



OFFICE OF THE
INTEGRITY
COMMISSIONER
TORONTO

Report on the Conduct of an Administrative Penalty Tribunal Hearing Officer

PREPARED BY

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Integrity Commissioner

July 29, 2026



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A. Introduction and Summary

1. Among its core responsibilities,¹ the Integrity Commissioner Toronto (ICT) is tasked with receiving and investigating complaints relating to the City's Codes of Conduct. This report describes an ICT investigation of the actions of a Member (Respondent) of the City's Administrative Penalty Tribunal (APT) under the Code of Conduct for Members of Adjudicative Boards (Code of Conduct), following complaints from two individuals who were parties before the APT in two separate hearings (referred to as Complainant #1 and Complainant #2).
2. My report outlines the process the ICT followed in carrying out the inquiry, describes the relevant law, and sets out the evidence I considered and the principles I applied in making my findings and recommendations.
3. Complainant #1 filed her application with my Office on October 3, 2025, alleging that the Respondent treated her disrespectfully in an APT hearing. She alleged that the Respondent interrupted her and raised her voice. Complainant #1 said she felt threatened, and she was not satisfied with the Respondent's reply when she advised the Respondent that she felt threatened. Complainant #1 said that, when she said she felt threatened, the Respondent threatened to end the hearing right away and affirm the penalty.
4. The Respondent said that during portions of the hearing when she and Complainant #1 spoke over one another, she asked Complainant #1 to allow the proceeding to continue and to maintain respect for the Tribunal. The Respondent said she did not raise her voice and her speaking style reflected how she normally communicates. The Respondent said their interaction arose from Complainant #1's disagreement with the legal framework rather than from any improper behaviour on her part.
5. Complainant #2 filed his application with my Office on July 25, 2025, alleging that the Respondent was rude, impatient and condescending in his APT hearing. He

¹ Along with providing ethical advice, policy guidance, and education to support accountable conduct by members of Toronto City Council and members of Toronto Local Boards. See Appendix for a summary of the ICT mandate.

alleged that when he asked for the Respondent's name, she refused to provide it and told him instead to ask for the recording of the hearing to get her name. He did so and was told there was no recording of the hearing.

6. The Respondent said she attended Complainant #2's hearing only to observe the presiding Hearing Officer as part of that Officer's training program. She did not conduct the hearing or exercise any adjudicative authority. She said she does not recall any details about the hearing.
7. After conducting an Intake Review, I decided there were sufficient jurisdictional grounds to investigate the two complaints. On February 6, 2026, I forwarded Notices of Investigation to the Respondent with respect to both complaints. On February 27, 2026, the Respondent filed responses to the allegations in both complaints. On April 1, 2026, my Office conducted an interview with the Respondent on the matters raised in the two complaints. I provided the Respondent with a Statement of Proposed Findings and Recommendations on May 27, 2026. She provided a response on June 10, 2026, disagreeing with most findings in this report. I have considered her responses and include them in my analysis below.
8. Having considered the evidence and the applicable law, I find the Respondent breached Article 13 (Conduct in Meetings) of the Code of Conduct in both Complainant #1 and Complainant #2's hearings. I find her conduct violated Article 18 (Council & Adjudicative Board Policies & Procedures) in Complainant #2's hearing. I find there was inadequate evidence for me to conclude her conduct violated Article 17 (Discreditable Conduct) in either case.
9. I recommend that the Board reprimand the Respondent with respect to both complaints.

B. Context

10. The Respondent to these complaints is an APT Hearing Officer. The APT is an independent, quasi-judicial adjudicative body that reviews the decisions of Screening

Officers on administrative penalties, including parking violation notices, red light camera penalty orders, and automated speed enforcement penalty orders. An individual who disputes a Screening Officer's screening decision on a violation notice or penalty order may choose to request a review of the decision by an APT Hearing Officer.

11. Hearing Officers are appointed by City Council after having been nominated and vetted through the City of Toronto's Public Appointments process. Hearing Officers provide a second, independent, and final decision of violation and penalty order disputes. They are adjudicators who have the authority to review the reasonableness of the decision of the Screening Officer and affirm, vary or cancel the decision or extend the time to pay, based on the merits of each case. APT hearings may be held in person, by phone or online. The Hearing Officer's decision is final and there is no further appeal through the City's Administrative Penalty System.

C. Applicable Law

12. The *City of Toronto Act, 2006* states:

157 (1) The City shall establish codes of conduct for members of city council and members of local boards (restricted definition).

13. Adjudicative boards are not excluded from the definition of local boards under s. 156 of the *City of Toronto Act, 2006*.

14. The Code of Conduct provides:

Conduct at Meetings

Rule

13.0 A member must conduct themselves with decorum at meetings of the adjudicative board and any hearing panel in accordance with the adjudicative board's procedure by-law and this Code of Conduct as well as other applicable common law and statutory requirements.

Commentary

13.1 Where the adjudicative board's procedure by-law does not address an issue, members should use the Council Procedures By-law as a reference.

Discreditable Conduct

Rules

17.0 In connection with their office, a member must:

- a) Not engage with others, including the public, City staff and other members, in a manner that is abusive, bullying, intimidating or derogatory.
- b) Ensure that their work environment is free from discrimination and harassment.

Commentary

17.1 The Ontario Human Rights Code applies to a member's activity and if applicable, the City's Human Rights and Anti-harassment/discrimination Policy and the City's Hate Activity Policy.

Council & Adjudicative Board Policies & Procedures

Rule

18.0 A member must observe the terms of all policies and procedures established by the adjudicative board and any Council policy and procedures that apply to the adjudicative board or its members, unless they have first requested and been granted an exemption by Council or the adjudicative board.

15. The APT has its own Rules of Procedure. During this investigation, I found that the City's website contained two different versions of the APT's Rules of Procedure on separate pages: the "[Administrative Penalty Tribunal](#)" page and a "[Governing Legislation](#)" page. The former Chair of the APT advised that the APT controlled only the Governing Legislation page and did not have control over the APT home page. As a result, the APT could correct content on one page but had to rely on other City divisions to update the other. At the time of writing, both versions of the Rules remained online. The version posted on the Governing Legislation page came into effect on December 22, 2025, and therefore did not apply to either complaint

addressed in this report. The applicable procedures were those posted on the Administrative Penalty Tribunal page.

Complaint #1

D. Complainant #1's Allegations

16. Complainant #1 attended an online APT hearing on September 24, 2025 to appeal an automated speed enforcement penalty order. The Respondent was the Hearing Officer at this hearing.
17. Complainant #1 alleged that the Respondent treated her disrespectfully by interrupting her at various points and raising her voice many times during the hearing. Complainant #1 alleged that when she asked the Respondent to not raise her voice or interrupt her, the Respondent dismissed the request by saying that this was her way of talking.
18. Complainant #1 alleged that when she told the Respondent she felt threatened, the Respondent told her the hearing would be dismissed because she was threatened.
19. Complainant #1 alleged that the Respondent's behaviour constituted misconduct, including a lack of decorum, disrespect to a member of the public, and damage to the reputation of the City's adjudicative boards. Complainant #1 said that she did not have an opportunity to calmly engage in the hearing due to the Respondent's behaviour. Complainant #1 requested that the hearing be rescheduled.

E. Respondent's Submissions

20. These submissions are based on the Respondent's written response to the complaint and my interview with her.
21. The Respondent said her role as Hearing Officer was limited to reviewing the Screening Officer's decision and determining whether it was reasonable based on the record that was before the Screening Officer at the time of the screening

decision. She was not authorized to conduct a new evidentiary hearing (a “hearing de novo”).

22. The Respondent said that during the hearing, Complainant #1 disagreed with the legislative framework governing plate owner liability and sought to advance issues outside the scope of the review. Complainant #1 asked why she received the penalty order given that, although she is the registered owner of the car, someone else was driving the car when it was travelling above the speed limit. The Respondent said that Complainant #1 did not understand the rules of hearing process and the limits of the APT review process. The Respondent said she explained the statutory limits of the process and redirected the discussion because the hearing was not meant to be a question-and-answer session.
23. The Respondent told my Office she does not know whether those persons seeking to appeal their tickets receive information about the statutory limits of the hearing process in advance of the hearing.
24. The Respondent said that when Complainant #1 said she felt threatened and asked the Respondent to not raise her voice, the Respondent clarified that she was not raising her voice and explained that her speaking style reflected how she normally communicates. The Respondent said this clarification was intended to acknowledge her concern and allow the hearing to continue with an orderly process. In her interview with my Office, the Respondent said she did not believe she raised her voice in the hearing but acknowledged that her “explanations can be perceived as firm.” Regarding Complainant #1 feeling threatened, the Respondent said she “understood it as a reaction to the firmness of the explanation of the review process.”
25. The Respondent said that participants speaking over one another can happen in virtual hearings. During the portions of the discussion where they spoke over one another, the Respondent asked Complainant #1 to allow the hearing to continue and requested that respect be maintained for the Tribunal. The Respondent said these comments were made solely to maintain decorum and manage the hearing in an orderly manner.

26. The Respondent said that if she was perceived as sarcastic during the hearing, she did not intend to be sarcastic.
27. The Respondent said she provided Complainant #1 with information about the complaint process and asked if she had any further submissions regarding the penalty order. The Respondent said that Complainant #1 did not make additional submissions and chose to leave the virtual hearing.
28. The Respondent said that the hearing recording does not contain abusive, harassing, or derogatory language and does not demonstrate conduct that would reasonably constitute intimidation or misconduct under Article 17 (Discreditable Conduct) of the applicable Code of Conduct.
29. The Respondent said there is no specific requirement in the APT Rules of Practice and Procedure that the video function be activated during virtual hearings. She said that conducting a hearing without video is consistent with APT practice. She said her practice is to turn her camera on if the appellant in a hearing turns on their camera, but otherwise she leaves her camera turned off.
30. The Respondent said that she normally delivers an oral decision at the close of the hearing, but Complainant #1 chose to leave the hearing before she could deliver an oral decision and reasons. As a result, she provided only a written decision based on the record before her.

F. Evidence

31. In addition to Complainant #1's allegations and the Respondent's response, I had the benefit of viewing the hearing recording.
32. At the beginning of the hearing, the Respondent's camera was turned off. Complainant #1 had her camera on at the beginning when she entered the virtual hearing but quickly turned it off when the Respondent's camera was not turned on.

33. Transcribed below are three portions of the hearing. I note that it is not possible to transcribe everything that was said because the Respondent and Complainant #1 each talked over the other at multiple points.

[Recording at 5:50-5:58]

Respondent: Ma'am, I just explained to you. I'm going to explain one more time, but slower. Please listen.

[Recording at 8:33-11:18]

Complainant #1: Can you please, do not raise your voice please?

Respondent: I'm not raising my voice.

Complainant #1: You are.

Respondent: This is how I speak.

Complainant #1: Yes, you are.

Respondent: [Talking over Complainant #1] This is how I speak ma'am.

Complainant #1: Please soften your voice because I feel threatened.

Respondent: Oh, you feel threatened, okay. Would you like me to conclude this violation, this screening right now or this review right now?

Complainant #1: I don't think so.

Respondent: Alright, so this is my voice, this is how I speak, I am not raising my voice, again if you feel threatened over the screening of this screen here, I can out of discretion conclude this review right now and just affirm what's before me ma'am or you wish to continue.

Complainant #1: [Talking over Respondent] I wish to continue, I wish to continue with another person to screen this.

Respondent: Your request for adjournment so you can appear before another adjudicator is denied. Anything else?

Complainant #1: No, but I would like to continue with this one. [Talking over Respondent]

Respondent: So, you would like to continue with this review?

Complainant #1: If I don't have any other opportunity to ask questions I need to continue but you have to also, do not raise your voice please.

Respondent: [Talking over Complainant #1] This is not an opportunity to ask questions ma'am. This is not an opportunity, this is not a venue for you to pose questions. I said very clearly before we begin this hearing that this is a review of the screening officer's decision, this is not a session, a Q& A session.

Complainant #1: Yes, when can I ask questions then, and also please do not talk over me.

Respondent: I am not talking over you, ma'am, and I'm going to ask you to show some respect for this tribunal [Talking over Complainant #1] because your tone, your tone is very accusative and you start off this meeting very hostile so I'm going to ask you, I didn't say anything, but I'm going to ask you right now on the record to please show some respect for this tribunal. Alright?

Complainant #1: [Talking over Respondent] Yes, please show respect to me.

[Talking over one another]

Respondent: Please stop talking and listen to me one more time okay. [Talking over Complainant #1] I said very clearly that this process is a review of the screening officer's decision based on what they had at the time when they reviewed their, the penalty order. This is not a session or a Q and A session.

[Recording at 12:30-13:42]

Respondent: Anything you wish to add?

Complainant #1: Yes.

Respondent: Go ahead, ma'am.

Complainant #1: How do I proceed with my complaint about this, today's meeting in itself? And do you have a recording?

Respondent: To answer your questions, you can contact APT. You can send in your written complaint to the Chair of the tribunal.

Complainant #1: Okay.

Respondent: You can request the APT staff for a copy of this recording. I'm not sure if there's a charge or not but certainly you can do that ma'am. Anything else?

Complainant #1: I will do that, thank you very much.

Respondent: Oh, please do. That will be such a wonderful thing for me. Thank you for that.

Complainant #1: Are you being sarcastic?

Respondent: Oh no, I don't, that word is not in my vocabulary at all. I am being very truthful, thank you for that comment. I take it as a compliment ma'am. Let me put it that way. So, anything else to add in terms of this penalty order as we review, conclude this review?

Complainant #1: Yes, I will see you at the next hearing. Thank you, bye-bye.

G.Issue to be Determined and Analysis

COMPLAINT No.1

34. I must determine whether the Respondent's behaviour during Complainant #1's hearing breached Article 13 (Conduct at Meetings), 17 (Discreditable Conduct) and/or 18 (Council & Adjudicative Board Policies & Procedures) of the applicable Code of Conduct.
35. As outlined above, Article 13 (Conduct at Meetings) provides that a member must conduct themselves with decorum at any hearing panel in accordance with the adjudicative board's procedure by-law and this Code of Conduct as well as other applicable common law and statutory requirements.
36. The Respondent submitted in her response to my proposed findings that neither the complaint nor the Notice of Investigation identified Article 13 as a potential breach of the Code of Conduct. She argued that she was therefore not given meaningful notice of the allegation or an opportunity to respond.
37. The Statement of Proposed Findings and Recommendations provided that notice. The Respondent has since had an opportunity to respond to a potential Article 13 breach through her submissions on the Statement.
38. The recording of the hearing captured the interactions between the Respondent and Complainant #1. I played the recording for the Respondent when I interviewed her, and she did not dispute that this was an accurate representation of the hearing. She maintained that her interventions were intended to explain the limits of the review process and manage the proceeding in an orderly way.
39. The Respondent maintained that Complainant #1 "repeatedly sought to advance arguments outside the scope of the review hearing and fundamentally disagreed with the Tribunal's jurisdiction and authority." She said "the hearing must be assessed in its full procedural and contextual setting rather than through isolated excerpts from an extended and difficult proceeding." During her interview, my Office played

approximately eight and a half minutes of the fourteen-minute hearing recording and asked the Respondent about her conduct during that portion of the hearing. I did not rely on isolated comments taken out of context. The recording demonstrates that the adversarial tone of the Respondent was not limited to a few brief exchanges but characterized more than half of the recorded proceeding. Although Complainant #1 appeared not to fully understand the process or the limits of the Respondent's authority, those circumstances do not justify the Respondent's conduct.

40. Although the Respondent told Complainant #1 that she was hostile from the start of the hearing, I did not find this to be the case. At the beginning of the hearing, Complainant #1 initially had her camera on and was pleasant and cooperative.

41. In the context of Article 13 (Conduct at Meetings), the word “decorum” suggests behaviour that is appropriate to a specific setting. In the case of a hearing, there is no question that it is important for an adjudicator to treat members of the public with respect. This includes maintaining a respectful tone and demeanour.

42. While tone and demeanour can be difficult to assess from a recording alone, the Respondent's comment to Complainant #1 was plainly sarcastic. When Complainant #1 asked how to make a complaint and obtain a recording, the Respondent replied: “That will be such a wonderful thing for me. Thank you for that.”

43. The Respondent responded that this “statement should not be interpreted as evidence of intentional sarcasm, ridicule, or disrespect. The comment occurred during an increasingly difficult exchange concerning the participant's stated intention to file a complaint, and my intention was not to demean the participant but to indicate that she remained entitled to pursue whatever complaint process she considered appropriate.”

44. Although she denied using sarcasm, in my view, any reasonable person would interpret this response as sarcastic. The comment, viewed in context and according to its ordinary meaning, was not a sincere expression of gratitude. It conveyed sarcasm.

45. In addition to her use of sarcasm, the Respondent spoke to Complainant #1 in a condescending manner. For example, the statement “I’m going to explain one more time, but slower. Please listen” was uttered in a tone that was clearly condescending.
46. The Respondent responded that this “comment arose during repeated attempts to explain the legal limits of the review process after multiple unsuccessful efforts to redirect the hearing back to matters within jurisdiction.” Regardless of the Respondent’s frustration with the discussion, a reasonable person would understand that remark as patronizing and dismissive.
47. The recording demonstrates that, over the course of the hearing, the Respondent raised her voice, and her tone became more adversarial and less respectful. This is contrary to the Respondent’s assertion that the tone and volume of her voice during the hearing was her normal speaking style. The tone and volume of her voice by the latter part of the hearing was notably different than during my interview with her. In my view, the Respondent’s voice and manner with Complainant #1 at the hearing is not her default voice and manner.
48. These examples of sarcasm, condescension and tone, establish a lack of decorum, and are particularly concerning given that the Respondent was training a new member and should have been demonstrating to the observer how a seasoned adjudicator would handle this situation.
49. The Respondent submitted that my proposed finding under Article 13 rests largely on interpretations of tone, phrasing, and demeanour arising from what she described as a difficult and adversarial hearing. She argued that caution should be exercised before drawing adverse conclusions from comments that do not amount to intimidation, abusive conduct, bullying, harassment, or other discreditable conduct. However, conduct may breach Article 13 (Conduct at Meetings) without reaching a standard of Discreditable Conduct.
50. The Respondent also argued that the proposed findings do not adequately reflect the realities of managing a contested virtual hearing, including interruptions,

jurisdictional disputes, participant frustration, and the communication challenges inherent in videoconferencing.

51. I recognize that APT hearings can be challenging and that participants may be emotional or confrontational. Adjudicators nevertheless have a responsibility to remain respectful and avoid conduct that may escalate conflict. In this case, although Complainant #1 misunderstood the legal issues, she remained appropriate throughout the hearing. She did not raise her voice, use abusive language, or engage in personal attacks. In these circumstances, I do not accept that the hearing was especially difficult to manage.
52. Article 17 (Discreditable Conduct) states that a member must not engage with others, including the public, in a manner that is abusive, bullying, intimidating or derogatory.
53. The recording does not indicate that the Respondent engaged with Complainant #1 in an abusive, bullying or derogatory manner. However, her threat to “conclude this review right now” and affirm the penalty order, in response to Complainant #1 expressing that she felt threatened, one could argue this conduct is approaching the threshold of “intimidation” under Article 17 (Discreditable Conduct).
54. In threatening to conclude the hearing, it appears that the Respondent was expressing frustration because of her interactions with Complainant #1, due to the conflict between them and their different understandings of the hearing’s purpose.
55. Considering the circumstances, the Respondent’s conduct did not reach the level of intimidation.
56. Article 18 (Council & Adjudicative Board Policies & Procedures) provides that a member must observe the terms of all policies and procedures established by the adjudicative board as well as any Council policy and procedures that apply to the adjudicative board or its members, unless they have requested and been granted an exemption.

57. There is no evidence before me that the Respondent did not observe the policies and procedures that apply to an APT hearing.

58. I note that the Respondent did not have her camera on during the hearing. She is correct that the APT rules of procedure do not require that the member's camera be on during a hearing conducted by videoconference. This is true of the 2018 rules that were in effect at the time of Complainant #1's hearing,² and the 2025 rules now in effect.³

59. The fact that the Respondent did not use her camera is not a breach of procedure. However, it does raise the issue of why APT members do not receive guidance to have their cameras on when they are presiding over a hearing by videoconference. In my view, when a camera is available, as a matter of best practice, I suggest that it should be on. The visual connection between adjudicator and appellant is important and supports a respectful environment. In this case, it might have mitigated some of the conflict experienced between the participants. The adjudicator should be on camera even where an appellant chooses to keep their camera turned off.

H. Findings

60. I find that the Respondent breached Article 13 (Conduct at Meetings) of the Code of Conduct in her use of sarcasm during Complainant #1's hearing.

61. While I am concerned that the Respondent may have intimidated Complainant #1 in threatening to end the hearing, the evidence is not strong enough for me to conclude that there was a breach of Article 17 (Discreditable Conduct).

62. I find no breach of Article 17 (Discreditable Conduct) or Article 18 (Council & Adjudicative Board Policies & Procedures).

² [Tribunal Rules of Procedure](#)

³ [8f3a-APT-Rules-of-Procedure-Adopted-251222-English-Final.pdf](#)

I. Recommendations

63. I recommend that the Respondent receive a reprimand for her breach of Article 13 (Conduct at Meetings).

Complaint #2

J. Complainant #2's Allegations

64. Complainant #2 attended an in-person APT hearing on November 6, 2024 to appeal a parking violation notice. He alleged that he was treated poorly by the Respondent. The Respondent was present at the hearing to train another Hearing Officer, who was presiding.

65. Complainant #2 alleged that the Respondent became rude, impatient and condescending towards him. He alleged that the Respondent forced him to read his written statement, which had been submitted to the APT, during the hearing even though he did not want to read it aloud.

66. Complainant #2 alleged that, when he asked the Respondent to provide her name during the hearing, she refused to do so and suggested that he request the audio recording of the hearing to retrieve her name.

67. On November 29, 2024, Complainant #2 requested a copy of the recording of his hearing, as the Respondent suggested. On February 27, 2025, Complainant #2 phoned the APT's Supervisor of Tribunal Operations, who told him that the microphones were not working on the day of his hearing and the recordings for that day did not capture any audio. Because the microphones were not in working order, Complainant #2 did not have any supporting evidence for his claim that the Respondent was rude, impatient and condescending. However, my Office was able to interview the presiding Hearing Officer (Hearing Officer witness), who had an independent recollection of the events at this hearing.

K. Respondent's Submissions

68. These submissions are based on the Respondent's written response to the complaint and my interview with her.
69. The Respondent said that she does not recall any details about Complainant #2's hearing.
70. The Respondent said she was training the presiding Hearing Officer at Complainant #2's hearing by observing her. New members at the APT are trained first by observing seasoned APT members conduct hearings, and later by being observed by seasoned members. The Respondent said observers at hearings would typically not say anything, interfere, or communicate with the presiding Hearing Officer during a hearing.
71. Because the Respondent was not the presiding Hearing Officer, she said she did not take any notes and she has no way to refresh her memory.
72. The Respondent said she was not the presiding Hearing Officer, did not conduct the hearing, and did not exercise any adjudicative authority. Based on her knowledge of the standard opening of a hearing, the Respondent said the presiding Hearing Officer would have introduced both herself and the Respondent at the outset of the hearing, explained that the Respondent was present solely as an observer for training purposes, and advised Complainant #2 that the hearing was being recorded. The Respondent said she would have had no role in managing or arranging the recording of the hearing.
73. The Respondent acknowledged that, when attending hearings as an observer, she is paid the same amount as a presiding Officer and these hearings appear on her work schedule.
74. The Respondent did not recall Complainant #2 asking for her name. She said that she would not normally refuse to provide her name if a member of the public asked for it.

75. The Respondent said she does not recall communicating with Complainant #2 in a manner that was rude, unprofessional, or condescending.

L. Evidence

76. Because Complainant #2's hearing was not recorded and the Respondent does not recall it, I interviewed the Hearing Officer witness who conducted Complainant #2's hearing.

77. The witness Hearing Officer testified that observation was a central part of APT training. For approximately the first six months after appointment, new Hearing Officers were not permitted to conduct hearings independently and attended hearings only as observers. They then began conducting hearings while continuing to be observed by more experienced Hearing Officers. The witness estimated that this observation-based training continued for more than a year.

78. The witness also described a second period of observation that began when the APT's jurisdiction expanded to include automated moving camera violations. She explained that even though she was, by that time, experienced herself, the newer Hearing Officers were required to go through another period of observation of more experienced members hearing moving violation matters for several months.

79. The Hearing Officer witness independently recalled the hearing. She provided the following evidence:

- On two occasions during the hearing, the Respondent leaned towards her to give her direction or advice.
- In her view, it was not appropriate for an observing APT member to do this during a hearing.
- Complainant #2 was unhappy with the oral decision given at the end of the hearing.
- Complainant #2 asked for the names of both APT members.

- The Hearing Officer witness told Complainant #2 her name, but the Respondent refused to give her name and spoke directly to him, telling him to ask for her name at the front desk of the APT hearing facility.
- The Hearing Officer witness said there are persistent problems with the audio recording system not working. This was not the first time a recording was lost, and this happened intermittently. Because of these problems, she explained it is her consistent practice to call technical support to set up on her in-person hearing days.

80. My Office received information from the former Chair of the APT about Complainant #2's request for an appeal, and she provided the record in the matter, including a copy of his submissions. His listed grounds for the request for screening and hearing were based on s. 11(b) of the Charter of Rights and Freedoms.

81. The former Chair told my Office about the process of her consideration of Complainant #2's request for an appeal. She said her understanding of the matter came from speaking with staff supporting the APT by telephone and virtual meeting, and her review of the case management system. She said there were no records documenting the request and decision-making process.

82. The former Chair said the issue presented to her for consideration was a request to cancel the penalty notice because the hearing recording was inaudible. She said she denied the request because Toronto Municipal Code Chapter 610 and Ontario Regulation 611/06 establish that Hearing Officer decisions are final. She said she did not know Complainant #2 had raised concerns about the Respondent's conduct until our Office contacted her.

M. Issue to be Determined and Analysis

83. I must determine whether the Respondent's behaviour during Complainant #2's hearing breached Article 13 (Conduct at Meetings), 17 (Discreditable Conduct) or 18 (Council & Adjudicative Board Policies & Procedures) of the Code of Conduct.

84. As outlined above, Article 13 (Conduct at Meetings) provides that a member must conduct themselves with decorum at any hearing panel in accordance with the adjudicative board's procedure by-law and this Code of Conduct as well as other applicable common law and statutory requirements. These common law requirements include the rules of natural justice and procedural fairness, which include requirements that adjudicators ensure a fair hearing and a lack of bias.
85. Article 18 (Council & Adjudicative Board Policies & Procedures) provides that a member must observe the terms of all policies and procedures established by the adjudicative board as well as any applicable Council policy and procedures, unless they have requested and been granted an exemption.
86. Based on Complainant #2's allegations and the Hearing Officer witness's evidence, there may have been a breach of the rules of natural justice (Article 13 (Conduct at Meetings)) and of APT procedures (Article 18 (Council & Adjudicative Board Policies & Procedures)) if the Respondent spoke or intervened during the hearing when she was observing and not acting in the role of adjudicator. Both the Respondent and the Hearing Officer witness confirmed that this would not be appropriate.
87. The Respondent does not recall the details of Complainant #2's hearing. Almost 18 months have passed since it took place, and the Respondent conducts or observes multiple hearings every day that she does APT work. With no recording available, it is not possible for the Respondent to fully respond to the alleged breaches.
88. The Respondent argued that the findings in Complaint #2 lack sufficient evidentiary support because there is no recording or notes or other documentation. She stated that the missing recording means there is no reliable, objective record of what was said, by whom, and in what context. She believed I could not make a finding in the matter as a result, and that she was prejudiced in her ability to respond to the allegations. She also submitted that, because the complaint depends on differing recollections of events that occurred approximately 18 months earlier, the absence of a recording raises procedural fairness concerns.

89. However, the two other individuals at the hearing were able to provide evidence about what happened.
90. Complainant #2's evidence was that the Respondent participated directly in the hearing by forcing him to read his statement and telling him to request audio recording of the hearing. He filed a formal complaint about the November 2024 hearing in July 2025 but had initially reached out to my office with his allegations in March 2025, four months after the hearing. Therefore, his recollections were fresh.
91. The Hearing Officer witness gave evidence about the hearing in March 2026, about 16 months after the hearing, but said she recalled it clearly. She recalled some details differently from Complainant #2. The Hearing Officer witness did not remember the Respondent asking Complainant #2 to read his statement. The Hearing Officer witness did recall the Respondent speaking directly to Complainant #2 during the hearing. However, she recalled the Respondent telling him to get her name from the APT front desk rather than from the hearing recording.
92. The Respondent noted inconsistencies between the evidence of Complainant #2 and the Hearing Officer witness. Complainant #2 alleged that the Respondent told him to obtain her name from the hearing recording, while the Hearing Officer witness thought that the Respondent directed Complainant #2 to obtain her name from the front desk. The Hearing Officer witness also did not recall the allegation that the Respondent required Complainant #2 to read his statement aloud.
93. I am not concerned that the Hearing Officer witness's and the Complainant's recollections differed in minor respects. Both remembered the Respondent refusing to provide her name, and directing the appellant to obtain it elsewhere. There is sufficient consistent evidence from Complainant #2 and the Hearing Officer witness to establish that the Respondent intervened and spoke directly to Complainant #2.
94. Based on the evidence of Complainant #2 and the Hearing Officer witness, I find it more likely than not that the Respondent intervened during the hearing and spoke directly to Complainant #2.

95. The Respondent argued that the evidence does not show that her comments affected the hearing or involved any adjudicative decision-making. She claimed there is insufficient evidence about what was said to conclude that she discussed the merits of the case, influenced the Hearing Officer, affected the outcome, or created a reasonable perception that the hearing was unfair.
96. I disagree. The Respondent attended as a seasoned Hearing Officer, to observe a more junior Hearing Officer, and was not the decision-maker. Both the Respondent and witness Hearing Officer acknowledged it would be inappropriate for an observing Hearing Officer to participate in a hearing. Despite this, the evidence shows the Respondent intervened in the proceeding. This is reinforced by the complaint itself. Complainant #2 complained about the Respondent's conduct as the observing Hearing Officer; he did not complain that the presiding Hearing Officer acted improperly. It is unlikely that he would have singled out the observer if she had not participated in the hearing.
97. The Respondent's intervention was inconsistent with the principles of procedural fairness, which require that the adjudicator hearing a matter be the person who decides it. Her involvement created a reasonable concern that someone other than the presiding Hearing Officer was participating in the proceeding. It was also a breach of the APT Rules of Procedure in effect at the time of the hearing, which provided that a matter is heard and decided by a single Hearing Officer acting as the Tribunal.⁴
98. The Respondent argued that, because she was not the presiding Hearing Officer, her conduct falls outside my jurisdiction. I disagree. The Respondent attended the hearing in her formal role as an observer, was scheduled and required to attend, and paid her normal rate, even though she was not presiding. Given that she was acting in her capacity as a member of the APT, I find that the Respondent's conduct is within my jurisdiction and subject to the Code of Conduct.

⁴ [Tribunal Rules of Procedure](#), ss. 1.2.1, 1.4, 4.2.

N. Findings

99. I find that the Respondent breached Article 13 (Conduct at Meetings) and Article 18 (Council & Adjudicative Board Policies & Procedures).

100. I find there is not enough evidence to establish that the Respondent breached Article 17 (Discreditable Conduct).

O. Recommendations

101. I recommend that the Respondent receive a reprimand for breaching Article 13 (Conduct at Meetings) and Article 18 (Council & Adjudicative Board Policies & Procedures).

102. I do not recommend any sanction beyond the recommended reprimands, such as a suspension of pay. This is an opportunity for the Respondent and other Tribunal Members to reflect on and learn from the issues raised in these complaints. I urge them to do so.

P. Discussion and Conclusion

103. My investigation into these complaints raised questions about several operational matters that may warrant broader review. While these fall outside the scope of this investigation, they relate to the overall administration of the APT process, including appellants' understanding of the APT process, the training model for Hearing Officers, and practical hearing operations.

104. Addressing systemic issues is within the jurisdiction of the Ombudsman. I will be providing a copy of this report to the Ombudsman to consider whether it raises any issues he finds warranting a review by his Office.

Respectfully submitted,

"Paul Muldoon"

Paul Muldoon,
Integrity Commissioner

Appendix: About the Office of the Integrity Commissioner

Toronto

The Integrity Commissioner is a neutral, independent officer who oversees the conduct of City of Toronto's elected and appointed officials. The Commissioner is appointed by City Council for a five-year term and operates independent of Council and the Toronto Public Service.

The standards of conduct expected of elected and appointed officials is documented in the Codes of Conduct and the *Municipal Conflict of Interest Act* (MCIA). Members of Council and local boards must serve the public interest by upholding the letter and spirit of these standards.

The Integrity Commissioner has four core functions:

Advisory: providing confidential advice to members of Council and members of local boards;

Investigative: investigating allegations that conduct standards have been breached;

Policy: providing policy advice to Council and local boards on ethics and integrity issues; and,

Educational: providing education on members' ethical obligations.

The Integrity Commissioner is one of the City of Toronto's four accountability officers, the duties of each being set out in Chapter 3 of the Toronto Municipal Code.

Code of Conduct Investigations

The Commissioner can investigate after receiving a complaint from an individual or a request from Council or a Local Board (s. 160 (1) *City of Toronto Act, 2006*) if the matter is within his jurisdiction and raises sufficient grounds to investigate.

After investigating, the Commissioner can make findings on whether a member has violated the Code of Conduct. If the Commissioner finds a violation, he reports to Council or the local board and can recommend penalties and remedial action.

The penalties available to the Commissioner to recommend are a reprimand, and, for Members of Council and local boards who are paid for their work, suspension of pay for up to 90 days (s. 160 (5) *City of Toronto Act, 2006*).

Council or the board cannot alter the Commissioner's findings, but they choose whether to adopt, reject or alter recommendations (s. 160 (6) *City of Toronto Act, 2006*).