wallace**
 Members: C. Bergeron, J. Huang
 Committee Counsel: Benoit Duchesne, Gowling WLG LLP

Absent: **Vice-Chair: C. Bédard**
 Member P. O'Callaghan

DECLARATION OF INTEREST

No declarations of interest were filed.

CONFIRMATION OF MINUTES

Minutes 7 – December 16, 2019

CONFIRMED

COMMUNICATIONS

- Memorandum from the City Clerk with respect to the Review of Contributions to Candidates on Preliminary and Supplementary Financial Statements for the 2018 Municipal Elections
- Memorandum from the City Clerk with respect to the Review of Contributions to Candidates on Financial Statements for the 2019 Rideau-Rockcliffe By-election

OFFICE OF THE CITY CLERK

1. AUDITOR'S REPORT – COMPLIANCE AUDIT OF THE CAMPAIGN FINANCES OF CANDIDATE LAURA DUDAS FOR INNES WARD FOR THE 2018 REGULAR ELECTION

ACS2020-OCC-GEN-0012

CITY WIDE

That, pursuant to section 88.33(17) of the *Municipal Elections Act, 1996*, the Election Compliance Audit Committee consider this report and decide whether to commence a legal proceeding against Candidate Laura Dudas for Innes Ward for an apparent contravention.

[Note: The 30-day timeline under the *Municipal Elections Act, 1996* for the Committee to consider and decide this matter expires on Monday, March 30, 2020.]

The Chair read an opening statement outlining the procedures for and format of the Committee Meeting.

Marco Perron, the Auditor appointed by the Committee in this matter, and Paul Maniscalco of Raymond Chabot Grant Thornton, presented the Auditor's Report and answered questions from the Committee.

The Applicant, Ms. Heather Buchanan, was absent, and provided no additional written submissions further to her Application.

The Candidate, Laura Dudas, was in attendance, along with her representative, Gregory Meeds of Vice & Hunter LLP. Mr. Meeds spoke to the Committee opposing the commencement of a legal proceeding against the Candidate, and provided a written submission to the Committee which is filed with the City Clerk's Office. Mr. Meeds and Candidate Dudas answered questions from the Committee.

Tyler Cox, Manager, Legislative Services, also answered questions from the Committee.

The Committee then recessed to deliberate in private and, upon being called to order, considered the following motion:

Motion No. ECAC 2020 – 8/1

Moved by Member C. Bergeron

BE IT RESOLVED THAT the Committee issues the following decision and reasons:

Upon receiving the compliance audit report with respect to the election campaign finances of the candidate Laura Dudas from the appointed auditor, hearing the representations and/or reading the written submissions and documents submitted by the Auditor, the Candidate, her representative, and City staff, this Committee hereby decides to commence legal proceedings against the candidate for an apparent contravention of the provisions of the *Municipal Elections Act, 1996* relating to election campaign finances for the following reasons:

The Auditor's report identifies a number of apparent contraventions of the provisions of the *Municipal Elections Act* financial campaign provisions. These apparent contraventions were supported by the Auditor's extensive examination of documents and witness interviews listed in the report.

The apparent contraventions are too numerous and give the Committee concern that the values of public accountability and transparency have not been respected during Ms. Dudas' campaign.

The apparent contraventions of this number are inconsistent with the maintenance of public confidence in the integrity of the electoral

process.

The candidate's stated ignorance of the various expenses incurred for her campaign's benefit undercuts the requirement of candidate accountability which lies at the heart of the act's election campaign finance provisions.

The Committee directs the City Clerk to work with the City Solicitor to implement this decision, including retaining external legal counsel to have all the usual power and authority of a prosecutor for the purpose of the legal proceeding.

The Committee then CARRIED the motion.

ADJOURNMENT

The meeting adjourned at 11:23 am.

Committee Coordinator

Chair