

Administrative Penalty Tribunal - Selection of Candidates for Interview

Date: November 2, 2023

To: Nominating Panel – Administrative Penalty Tribunal

From: City Clerk

Wards: All

REASON FOR CONFIDENTIAL INFORMATION

This report deals with personal matters about identifiable individuals who are being considered for appointment to the Administrative Penalty Tribunal.

SUMMARY

The Nominating Panel – Administrative Penalty Tribunal will select candidates for interview for appointment to the Administrative Penalty Tribunal. The Nominating Panel will conduct interviews at its next meeting and recommend thirteen candidates to City Council for appointment.

RECOMMENDATIONS

The City Clerk recommends that:

1. The Nominating Panel – Administrative Penalty Tribunal select 26 candidates listed in Table 1 of Confidential Attachment 1 for interview at its next meeting for appointment to the Administrative Penalty Tribunal.
2. The Nominating Panel - Administrative Penalty Tribunal direct that the confidential information contained in Confidential Attachment 1 and 2 remain confidential in their entirety as they relate to personal matters about identifiable individuals being considered for appointment to the Administrative Penalty Tribunal.

FINANCIAL IMPACT

There are no financial implications arising from this report.

DECISION HISTORY

At its meeting held July 19 and 20, 2023, City Council appointed one member of the public as Chair to the Administrative Penalty Tribunal for a term of office ending July 15, 2025:

<https://secure.toronto.ca/council/agenda-item.do?item=2023.CC8.4>

At its meeting held July 14, 2021, City Council appointed six members of the public, to the Administrative Penalty Tribunal for a term of office ending July 15, 2023, and until successors are appointed:

<https://secure.toronto.ca/council/agenda-item.do?item=2021.CC35.7>

At its meeting held July 14, 2021, City Council appointed thirteen members of the public, including a Chair, to the Administrative Penalty Tribunal for a term of office ending July 15, 2025, and until successors are appointed:

<https://secure.toronto.ca/council/agenda-item.do?item=2021.CC35.7>

COMMENTS

Composition of the Administrative Penalty Tribunal

The Administrative Penalty Tribunal (APT) consists of 25 members who serve as Hearing Officers, including one as Chair.

There are thirteen positions under consideration

The Nominating Panel will interview and nominate candidates to fill 13 positions on the APT. This includes:

- 10 positions currently held by members with terms which ended on July 15, 2023, and
- 3 vacant positions resulting from resignations.

Terms of office

The term of office for public members is four years. Members will be appointed for a term of office ending December 15, 2027 and until successors are appointed.

Committee members must meet certain criteria in order to be eligible

In addition to the general eligibility requirements set out in the Public Appointments Policy, APT members must satisfy the following additional eligibility requirements:

- Cannot be former Members of Council who served in the immediately preceding term of City Council;
- Cannot act as agents for applicants before the Administrative Penalty Tribunal and other City tribunals and would be required to resign from the tribunal before doing so; and/or
- Cannot act as agents for applicants or individuals appearing in Provincial Offences Court.

Committee members must meet certain qualifications

The APT's members should collectively have the following skills, experience, and expertise:

- Experience in adjudication and mediation;
- Knowledge and/or experience with the City of Toronto's traffic and parking By-laws;
- Excellent listening skills and the ability to analyze complex information received;
- Sound judgement, tact, fairness, and decorum;
- Ability to write clearly and concisely;
- Demonstrated high ethical standards and integrity;
- Ability to work under pressure to ensure timely hearing decisions; and/or
- Respect for access to justice, diversity, and accommodation.

Committee members receive remuneration

All public members receive a full-day per diem of \$460 and half-day per diem (3.5 hours or less) of \$275 for hearings, business meetings and training sessions.

In addition to receiving the above remuneration, public members receive an annual stipend of \$1,500 and the Chair receives an annual stipend of \$25,000, pro-rated on an annual basis from the time of appointment.

We have consulted with Court Services staff

Public Appointments Secretariat staff consulted with Court Services staff in the fall of 2023 to discuss the requirements of tribunal members and the appointment process.

Outreach was conducted for these vacancies

The opportunity to join the Administrative Penalty Tribunal was included as part of ongoing recruitment efforts. Targeted outreach for skilled and diverse candidates included social media including LinkedIn and Twitter, contacting professional associations and community organizations, and communication via the Public appointments e-updates list.

Next steps - Interviews

Once the Nominating Panel selects candidates for interviews, the City Clerk's Office will contact the candidates to schedule them for their interviews. Twenty-six interviews at 15 minutes each plus deliberations will take approximately 9 hours to complete.

CONTACT

Robyn Summers, Manager, Public Appointments, City Clerk's Office, 416-338-1911,
robyn.summers@toronto.ca

SIGNATURE

John D. Elvidge
City Clerk

ATTACHMENTS

Confidential Attachment 1 – List of Candidates, Qualifications, Confidential Diversity Information Summary, and Applications for Appointment to the Administrative Penalty Tribunal

Confidential Attachment 2 – Diversity Information Summary for Current Public Members of the Administrative Penalty Tribunal