

Legislative  
Assembly  
of Ontario



Assemblée  
législative  
de l'Ontario

# **OFFICE OF THE INTEGRITY COMMISSIONER**



## **REPORT OF THE HONOURABLE J. DAVID WAKE INTEGRITY COMMISSIONER**

Re: Andrea Horwath, Leader of the Official Opposition and  
Member of Provincial Parliament for Hamilton Centre

Toronto, Ontario  
April 27, 2022

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## Executive Summary

This report relates to a request made by Mike Harris, Member of Provincial Parliament for Kitchener–Conestoga, for my opinion pursuant to section 30 of the *Members’ Integrity Act, 1994* as to whether Andrea Horwath, Leader of the Official Opposition and Member of Provincial Parliament for Hamilton Centre, breached the parliamentary convention against using legislative resources for partisan purposes.

Specifically, Mr. Harris alleged that Ms. Horwath’s Chief of Staff attended a virtual training session titled “Campaign School 2021” organized by the Ontario New Democratic Party while he was located within Queen’s Park. There was no issue that this was a partisan activity.

During the course of the inquiry the Chief of Staff acknowledged and accepted that his remote participation in the Campaign School event was from his Queen’s Park office and included the use of his Legislative Assembly-issued laptop. He recognized that this was contrary to parliamentary convention. He apologized to Ms. Horwath and then to me for what I accept was an inadvertent lapse in judgment.

The only issue for me to determine was whether the Chief of Staff’s admitted breach of parliamentary convention should be attributed to Ms. Horwath. I have stated that a member can be held responsible for a staff member’s breach of parliamentary convention if the member 1) directed or knew about their staff’s mistakes, or 2) reasonably should have known about their staff’s mistakes.

I found that Ms. Horwath did not know that her Chief of Staff would attend the partisan event from his Queen’s Park office. I also found that it would not be reasonable to expect her to anticipate that her Chief of Staff would commit this breach given his experience and knowledge of the rules around this parliamentary convention. This is not a situation where staff mistakes could be attributed back to the member because the member failed to exercise adequate supervision or provide sufficient training on the rules.

As a result, I found that the evidence did not establish that Ms. Horwath breached parliamentary convention.

Despite an 11-month delay between the partisan event and the submission of Mr. Harris’s request I found that he acted soon after the activity was brought to his attention. I caution members about the importance of filing their requests promptly and in good faith as soon as they become aware of a potential breach of the Act or parliamentary convention.

## I. BACKGROUND TO THE INQUIRY

[1] On February 2, 2022, Mike Harris, Member of Provincial Parliament (“**MPP**”) for Kitchener–Conestoga, submitted a request, pursuant to section 30 of the *Members’ Integrity Act, 1994* (“the **Act**”) for my opinion as to whether Andrea Horwath, Leader of the Official Opposition and MPP for Hamilton Centre, breached Ontario parliamentary convention with respect to an event occurring 11 months earlier, on the evening of March 1, 2021. Specifically, Mr. Harris alleged that Ms. Horwath breached the convention against the use of legislative resources for partisan purposes when Michael Balagus, her Chief of Staff, (“**Chief of Staff**”) attended a virtual training session titled “Campaign School 2021” organized by the Ontario New Democratic Party (“**Ontario NDP**”), while he was physically located within Queen’s Park and wearing an identification badge issued by the Legislative Assembly of Ontario. In support of Mr. Harris’s request, he submitted screenshots purporting to show the Chief of Staff attending the virtual event.

[2] This is the seventh request for my opinion with respect to the application of the convention that a member’s constituency office and/or legislative resources should not be used for partisan activities that I have received since the last general election in June 2018.<sup>1</sup> Each of these opinions has required me to consider, to some extent, whether a member is responsible for actions of their staff and/or caucus staff.

## II. LEGAL FRAMEWORK OF THE INQUIRY

[3] Under section 30(1) of the Act, a member of the Legislative Assembly of Ontario who has reasonable and probable grounds to believe another member has contravened the Act or Ontario

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<sup>1</sup> Report re. Randy Hillier, April 13, 2022 (MPP Hillier No. 1) [“Hillier No. 1 Report”]; Report re. Jessica Bell, March 31, 2022 [“Bell Report”]; Report re. Vijay Thanigasalam, December 21, 2021 [“Thanigasalam Report”], Report re. Catherine Fife, September 14, 2021; Report re. Stan Cho, September 14, 2021 [“Cho Report”]; Report re: the Honourable Peter Bethlenfalvy, October 21, 2020 [“Bethlenfalvy Report”].

In previous Parliaments, I and former Integrity Commissioners also issued several reports about this same convention. See Report re. Patrick Brown, July 14, 2016; Report re. Daiene Vernile and the Honourable Jeff Leal, December 22, 2015; Report re. Jagmeet Singh, June 26, 2015 [“Singh Report”]; Report re. Laurie Scott, October 1, 2013; Report re. the Honourable Brad Duguid, July 11, 2013; Report re. Randy Hillier, July 6, 2011; Report re. Ted Chudleigh, December 11, 2008.

parliamentary convention, may request that I, as Integrity Commissioner, give an opinion as to the matter.

[4] Upon receiving such a request, I may conduct an inquiry and report my opinion to the Speaker of the Assembly.<sup>2</sup> Alternatively, I may refuse to conduct an inquiry if I am of the opinion that the referral was frivolous, vexatious, not made in good faith or that there are either no or insufficient grounds for an inquiry as set out in subsection 31(5) of the Act.

[5] “Ontario parliamentary convention” is not defined in the Act but consists of generally accepted rules or practices of members of the Ontario legislature.<sup>3</sup>

[6] It has long been an accepted parliamentary convention in Ontario that a member’s constituency office and legislative resources should not be used for partisan activities.<sup>4</sup>

[7] It is also well established that political parties are partisan organizations.<sup>5</sup>

### III. THE INQUIRY PROCESS

[8] As is my practice, on February 3, 2022, I provided Ms. Horwath with a copy of Mr. Harris’s affidavit and supporting documents and asked her for submissions on whether I should conduct an inquiry in response to Mr. Harris’s request.

[9] On February 15, 2022, Ms. Horwath responded. She acknowledged that, in the context of the global pandemic, her Chief of Staff had attended a virtual event from his office at Queen’s Park and, as described in more detail in the evidence section below, she had since taken steps to ensure that he and all her staff strictly follow the rules about use of legislative resources.

[10] On March 1, 2022, after reviewing the material received from both Mr. Harris and Ms. Horwath, I decided to commence an inquiry, notified Ms. Horwath of my intention to do so and

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<sup>2</sup> *Members’ Integrity Act, 1994* s. 31.

<sup>3</sup> Report re: The Honourable Lisa MacLeod, May 23, 2019, para.25 (quoting the Honourable Coulter A.A. Osborne).

<sup>4</sup> See the list of reports in note 1.

<sup>5</sup> See for example Bethlenfalvy Report at pp.48-53, and Cho Report at para. 85.

proceeded to seek additional information and documents from Ms. Horwath, and her Chief of Staff.

[11] On March 3, 2022, I informed Mr. Harris of my decision to commence an inquiry and also asked him to explain, by March 11, 2022, the time lapse between the March 1, 2021 event and the date he requested my opinion, February 2, 2022. I also asked him to advise if he took the screenshots or how he obtained them.

[12] After a reminder to respond to my request for information, Mr. Harris responded on March 22, 2022, advising in part that he had not attended the virtual event but that the person who had attended and provided him with the screenshots was available if required to authenticate the images. On the same day, I asked him to provide the name and contact information for the person who provided him with the screenshots. Mr. Harris provided this information on March 24, 2022.

[13] On March 25, 2022, I wrote to the person Mr. Harris named as the source of the screenshots and asked him to explain his role in this matter and when and why he provided the screenshots to Mr. Harris. I also asked for details relating to the screenshots he provided, a copy of any further screenshots or recordings he had made and for any evidence, knowledge, information or belief to indicate whether Ms. Horwath had also attended the March 1, 2021 event from Queen's Park.

[14] On March 29, 2022, this person responded. Among other things, which will be reviewed in the evidence section of this report, he explained he was employed as a researcher with "Government Caucus Services," provided a copy of a recording of the March 1, 2021 event that he made, and confirmed he had no further information to suggest that Ms. Horwath had attended the event from Queen's Park. Hereinafter, he is referred to as the PC Caucus Researcher.

[15] On March 21 and 29, 2022, in accordance with the timeframe agreed for her response, Ms. Horwath's counsel provided the information I requested. She clarified that one of the

screenshots Mr. Harris submitted in support of his request showed Ms. Horwath at Queen's Park, but during a media interview on a different date and unrelated to Campaign School 2021.

[16] On March 28, 2022, in accordance with the timeframe agreed for his response, Ms. Horwath's Chief of Staff provided the information and documents requested of him.

[17] I determined it was not necessary to conduct interviews in this inquiry and confirm that all evidence from witnesses was obtained in writing.

[18] On April 7, 2022, I provided Ms. Horwath and her counsel with a copy of the recording made by the PC Caucus Researcher and the information and documents provided by the Chief of Staff.

[19] Prior to reaching any conclusions, on April 12, 2022, I provided Ms. Horwath and her counsel with a written summary of the evidence and invited her to make submissions, which she did on April 20, 2022.

## IV. EVIDENCE

### Context of Stay-At-Home order

[20] At the time of the events in issue in this matter, early March 2021, a stay-at-home order and other shutdown measures were in effect because of the global COVID-19 pandemic.<sup>6</sup>

### The Chief of Staff's Roles and Experience

[21] Ms. Horwath's Chief of Staff is paid from funds provided by the Legislative Assembly of Ontario. He advised that, outside of this role, he also holds the volunteer position of Campaign Director for the Ontario NDP.

[22] The Chief of Staff advised he has held these positions since 2014. He held similar roles in another province from 2003 to 2012.

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<sup>6</sup> See Ontario Regulation 11/21: Stay-at-Home Order, under *Emergency Management and Civil Protection Act*, R.S.O. 1990, c.E.9, revoked March 8, 2021.

[23] The Chief of Staff advised that he is very familiar with the parliamentary convention regarding the use of legislative or constituency resources for partisan purposes, noting that it is standard practice in most legislatures. He advised that he had not received training on this convention since undertaking his position with Ms. Horwath.

### Campaign School 2021

[24] This event identified by Mr. Harris was one session of a larger event titled “Campaign School 2021.” The Ontario NDP continued until recently to have information about this event on its website, indicating it took place from March 1-4, 2021, from 6 p.m. to 9:30 p.m. on each date.<sup>7</sup> This webpage stated: “Join us for a virtual campaign school with classes and keynotes to help us collectively increase our skills and get ready for the campaign” and showed buttons to click to register and receive a link to attend the virtual event.

[25] The Chief of Staff explained that the purpose of the four-day event was “to give volunteers a basic level of campaign training.”

### The Chief of Staff’s Evidence Relating to his Attendance at Campaign School 2021

[26] I asked the Chief of Staff for records and information about any dates on which he attended Campaign School 2021.

[27] The Chief of Staff advised that he searched his records and found only one calendar entry and one email relating to the session of the Campaign School occurring on the evening of March 1, 2021. He provided copies of both to me. The calendar entry contained only a link to attend the virtual event. The email is dated February 22, 2021 and contained the same link found in the calendar entry, along with an agenda for the event, and a few details, for example that attendees would be muted, approximately 150 people were expected, and the following note: “Audience:

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<sup>7</sup> Event information posted on the Ontario NDP website at <https://www.ontariondp.ca/campaign-school-2021>. A screenshot of this information was provided by Mr. Harris. When I provided a draft of the evidence to Ms. Horwath and her counsel, Ms. Horwath replied that she only then became aware that the information about the past event remained publicly available. She directed that it be removed, which was done on April 13, 2022.



Activists, members, friendly supporters – the email went out broadly and this was advertised on social media\*\*unfriendly folks & media possible\*\*”.

[28] The Chief of Staff also found records indicating he attended another segment of Campaign School 2021, which was not mentioned on the party’s website or open to the public. Specifically, he provided an email chain dated February 10, 2021 and a related calendar entry indicating he was invited to give a presentation during a “Closed staff/activist daytime session” scheduled from 9:30 a.m. to 11 a.m. on March 1, 2021. The Chief of Staff is copied on only one email in the chain, which asks recipients to hold the date and contains a very brief agenda indicating there were to be approximately 24 minutes of opening remarks, followed by a “Presentation” by the Chief of Staff for 45 minutes. The other two emails are exchanged between other people, consist of one sentence each, and confirm there was a 20 minute window of time for the Chief of Staff to join the event, if he was unavailable at the outset.

[29] The Chief of Staff advised that he located these records in his email and calendar account provided by the Legislative Assembly of Ontario. He stated, “While I cannot recall specifically, I believe that one reason I may have received them via my Legislative Assembly email address would be in part so I could easily add them to my single universal Outlook Calendar, in order to ensure that I would not miss the notifications of the events.”

[30] The Chief of Staff advised he has “some recollection of participating in the Evening Session.” He recalled that he provided remarks for approximately 10-15 minutes and stated “I believe I left the Zoom meeting shortly after providing these remarks. However, I have been unable to locate any recording of this event to confirm exactly when I logged off.” The Chief of Staff confirmed that he recalled attending the evening session from his Queen’s Park office and using the laptop computer he was provided through the Legislative Assembly of Ontario to do so.

[31] With respect to the morning session, the Chief of Staff advised that prior to reviewing his records, he did not recall participating in it. He said he did not remember the specific purpose of his participation in that session or how long he attended, although he brought to my attention that the agenda and surrounding emails indicated he was scheduled to speak for 45 minutes. He

stated he was unable to find a record of any presentation he might have given at this session. He also stated “I cannot recall where I was for the Morning Session and have not been able to confirm my location through my review of my records. Based on the scheduled timing of the Morning Session, during regular working hours, I believe it is possible that I also attended this session from my office at Queen’s Park, but I have not been able to confirm.”

[32] The Chief of Staff stated he could not recall the “precise reasons” why he attended any part of the Campaign School from his office at Queen’s Park. He noted the events took place when the City of Toronto was subject to a stay-at-home order, that many events were being held virtually, and that he travels by public transit to Queen’s Park from his home, which usually takes about half an hour. He said that while he would normally schedule travel time for in-person events, as events began to be held by videoconference “it became easier to simply participate from wherever I was located at the time. Though I cannot recall for certain, I believe that in the context of my regular workday, it simply did not occur to me to travel to a different location to participate virtually in the Campaign School event.”

[33] The Chief of Staff stated that he sincerely regrets attending Campaign School 2021 in the manner in which he did and that “I can only characterize this situation as a lapse in judgment and, having reflected on this issue, I can assure the Commissioner that such a situation will not arise again.” He advised that when Mr. Harris’s concerns were first raised, he informed Ms. Horwath that he had attended the evening session from his office at Queen’s Park and apologized to her. He said that “Ms. Horwath expressed her disappointment and asked me to confirm that this would not happen again, which I have readily done.”

#### Ms. Horwath’s Evidence

[34] Ms. Horwath advised that she did not know in advance that her Chief of Staff would attend the Campaign School 2021 event from his Queen’s Park office and she did not direct or check in with him in this regard because he “is an experienced Chief of Staff and his position requires that he take leadership, have autonomy over his own schedule, and generally work independently.” She advised that she places “considerable trust in him to execute his functions

independently and abide by relevant rules,” that he is “well aware of parliamentary conventions” and that her oversight over him is quite different than that of less experienced staff.

[35] Ms. Horwath also advised that Ontario NDP Caucus provides legislative staff with training at the beginning of their employment, which addresses the parliamentary convention to not use legislative or constituency resources for partisan purposes. She noted staff will attend training when offered by my Office and that the NDP Caucus is contemplating offering additional training in response to my recent recommendation that each political party’s caucus develop a detailed training program for members’ staff.<sup>8</sup>

[36] Ms. Horwath advised that, upon receiving notice of Mr. Harris’s request for my opinion, she ordered all her staff to “refresh themselves on the rules that govern what work we undertake using parliamentary resources” and asked them to “ensure that going forward they adhere to the strictest interpretation of these rules and conventions.”

### The Recording

[37] The recording obtained from the PC Caucus Researcher is a little over an hour long (1:02:29). It starts during a land acknowledgement, which was the first item on the agenda sent to the Chief of Staff for the March 1, 2021 evening session. At the outset of the recording, it shows Ms. Horwath and the Chief of Staff in attendance at the event, separately, with both their cameras on.

[38] The recording indicates that Ms. Horwath spoke from the 4:25 minute mark to the 11:34 minute mark. Her camera is turned off at the 12:15 minute mark, remains off until the end of the event and she does not speak again. She has a plain white wall behind her and nothing to indicate where she is located.

[39] The recording indicates the Chief of Staff spoke, in his capacity as Campaign Director for the Ontario NDP, from the 12:50 to 33:30 minute mark. After the 34:52 minute mark, his camera is turned off. At about the 43:55 minute mark, the box with his name disappears from the screen,

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<sup>8</sup> Thanigasalam Report at para. 106.

although it should be noted that the PC Researcher chose a view that shows the speaker in a large frame and four other attendees in smaller frames in a row above the speaker. Other attendees are present but not shown on his screen. While the Chief of Staff's camera is on, he can be seen wearing a green lanyard with what appears to be the words Legislative Assembly discernible on it, although they are admittedly difficult to read.

#### Mr. Harris's Evidence and that of the PC Caucus Researcher

[40] I asked Mr. Harris for an explanation of the delay of 11 months between the timing of the March 1, 2021 event that was the subject of his request and the date of his request.

[41] In response, Mr. Harris stated:

Political parties regularly monitor the activities of our opponents, and the items set out in my complaint are one of several activities we were scrutinizing. In that sense, there was no time lapse – it was simply determined that at the time of my complaint, it was better to refine the issues raised to those that appear in the complaint.

[42] I then asked the PC Caucus Researcher to describe the information he provided to Mr. Harris and when and why he provided it to him. He responded:

I told MPP Harris' office that I had seen the NDP Chief of Staff Michael Balagus at a partisan event hosted on Zoom, from what appeared to be a room at the legislature, wearing his green legislature ID lanyard. I realized this could be considered a violation of conventions against using public resources for partisan purposes after reading the Commissioner's December 2021 report on MPP Thanigasalam. MPP Harris's office received the information in January of 2022.

[43] The PC Caucus Researcher advised that his role is "to support all members of government caucus in their duties, including MPP Harris" and that "I sometimes support MPPs by handling correspondence with the Speaker's Office and occasionally the Office of the Integrity Commissioner related to Member's Integrity Act complaints. I did this for MPP Harris's office recently and MPP Smith's office on a previous occasion."<sup>9</sup>

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<sup>9</sup> On March 10, 2021, Mr. Smith submitted a request for my opinion as to whether the Opposition's Finance Critic had breached the convention prohibiting use of constituency and legislative resources for partisan purposes on February 3, 2021, by sending an email seeking feedback on the provincial budget from her legislative email account that included a link to webpage located on the Ontario NDP's website, not a legislative website. See Fife Report.

## V. ANALYSIS AND FINDINGS

[44] During the course of the inquiry the Chief of Staff confirmed that his remote participation in the Campaign School event was from his office at Queen's Park and that he used his laptop, which was also provided by the Legislative Assembly, to do so. He acknowledged that this was contrary to parliamentary convention. He apologized to Ms. Horwath when he learned of this inquiry and to me as part of the inquiry. I accept his evidence that the breach was an inadvertent lapse in judgment on his part.

[45] I recognize the context in which the breach occurred in that a stay-at home order and other shutdown measures were in effect because of the global COVID-19 pandemic. Before the pandemic partisan events would take place at locations away from Queen's Park, but with the advent of remote participation as a way of communicating during the pandemic it was not as easy to recognize what should be done at one's office and what should be done on a laptop in one's home. I wrote about this in the Cho Report<sup>10</sup> however that report was released after the events that took place here. It is not an excuse for the Chief of Staff's lapse of judgment in this case, but perhaps makes it a little more understandable.

[46] There is no question that the Campaign School event was a partisan activity and in light of the Chief of Staff's admission that his participation was contrary to parliamentary convention there remains only one issue for me to decide. That issue is whether the Chief of Staff's error can be attributed to Ms. Horwath. In the Bethlenfalvy Report,<sup>11</sup> I reviewed the conditions under which a member can be held responsible for a staff member's breach of parliamentary convention. I stated a member could be held responsible for a breach of parliamentary convention by their staff if the member 1) directed or knew about the staff's mistakes or 2) reasonably should have known about their staff's mistakes.<sup>12</sup>

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<sup>10</sup> Cho Report at para. 102.

<sup>11</sup> Bethlenfalvy Report at para. 272.

<sup>12</sup> For examples, see Singh Report, Cho Report, Thanigasalam Report, Bell Report and Hillier No. 1 Report.

[47] Past reports have striven to strike a reasonable balance, as I said in the Bethlenfalvy report:

It would be unfair to find members in breach of the MIA where - through no fault of their own and without their knowledge - their staff make mistakes. On the other hand, members cannot hide from accountability under the MIA where, through undue carelessness or inattention, they fail to oversee important policies or decisions in their offices.<sup>13</sup>

[48] In the matter at hand, this is not a situation where Ms. Horwath failed to exercise adequate supervision over a staff person or provide adequate training on the rules relating to parliamentary convention. The Chief of Staff knew the rule pertaining to the parliamentary convention prohibiting the use of legislative resources in partisan activities. He simply forgot it or had a lapse of judgment in this case. The Chief of Staff is an experienced senior member of Ms. Horwath's staff. It was reasonable for her to expect that he was not only cognizant of the parliamentary convention, but that he would follow it.

[49] In these circumstances I find that there is an insufficient basis to attribute the Chief of Staff's mistake back to the member. Therefore, I find that Ms. Horwath did not breach parliamentary convention in this case.

## VI. OTHER ISSUES

### Delay

[50] I was concerned that 11 months had transpired from the Campaign School event until Mr. Harris submitted his request for my opinion pursuant to section 30 of the Act. Delay can prejudice an inquiry since the memories of witnesses may be affected by the passage of time. This is particularly so about details of an event for which there was no reason for the witness to recall until asked to provide evidence. This is, in fact, what happened here. The Chief of Staff could not recall the reason why he participated in the virtual Campaign School event from his office at

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<sup>13</sup> Bethlenfalvy Report, at para. 273.

Queen's Park. Similarly, his ability to locate and collect documents related to this matter was hampered by the passage of time.

[51] Fortunately nothing turned on his inability to recall all of the details of his participation in the virtual Campaign School event since his admission of the breach of the parliamentary convention at issue in this matter was sufficient for the purposes of this report. I mention the delay factor as a caution to members that if they wish to engage the section 30 process, they should do so promptly to avoid prejudice to the member who is the subject of an inquiry.

[52] This brings me to a further caution to members concerning the timing of their complaints. It would be unfair for a member to sit on evidence for an extended period of time and then raise it in the form of a section 30 request a short time before the issuance of a writ for a general election. If evidence disclosed that the reason for the delay in the member coming forward with the complaint was political or partisan advantage, I would have to consider whether the section 30 request had been made in good faith. If not, I would be obliged by sub-section 31(5) of the Act<sup>14</sup> to refuse to conduct an inquiry or, presumably, to cease an inquiry that had been commenced.

[53] In this matter I requested information from both Mr. Harris and the PC Caucus researcher as to whether they could shed any light on the reason for the 11-month delay between the Campaign School event and the filing of the section 30 request. Mr. Harris did not specifically answer the question as to when he became aware of the event. He stated that political parties regularly monitor activities of "our" opponents and that "there was no time lapse – it was simply determined that at the time of my complaint, it was better to refine the issues raised to those that appear in the complaint." This was not a satisfying answer to my concern for the delay so I went to the PC Caucus Researcher who claimed that he only realized that what he had seen during the Campaign School event might be a breach of parliamentary convention when he read my December 21, 2021 Thanigasalam report involving partisan activities by staff attributed back

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<sup>14</sup> Section 31(5) of the Act states: "If the Commissioner is of the opinion that the referral of a matter to him or her is frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for an inquiry, the Commissioner shall not conduct an inquiry and shall state the reasons for not doing so in the report."

to the member. He then provided the information from the video to Mr. Harris's office in January 2022. Mr. Harris swore his affidavit on February 1, 2022 and submitted his request under section 30 the following day.

[54] Given the ultimate disposition I made with respect to the complaint against Ms. Horwath there was no need for me to spend time challenging the statement of the PC Caucus Researcher. I accept that Mr. Harris did not receive the information from the video until January and I find that he acted promptly once he was apprised of it. I raise this issue simply as a further caution to members when they are determining the timing of their complaints.

#### [Seven reports on this parliamentary convention](#)

[55] As I noted in the background section to this report, this is the seventh report I have issued in the 42nd Parliament with respect to the application of the convention that a member's constituency or legislative resources should not be used for partisan activities.

[56] In Ms. Horwath's initial response to me she indicated a willingness to receive any further advice or direction for staff that would help ensure similar breaches do not occur in the future.

[57] In the Thanigasalam Report<sup>15</sup> I recommended that each political party's caucus services branch develop a detailed training program for MPP staff so that they understand their roles and the importance of not using legislative and constituency resources for partisan purposes. I indicated that my Office is available to provide any assistance requested for such a program. To that end I was invited by PC Caucus Services to address all staff on the topic. I have been invited to return after the election. My staff has conducted training sessions with some individual NDP members' staff. I assume from Ms. Horwath's letter that a broader training session for all staff would be welcome after the election.

[58] After the election there will be a significant number of new members who will be coming to Queen's Park for the first time. It is important for them and their staff to become familiar with

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<sup>15</sup> Thanigasalam Report at para. 106.

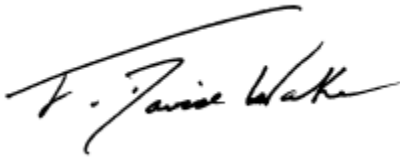


the number of parliamentary conventions which have an impact on their work. I reiterate that my Office will continue to be available to assist with any training programs on this topic.

## VII. CONCLUSION

[59] I find that there was no basis to attribute the breach of parliamentary convention by Ms. Horwath's Chief of Staff back to her. As a result, I find that Ms. Horwath did not breach the parliamentary convention prohibiting the use of legislative resources for partisan purposes.

Dated at Toronto this 27th day of April, 2022.

A handwritten signature in black ink, appearing to read "J. David Wake". The signature is written in a cursive style with a long horizontal stroke at the top.

The Honourable J. David Wake  
Integrity Commissioner