

# March court date set for Gyles

By DECLAN FINUCANE  
Staff

Peel Biog. March 1/02 MN

Ward 5 City councillor Cliff Gyles made his first court appearance yesterday to answer to charges of violating the Municipal Elections Act.

Gyles, 57, who is also facing a number of criminal charges related to a February, 2001 Peel Regional Police investigation, was told inside Hensall Circle provincial offences court that his case will be moved before a judge instead of a Justice of the Peace.

An assistant to Toronto lawyer George Rust-D'Eye — a solicitor with the firm Weir & Foulds hired by the City of Mississauga last November to investigate allegations that Gyles broke municipal election rules during the November, 2000 campaign — said the matter was moved before a judge "because of the serious nature of the charges."

Gyles is charged with filing a financial statement that did not accurately reflect election campaign expenses and incurring election campaign expenses that exceeded the maximum allowed under the Municipal Elections Act.

He will make his next court appearance March 22 in Brampton. A pre-trial date may be set at that time.

The City retained Rust-D'Eye after being turned down by the Peel crown attorney's office, which claimed the matter was not its responsibility to litigate.

City council asked for an investigation after receiving results of a compliance audit of Gyles' election campaign expenses from the 2000 municipal race.

The audit concluded the longtime

Mississauga politician, who has vowed to fight allegations "tooth and nail", may have broken several rules under the Municipal Elections Act.

In its resolution, council authorized Rust-D'Eye "to take all steps necessary to litigate any Provincial Offences Act or other court proceedings deemed appropriate under the Municipal Elections Act and arising out of the compliance audit report" submitted last Oct. 19 by Mississauga accounting firm Deloitte & Touche.

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

The Act states councillors who exceed their election campaign spending limits — as Gyles is alleged to have done — can lose their seats in office.

The auditor's report concluded there are "several apparent contraventions of the Municipal Elections Act relating to election campaign finances."

The audit examined the validity, or lack thereof, of Gyles' election finances.

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.

Mayor Hazel McCallion said earlier the City has followed the Municipal Elections Act to guide its course of action. She added Gyles has the right to retain his seat on council as the proceedings continue.

When Gyles' election expenses were called into question last 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.

## Councillor appears in court

Peel Biog. April 13/02 MN  
By LOUIE ROSELLA  
Staff

Ward 5 Councillor Cliff Gyles will be meeting opposition and support while he appears in Brampton court this week.

The week-long preliminary hearing, which carries a publication ban, will attempt to show there is probable cause that Gyles committed a crime. If the judge is convinced there is probable cause, then the prosecution proceeds to the next phase. If not, the charges are dropped.

Gyles' lawyer, Alan Gold, said he wasn't sure if a decision would be rendered by the end of today,

Gold began making his arguments this morning.

More than a dozen people have showed up for the hearing, including Gyles' wife Inez, and members of the Committee to Support Cliff Gyles Defence Fund, established to raise funds to help pay for Gyles' legal defence.

Malton residents and City employees, as well as Peel Regional Police officers, were also present in the small courtroom yesterday.

Gyles, 57, was initially charged with municipal corruption, breach of trust and fraud against the government.

But on July 18 of last year, Gyles was arrested a second time and charged with sever-

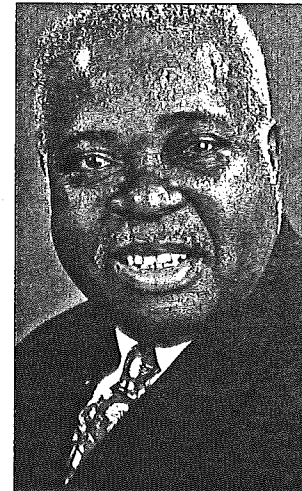
al counts of fraud and two counts of perjury.

Peel Regional Police allege Gyles demanded a \$100,000 payoff from a local businessman last February in exchange for political influence on a pending property zoning application.

The property owner was seeking to build a funeral home in Malton. The rezoning application was approved by council early last summer.

Outside the courtroom, Gyles refused to comment on the charges or the hearing.

Gyles appears in court May 2 to answer separate charges that he violated municipal election rules during his 2000 election campaign.



GYLES

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Gyles, Cliff  
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