

Gyles, Cliff

Gyles case turned over to crown attorney

Peel Bioy.

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Oct. 26/01 MN

Mississauga News - Oct 26, 2001

Peel Biography

City council will ask the crown attorney's office to investigate allegations Ward 5 Councillor Cliff Gyles violated municipal election rules during last year's campaign.

Gyles' political career could be in jeopardy as a result. A compliance audit concluded the longtime Mississauga politician, who Wednesday at City council vowed to fight allegations "tooth and nail", may have broken several rules under the Municipal Elections Act.

After a two-hour meeting behind closed doors Wednesday, City councillors voted unanimously to have the Peel crown attorney pursue the matter.

Under the Elections Act, it is up to City council to commence legal proceedings related to the apparent contraventions of the Act.

In its resolution, Council determined the crown attorney should carry forth such legal proceedings when the City has a conflict.

The crown will determine if charges will be laid.

Under terms of the 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 Elections Act relating to election campaign finances."

The audit, completed by accounting firm Deloitte & Touche, 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

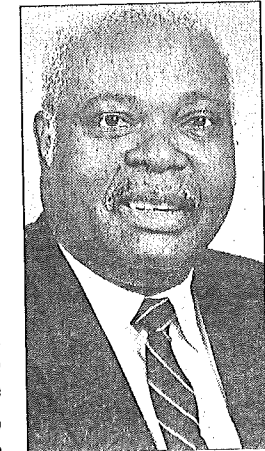
not confirmed by these entities (i.e.: they stated they did not make the contributions);

- certain expenses excluded from limitation 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.

After listening to Council's resolution Wednesday, Gyles, 57, said he would fight the allegations.

"In running our campaign we went out like everybody else and did our campaign; we accounted for the dollars, spent it wisely and there's nothing untoward, and I'm glad that was all seen in the audit," said Gyles. "The issue comes down



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to a question of opinion as to whether or not we allotted our expenses in the right direction."

Mayor Hazel McCallion said the City has followed the Municipal Elections Act to guide its course of action.

She said Gyles has the right to retain his seat on council as the proceedings continue.

"The legislation clearly indicates that he has the right to be the councillor until such a time as there is evidence, if there is evidence, that he should not be the councillor. So, we must accept that he is the councillor of Ward 5, with no conditions attached," said McCallion.

After Gyles' election expenses were called into question earlier this year by a lawyer representing Lorne Park resident Roy Willis, City councillors voted unanimously in favour of the compliance audit.

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

Under the Elections 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.