

# Audit suggests Gyles may have violated election rules

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Ward 5 Councillor Cliff Gyles' political career could be in jeopardy after a forensic audit concluded the longtime Mississauga politician may have violated municipal election rules during last year's campaign.

The auditor's report, completed by the accounting firm Deloitte & Touche and delivered to City of Mississauga officials last Friday, was to be discussed among councillors at City council today.

Under terms of the Municipal Election Act, councillors who exceed their election campaign spending limits — as Gyles is alleged to have done — can lose

their seats in office.

In a report to councillors, City solicitor Mary Ellen Bench said the auditor has concluded there are "several apparent contraventions of the Municipal Election Act relating to election campaign finances."

Provincial legislation allows City council the option to pursue the matter

against Gyles in court.

The audit examined the validity, or lack thereof, of Gyles' election finances during the November, 2000 campaign.

The auditor's report alleges:

- contributions in excess of the prescribed limit of \$750 per contribution totalling \$4,660.88 made by five contributors;

- "certain campaign contributions listed in the schedule of campaign contributions submitted with the financial statement for the campaign as being from certain entities were not confirmed by these entities (i.e.: they stated they did not make the contributions).";

- certain expenses excluded from limit.
- See City page A3

## City to decide Gyles' future

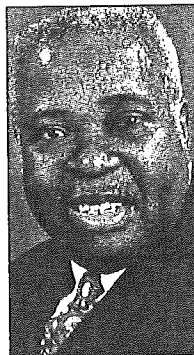
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itation should have been categorized as being subject to limitation; and

- campaign expenses, subject to limitation under the Elections Act, totalled \$47,783, which exceeds the amount Councillor Gyles is authorized to spend under the Act by \$22,306.

Gyles could not be reached for comment yesterday.

Gyles' election expenses were called into question earlier this year by a lawyer representing Lorne Park resident Roy Willis, who requested the audit based on concerns about duplicate contributions and unexplained expenses.

Willis has campaigned unsuccessfully



GYLES

for the Ward 5 council seat a half dozen times.

Municipal legislation allows any eligible voter to call into question election expenses incurred by councillors.

The matter was subsequently brought before City council, where councillors voted unanimously in favour of the audit.

The landmark decision — the first time council has ever had to deal with

such a legally delicate matter concerning one of its own members — left some councillors feeling uneasy about a process in which they were mandated to sit in judgment of a peer.

Councillors now find themselves in a similar position, having to decide on any future legal proceedings.

Under the Election Act, penalties can be reduced if a candidate, acting in good faith, is found to have committed the offence inadvertently or because of an error in judgment.

Gyles is also facing numerous criminal charges in connection with a Peel Regional Police investigation earlier this year.

That case remains before the courts.