

**From:** Stevenson, Susan <sstevenson@london.ca>

**Sent:** Monday, December 18, 2023 8:39 AM

**To:** Council Agenda <councilagenda@london.ca>; Schulthess, Michael <mschulth@London.ca>

**Subject:** Added Agenda documents

Attached is a copy of the correspondence with the Integrity Commissioner pertaining to two complaints made against me.

Timeline of correspondence:

July 27 - I received notice of the first complaint and a request for written response

Aug 10 - I sent my written response to the first complaint

Oct 27 - Preliminary Findings received for review and comment on TWO complaints

Nov 9 - I asked how the Complaint Protocol had been followed for the second complaint

Nov 10 - I received a reply stating "the existing Protocol is simply unworkable"

Nov 27 - I replied that "there is a defined process for a reason and that process must be followed" and a conclusion has been made "without fair and necessary consideration of the facts" thereby compromising the entire process

Dec 8 - Recommendation Report received on both complaints

Please add this document to the agenda for tomorrow's council meeting item 6.1

Sincerely,

Susan Stevenson

**From:** Principles Integrity <PostOffice@principlesintegrity.org>  
**Sent:** Thursday, July 27, 2023 4:00 PM  
**To:** Stevenson, Susan <sstevenson@london.ca>  
**Cc:** Janice Atwood-Petkovski <PostOffice@principlesintegrity.org>  
**Subject:** [EXTERNAL] Confidential Complaint Initiation

Councillor Stevenson,

Please see the attached correspondence regarding complaints that have been made against you under the City of London Code of Conduct.

Kindly acknowledge receipt of this email.

If you have any questions about the processing of this matter please let us know.

Sincerely,

**Principles Integrity**

**Integrity Commissioner**

Jeffrey A. Abrams and  
Janice Atwood-Petkovski, Co-Principals  
[postoffice@principlesintegrity.org](mailto:postoffice@principlesintegrity.org)

Main Number: [\(647\) 259-8697](tel:(647)259-8697)



Complaint  
Initiatio...ge.pdf

July 27, 2023

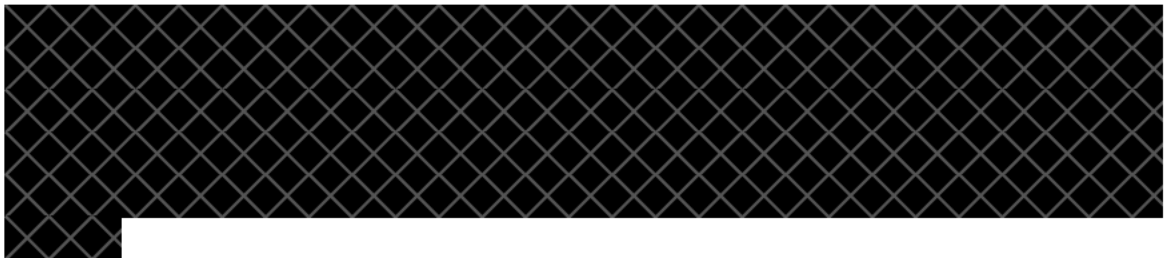
Councillor Susan Stevenson  
London City Hall  
314 – 300 Dufferin Avenue  
London, N6A 4L9

By Email: [sstevenson@london.ca](mailto:sstevenson@london.ca)

Re: CONFIDENTIAL Investigation of Complaint under City of London Code of Conduct

Councillor Stevenson,

We are in receipt complaints from the following individuals which we received between July 20, 2023 and July 25, 2023, alleging that you have engaged in conduct contrary to the Council Code of Conduct for the City of London:



The complaints, which to a significant extent reflect a form letter, arise from your apparent endorsement of an article on Smerconish.com that contained, in part, the following:

“The formerly homeless person must accept drug counseling if they are addicted...mental health services if they are mentally ill...and they must work or look for a job if they are able-bodied. If they don’t do these things and return to the streets despite the availability of shelter, they can and should be arrested, for they will not be homeless. No one should be allowed to live in the public spaces of our cities.”

The complaints also include that “Councillor Stevenson added her own commentary of “London could be first” with a smiling face emoji surrounded by hearts”

The entirety of the form complaints is attached for your reference.

We have not yet formed any opinion on whether the allegations have indeed occurred or whether having occurred, they would represent breaches of the City of London Code of Conduct.

As a first step in our review we are seeking your written response to the allegations by **Friday August 11th**. An interview may be arranged following receipt of your response. If we determine that it is in the public interest, an investigation will be conducted which may conclude with a public recommendation report to Council.

# Principles *Integrity*

## Confidentiality:

The *Municipal Act* mandates that there be confidentiality in the conduct of a complaint investigation. In order to maintain confidentiality and support the integrity of the process, we ask that you NOT discuss the content of this complaint with anyone, including witnesses (excluding of course your own legal advisors, should you seek counsel). It is particularly important that the names of the complainants not be shared.

Your anticipated cooperation is appreciated.

Sincerely,

Principles *Integrity*  
Integrity Commissioner for  
The City of London

July XX, 2023

Mayor of London, Josh Morgan & Integrity Commissioners Jeffrey A. Abrams & Janice Atwood Petkovski 300  
Dufferin Avenue, P.O. Box 5035  
London, ON, Canada, N6A 4L9

TO: Mayor of London, Josh Morgan & Integrity Commissioners, Jeffrey A. Abrams & Janice Atwood  
Petkovski

**RE: Code of Conduct & Code of Ethics Complaint, City of London Council Member Susan  
Stevenson**

Dear Mr. Morgan & Mr. Stewart,

I write to you today as both a concerned citizen of London and an Indigenous leader in the city regarding the implications of City Councillor Susan Stevenson's conduct. Over the past several months, Councillor Stevenson has engaged in multiple incidents promoting harmful and stigmatizing narratives against unhoused folks, unhoused folks with addictions, and/or unhoused folks with mental illness in Baketigweyaang (also known as the City of London). I am concerned that the council has failed to address her behaviour thus far, which has only become more emboldened. This is evident by her Twitter post on July 16th, 2023 and subsequent radio and news article (See Bieman, *London Free Press* and LeBel *Global News*) in which she reiterated her stance, despite significant public opposition. It is these events combined with a pattern of behaviour that have led me to contact you today.

The tweet in question endorsed an article by Smerconish.com that contained, in part, the following:

“The formerly homeless person must accept drug counseling if they are addicted...mental health services if they are mentally ill...and they must work or look for a job if they are able-bodied. If they don't do these things and return to the streets despite the availability of shelter, they can and should be arrested, for they will not be homeless. No one should be allowed to live in the public spaces of our cities.”

Councillor Stevenson added her own commentary of “London could be first” with a smiling face emoji surrounded by hearts. This act is incredibly reckless and dangerous. Arresting people without legal charge, simply for being homeless and/or in crisis, is a clear human rights violation and would be a violation of the *Ontario Human Rights Code* (OHRC) and section 1.2 of the City of London's “Code of Conduct for Members of Council.”

The *Ontario Human Rights Code* outlines the following:

vii) The OHRC guarantees equality before the law and prohibits discrimination in specific social areas such as housing. As per the OHRC statement on human rights and encampments and shelter closings (December, 2022) “solutions to homelessness and informal encampments must be grounded in human rights-based approaches and delivered with respect and compassion. Overcrowded, inaccessible and unsafe shelter-beds one night at a time is no alternative to informal encampments and does not respect people’s human rights. That does not respect the right to adequate, accessible and affordable housing. This is a right enshrined in Canada’s *National Housing Strategy Act (2019)*.”

The OHRC also supports five recommendations from The Office of Federal Housing Advocate’s report, *Overview of Encampments Across Canada: A Right to Housing Approach (2022)*, for all levels of government. One of the top priority recommendations is the need to de-centre policing and law enforcement approaches that criminalize unhoused community members.

Another priority recommendation highlighted the need to recognize the distinct rights of Indigenous peoples and acknowledge Indigenous rights under the *United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)*, the *Canadian Constitution*, treaties, and case law. In the City of London, approximately 30% of people who are unhoused are Indigenous, 28% are racialized, 40% of the overall youth who are unhoused are members of the 2SLGBTQIA+ community, and 10% are refugee/newcomer youth to this area. We also know a large portion of unhoused folks are people with various disabilities and while there are no local statistics available, nationally the estimate is approximately 45%. These populations and their intersections already experience systemic oppression and marginalization including, but not limited to, a significant amount of police violence, surveillance, and the spiraling impacts of criminalization. This would only be exacerbated through the types of police-led, criminalization processes Councillor Stevenson is advocating for, despite a large body of evidence that implicitly states these tactics cause additional harm and do not address the root cause(s).

While this letter is focused on the most recent events it is also important to note many of Councillor Stevenson’s previous comments on social media, at council, on the radio and direct quotes in local news articles that contradict the remaining three OHRC supported recommendations. They are as follows: 1) municipal governance and interjurisdictional responsibilities need to adopt a rights-based approach and there is an obligation to provide funding and services; 2) addressing the conditions within encampments and access to basic services, such as clean water, sanitation facilities, electricity, and heat; and 3) meaningful and inclusive participation of unhoused people in the design and implementation of policies, programs, and practices that impact them. Contrary to these recommendations, Councillor Stevenson has solely and repeatedly centered the needs of business and homeowners.

In addition to the *Ontario Human Rights Code* considerations are Councillor Stevenson’s contravention of sections of the City of London’s “Code of Conduct for Members of Council” and the “Code of Ethics for Members of Council.” Section 1.3 (Rule 1) of the Code of Conduct states the following principles in relation to the duties of Members:

i) The importance of **integrity**, independence, and **accountability** in local government decision-making.

ii) Members are expected to perform their duties of office with **integrity** and **impartiality** in a manner that will **bear the closest scrutiny**.

The “General Rules of Conduct” (Rule 2) state the following:

2.2 Members shall be committed to performing their functions with **integrity**, independence and **impartiality** and avoid the improper use of the influence of their office, and conflicts of interest, including apparent conflicts of interest.

2.4 Members are expected to **perform their duties** in office and arrange their private affairs in a **manner that promotes public confidence and will bear close public scrutiny**.

2.5 Members shall **seek to serve the public** interest by **upholding both the letter and the spirit of the laws of the Federal Parliament, the Ontario Legislature**, and the by-laws and policies of the Corporation.

The “Code of Ethics for Members of Council” section 4.1.4 (Personal Conduct) outline that:

Employees shall ensure their **conduct, whether in a personal or official capacity, does not bring the City into disrepute, or damage public confidence in the City**. Employees shall ensure **their personal conduct within the workplace and elsewhere** does not adversely affect:

c) **Public confidence in the employee’s functions**, in the City, or in the integrity of the public sector.

As a member of City Council, Councillor Stevenson’s key duties are to be a representative, policymaker, and steward of the City of London. Being an elected official requires a broader understanding of the issues and how they impact the municipality as a whole. This can only truly be achieved by listening to those with lived/living experience and local experts in the field. Councillor Stevenson has been frequently asked to do just that by those invested in meaningfully addressing the needs of unhoused folks with respect and compassion by centering their lived experience and keeping human rights at the forefront. She has been offered free education on numerous occasions so that she may better understand why her stances are harmful and should not be platformed or perpetuated. Councillor Stevenson clearly has little regard for these requests, demonstrated by her ongoing social media activity that continues to elicit fear and condone violence towards the unhoused members of our community. Often this commentary is hidden behind rhetoric of “asking the hard questions” and “public safety.”

Further, Councillor Stevenson’s responsibilities include supporting the public’s and municipality’s well-being to ensure interests are maintained while also recognizing that her decisions have long-term consequences for the City of London and its residents past her four-year term. As such, decisions should be made in good faith and for the long-term health and welfare of the community. The history of Councillor Stevenson’s social media presence combined with her news articles, policy choices, and politics illustrates she has a clear bias and is committed to criminalizing and dehumanizing unhoused community members in London. Due to these ongoing infractions, public confidence in her position both as Councillor and member of the London Police Services Board is called into question. The impact

of her behaviour on the overall integrity and public confidence in City Council is significant. Council's further complicity in her behaviour is unacceptable. It is not an exaggeration to say that folks' lives depend on the City's immediate attention to this matter.

Due to the grave infractions outlined throughout this letter and their significant impact on the health and welfare of our city, I demand an investigation into Councillor Stevenson's actions in line with principles of the *Ontario Human Rights Code*, the "Code of Conduct for Members of Council" and the "Code of Ethics for Members of Council." The details and outcome of the investigation must be transparent and made publicly available to demonstrate the City of London's commitment to anti-oppression, equity, and justice for all members of our community. Part of this work must be the acknowledgement of, and remedy for, those who contravene these commitments.

Sincerely,

-names redacted--



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**From:** Stevenson, Susan <sstevenson@london.ca>  
**Sent:** Thursday, August 10, 2023 5:48 PM  
**To:** Principles Integrity <PostOffice@principlesintegrity.org>  
**Subject:** Response

Integrity Commissioner for The City of London,

Please find attached my written response to the allegations, as requested in your letter dated July 27, 2023.

Please confirm receipt of this email including the attachment.

Sincerely,

Susan Stevenson  
Ward 4 City Councillor



Response to IC  
Aug 10...23.pdf



300 Dufferin Avenue  
P.O. Box 5035  
London, ON  
N6A 4L9

**London**  
CANADA

August 10, 2023

Mr. Abrams and Ms. Atwood,

At your request, I submit this response to complaints you have received.

I am the democratically-elected City Councillor for Ward 4 with my own beliefs and policy positions. My constituents are free to either agree or disagree with those positions. In contrast to the complainants' belief that my perspective "should not be platformed or perpetuated", I believe any and all of my constituents should be free to support or oppose any of my positions on their merits during my tenure as City Councillor and/or at the next election by advancing their own candidacy.

While the complainants have articulated clear policy differences with myself, they have not presented any examples of my conduct being contrary to the Council Code of Conduct. I have made every decision with integrity, independence, and accountability. I have performed all of my functions and duties in office with integrity, impartiality, independence, and in a manner that promotes public confidence and bears the closest scrutiny. I have always ensured my conduct, in both personal and official capacities, does not damage public confidence in the City of London, nor bring it into disrepute.

On July 16<sup>th</sup>, I shared an article on Twitter from smerconish.com that advocated for, in part, "offer[ing] shelter to those who live on the streets." I added a comment that "London could be first".

Currently, London does not offer shelter to all those who live on the streets, either through "emergency care establishments" or supportive housing. London does not have, nor has it committed to building, sufficient shelter beds or housing stock to make that offer. It is my position as a duly-elected city councillor that we as a municipality should commit to building sufficient shelter beds and housing stock in order to offer shelter to those who live on the streets.

The complainants allege that by sharing this article alongside a comment that "London could be first", I therefore support "arresting people without legal charge, simply for being homeless". Neither the article nor my comment on the article support that notion.

Rule 2 of the Code of Conduct for Members of Council states that, "[m]embers shall seek to serve the public interest by upholding both the letter and the spirit of... the by-laws and policies of the [City of London]." All those who live in London's public spaces, such as public parks, sidewalks, and rights-of-way, are violating both the letter and spirit of a number of by-laws of the City of London.



300 Dufferin Avenue  
P.O. Box 5035  
London, ON  
N6A 4L9

It is my position that supporting the enforcement of by-laws by adequately staffing and resourcing the Municipal Compliance division within our Planning and Economic Development department is consistent with upholding the Code of Conduct for Members of Council. It is also my position that failing to support adequate staffing and resourcing would represent a failure to uphold that same Code of Conduct. I have repeatedly communicated this position both as a candidate and the ward councillor.

In summary, there are no examples presented of my conduct being contrary to the Council Code of Conduct. Instead, there are plenty of examples presented of policy differences that are simply matters of debate.

Thank you for your attention to this matter. I look forward to the results of your review.

Sincerely,

Susan Stevenson  
City Councillor, Ward 4

**From:** Principles Integrity <postoffice@principlesintegrity.org>  
**Sent:** Friday, October 27, 2023 10:20 AM  
**To:** Stevenson, Susan <sstevenson@london.ca>  
**Cc:** Jeffrey Abrams <intake@principlesintegrity.org>  
**Subject:** [EXTERNAL] Confidential: Preliminary Findings Report following our investigation

Councillor Stevenson,

We have now completed our investigation of complaints filed against you.

Prior to concluding and issuing our report we are advising you that we have made a finding against you. Our preliminary Findings Report is attached.

If you wish to make any comments or submissions before we finalize our report, please provide us your response on or before **November 10, 2023**.

Kindly acknowledge receipt of this email.

**CONFIDENTIALITY:**

Pursuant to the legislation, we are required to preserve secrecy with regard to all information obtained in this matter. To preserve the integrity of our investigation, you are required to keep our preliminary findings report confidential.

Sincerely,

**Principles Integrity**

Janice Atwood and  
Jeffrey A. Abrams, Co-Principals  
[postoffice@principlesintegrity.org](mailto:postoffice@principlesintegrity.org)  
Main Number: [\(647\) 259-8697](tel:647-259-8697)

(to initiate a complaint or to seek advice  
from the Integrity Commissioners please  
e-mail [postoffice@principlesintegrity.org](mailto:postoffice@principlesintegrity.org))



Stevenson  
Prelimi...ort.pdf

City of London  
Integrity Commissioner's  
Preliminary Findings Report  
Complaints against Councillor Stevenson  
October 27, 2023

**Introductory Comments**

- [1] Principles *Integrity* was appointed the Integrity Commissioner for the City of London on June 1, 2023. We are also privileged to serve as Integrity Commissioner for a number of other Ontario municipalities. The operating philosophy which guides us in our work with all of our client municipalities is this:

*The perception that a community's elected representatives are operating with integrity is the glue which sustains local democracy. We live in a time when citizens are skeptical of their elected representatives at all levels. The overarching objective in appointing an integrity commissioner is to ensure the existence of robust and effective policies, procedures, and mechanisms that enhance the citizen's perception that their Council (and local boards) meet established ethical standards and where they do not, there exists a review mechanism that serves the public interest.*

- [2] The City has as part of its ethical framework a Code of Conduct which is the policy touchstone underlying the assessments conducted in this report. It represents the standard of conduct against which all members of Council are to be measured when there is an allegation of breach of the ethical responsibilities established under the Code of Conduct. The review mechanism contemplated by the Code, one which is required in all Ontario municipalities, is an inquiry/complaints process administered by an integrity commissioner.
- [3] Integrity commissioners carry out a range of functions for municipalities (and their local boards). They assist in the development of the ethical framework, for example by suggesting content or commentary for codes of conduct. They conduct education and training for members of council and outreach for members of the community. One of the most important functions is the provision of advice and guidance to members to help sort out ethical grey areas or to confirm activities that support compliance. And finally, but not principally, they investigate allegations that a person has fallen short of compliance with the municipality's ethical framework and where appropriate they submit public reports on their findings, and make recommendations, including recommending sanctions, that council for the municipality may consider imposing in giving consideration to that report.

## Principles *Integrity*

- [4] It is important that this broad range of functions be mentioned at the outset of this investigation report. Our goal, as stated in our operating philosophy, is to help members of the community, indeed the broader municipal sector and the public, to appreciate that elected and appointed representatives generally carry out their functions with integrity. In cases where they do not, there is a proper process in place to fairly assess the facts and, if necessary, recommend appropriate sanctions. In every case, including this one, the highest objective is to make recommendations that serve the public interest, if there are recommendations to be made.
- [5] Our role differs from other 'adjudicators' whose responsibilities generally focus, to state it colloquially, on making findings of fact and fault. While that is a necessary component when allegations are made, it is not the only component.
- [6] Our operating philosophy dictates the format of this report. The tenets of procedural fairness require us to provide reasons for our conclusions and recommendations, and we have done that. Procedural fairness also requires us to conduct a process where parties can participate in the review and resolution of a complaint.
- [7] In this regard, we have assessed the information fairly, in an independent and neutral manner, and have provided an opportunity to the respondent named in this Report to respond to the allegations, and to review and provide comment on the preliminary findings set out in this report.

### The Complaints

- [8] This Report follows a deluge of complaints filed against Councillor Stevenson in late July 2023 arising from a single twitter post on July 16, 2023 where the Councillor reposted an article by American journalist Michael Smerconish canvassing solutions for homelessness; and a deluge of complaints filed against Councillor Stevenson in September 2023 arising out of a series of posts which included photos of homeless individuals.
- [9] These latter complaints asserted a loss of public confidence in Councillor Stevenson continuing to serve on the Police Services Board.
- [10] The complaint allegations can be summarized as follows:
- The Councillor's posts promote harmful and stigmatizing narratives against homeless people, which are reckless and disrespectful, and are done in a manner that 'elicits fear and condones violence.'
  - Photos posted by the Councillor - which include apparently homeless identifiable individuals - represent a breach of the privacy and dignity of these vulnerable individuals and promotes disdain for them.

## Principles *Integrity*

- Comments posted by her which imply criminal conduct by homeless individuals are mean and unfairly vilify and marginalize the unhoused.

[11] It is alleged that these posts are unacceptable, are contrary to the Ontario Human Rights Code, dehumanize and threaten the welfare of the homeless in the City of London, and as such are a breach the Council Code of Conduct.

### Process Followed for this Investigation

[12] In conducting this investigation, Principles *Integrity* applied the principles of procedural fairness and was guided by the complaint process set out under the Code of Conduct.

[13] This fair and balanced process includes the following elements:

- Reviewing the complaints to determine whether they are within scope and jurisdiction and in the public interest to pursue, including giving consideration to whether the complaints should be restated or narrowed, where this better reflects the public interest
- Notifying the Respondent, and providing her with an opportunity to respond in full to the allegations
- Reviewing the Code of Conduct and other relevant documentation and interviewing relevant witnesses as necessary
- Providing the Respondent with the opportunity to review and provide comments to the Integrity Commissioner's Preliminary Findings Report and taking those comments into consideration prior to finalizing and submitting any Recommendation Report.

### Background and Analysis:

[14] The Respondent Councillor was elected for the first time in October 2022, although she has been an engaged community activist in the years leading up to her election.

[15] Like many cities, London is facing a homelessness crisis. In an effort to seek solution, dozens of local organizations and hundreds of individuals with expertise in issues confronting the homeless came together to design a systemic response. Aspects of the proposed Whole of Community System Response, endorsed by the City with extensive opportunities for public feedback, were met with some resistance by some residents.

## Principles *Integrity*

- [16] Councillor Stevenson has openly challenged the cost and the effectiveness of the shelter and wrap-around service plans proposed.
- [17] In mid-July, she posted an article by Michael Smerconish reflecting on the American experience and suggesting solutions. The article recognized the health needs of the homeless (mental illness and drug addiction), and encouraged all major cities to provide shelter to those living on the streets as a basic necessity.
- [18] The article offered the suggestion that those who decline drug counselling, mental health services, or, if able-bodied, a job, should be arrested.

*The formerly homeless person must accept drug counseling if they are addicted; they must accept mental health services if they are mentally ill, and they must work or look for a job if they are able-bodied. If they don't do these things and return to the streets despite the availability of shelter, they can and should be arrested, for they will not be homeless. No one should be allowed to live in the public spaces of our cities.*

- [19] The article concluded with these two paragraphs:

*If just a few cities sign on, each will bear a huge burden, and other cities will be relatively free riders. So this will only work if all our big cities and their states agree to join a compact. Ultimately it will be cheaper and more humane to solve this problem now together.*

*Who will be first?*

- [20] The Councillor re-posted the article with the following comment:

London could be first 🤔

- [21] Within days, there was a volume of complaints, almost all apparently 'form letters' reproduced with largely identical text.
- [22] We note in passing that a complaint is rendered neither more important nor more substantial merely by virtue of its repetition.
- [23] Before we were able to conclude the investigation of those complaints, on September 23, 2023 the Councillor posted to her social media 3 photos of apparently homeless individuals whose faces were visible, making the individuals identifiable, accompanied by comments including

NOW let's address the problem. The needles, the feces, the garbage, the encampments, the open drug use, the erratic and violent behaviour, the CRIME, the VANDALISM... the lack of safety



## Principles Integrity

[24] A second round of complaints followed.

### Post in Support of Smerconish Article

[25] In the intervening weeks between late July and September, we worked with City administration to provide robust education and training for members of Council, with an emphasis on moderating one's own style of public comment and avoiding missteps in social media. That training took place on September 28, 2023.

[26] Against this backdrop, and for the reasons explained below, we find that the Councillor's re-post of the Smerconish article, although provocative because of her comment and emoji, should not be interpreted as promoting incarceration of the homeless.

[27] The Councillor, in the flurry of radio and media interviews that followed the post, and in her response to us, clarified that her intention is to articulate first and foremost:

support for committing to providing sufficient shelter beds and housing stock;  
support for enforcement action, when appropriate, and for adequately staffing and resourcing enforcement.

[28] The Councillor denies that her post was intended to convey the impression that she supports arresting people simply for being homeless. She supports providing the necessary supports to the homeless and appropriate enforcement activity to uphold municipal by-laws.

[29] Given that the article by Smerconish canvassed the issues and touched on a variety of solutions, we are satisfied that the re-tweet with the comment "*London could be first*" should not be interpreted as advocating solely an enforcement approach, or for arbitrary arrest of the homeless.

[30] While enforcement might potentially result in persons being removed from public spaces against their will, provided rights are not infringed and proper procedures are followed it is not improper to suggest that enforcement activity be included as part of the solution to the problem.

[31] It is fair to recognize that the issue of serving the needs, and responding to the challenges of the homeless population is complex and can be controversial.

[32] Councillors are entitled to express controversial views and opinions without fear of contravention of the Code of Conduct.

## Principles *Integrity*

- [33] During our investigation, the Councillor acknowledged that some of her social media posts have been provocative, and that provocative posts may engender a more vitriolic response than is desirable or helpful in a constructive dialogue.
- [34] We agree. The issue of homeless encampments being such a divisive one, touching off passionate debate to begin with, it is unnecessary and unhelpful to instigate strong reactions through unnecessarily provocative social media posts.
- [35] We find however that her post "*London could be first*" cannot be reasonably interpreted as calling for the arbitrary arrest of homeless, nor can it be considered to breach the Human Rights Code or the Code of Conduct.

### Posting Photographs of Identifiable Individuals

- [36] In late September 2023 the Councillor shared additional posts to social media, with photos which included identifiable apparently homeless individuals.
- [37] While none of the complaints was filed by any of the individuals photographed, there is no doubt that the issue is a sensitive one.
- [38] On the one hand, the photos reflect a snapshot of individuals in public spaces and so it might be believed that no special consideration is to be accorded these individuals, in publishing their pictures.
- [39] On the other hand, given the vulnerability of the homeless, and the lack of personal space and privacy afforded by having a home, compounded by the adverse reaction which already exists between the homeless and many residents, the posting of pictures with readily-identifiable faces on social media was unnecessary and insensitive.
- [40] The accompanying references to criminal activity and vandalism were also gratuitous editorial commentary and although not specifically directed at any one individual, are unnecessarily provocative particularly when targeting vulnerable individuals.
- [41] We admonish the Councillor to refrain from such gratuitous provocation.
- [42] The Councillor has acknowledged that she did make an attempt to blur the faces of the individuals, although clearly could have done more to anonymize the individuals photographed.
- [43] In this regard, she has acknowledged that there is room for improvement in her use of social media.

## Principles *Integrity*

[44] Nevertheless the posting of the un-blurred photos reflected an invasion of the personal privacy of the individuals involved, and disregarded the impact publication of the photographs could have on the community, and the individuals involved.

### Code of Conduct:

[45] Although many provisions under the Ontario Human Rights Code were suggested as relevant to the complaints, we find that the most relevant provision is found in the Council Code of Conduct:

#### Rule 7 – Discreditable Conduct

7.1 Members have a duty to *treat members of the public*, one another, individuals contracted by the Corporation on a purchase of service agreement, students on placement and officers and employees of the Corporation *appropriately and without abuse, bullying or intimidation* and to ensure that their work environment is safe and free from discrimination and harassment.

### Findings:

[46] For the above reasons, we find that the Councillor's posts of photos of recognizable homeless individuals on social media failed to treat members of the public – particularly vulnerable persons – appropriately, and thereby fell below the standard expected of members of Council.

[47] Although not blatantly an act of abuse or bullying, the photos inappropriately infringed the personal privacy of the individuals involved, reflecting a disregard for the impact the post could have on the individuals involved and the homeless community at large.

[48] We find that the re-tweet of the Smerconish article with the comment "*London could be first*" should not be interpreted as advocating for arbitrary arrest of the homeless and therefore does not constitute a breach of the Code of Conduct.

[49] Councillors are entitled – in fact, expected, from time to time - to express controversial views and opinions without fear of contravention of the Code of Conduct.

[50] Nevertheless, we admonish the Councillor to exercise greater sensitivity and care – avoiding provocative and gratuitous comments insensitive to the plight of the more vulnerable – in her public comments posted on social media.

### Recommendations and Concluding Remarks [to follow]:

DRAFT

**From:** Stevenson, Susan  
**Sent:** Thursday, November 9, 2023 3:31 PM  
**To:** Principles Integrity <PostOffice@principlesintegrity.org>  
**Subject:** Response to Preliminary Findings Report

Mr. Abrams and Ms. Atwood,

Kindly acknowledge receipt of my response letter attached.

Sincerely,  
Susan



**Susan Stevenson**  
Councillor, Ward 4  
City of London



300 Dufferin Ave P.O. Box 5035  
London, ON Canada N6A 4L9  
P: 519.661.CITY (2489) x 4430  
[sstevenson@london.ca](mailto:sstevenson@london.ca) | [www.london.ca](http://www.london.ca)



IC Response  
Nov 8-2023.pdf



London  
CANADA

300 Dufferin Avenue  
P.O. Box 5035  
London, ON  
N6A 4L9

November 8, 2023

Principles Integrity  
[postoffice@principlesintegrity.org](mailto:postoffice@principlesintegrity.org)

Sent via Email

Mr. Abrams and Ms. Atwood,

Upon receipt of your email which stated that you have "completed your investigation of complaints filed against [me]", I have reviewed the attached Preliminary Report.

In the *Code of Conduct for Members of Council Complaint Protocol*, it states:

*5.1 The Integrity Commissioner will proceed as follows, except where otherwise required by the Public Inquiries Act, 2009:*

*a) serve the complainant and supporting material upon the Member whose conduct is in question with a request that a written response to the allegation by way of affidavit or otherwise be filed within ten business days; and*

*b) serve a copy of the response provided upon the complainant with a request for a written reply within ten business days.*

In regards to paragraphs 36-47, 49 and 50 of your Preliminary Report, it is not clear how the *Complaint Protocol* has been complied with. I am requesting further information as to the processing of the complaint to date.

I look forward to your response.

Sincerely,

Susan Stevenson  
City Councillor, Ward 4

**From:** Principles Integrity <postoffice@principlesintegrity.org>  
**Sent:** Friday, November 10, 2023 1:53 PM  
**To:** Stevenson, Susan <sstevenson@london.ca>  
**Cc:** Principles Integrity <PostOffice@principlesintegrity.org>; Susan Stevenson  
**Subject:** [EXTERNAL] Re: Response to Preliminary Findings Report

Good afternoon Councillor Stevenson,

Thank you for your response to our Preliminary Findings Report, which we understand to reflect your objection to the process.

Our Findings Report is in regard to 2 sets of complaints: those received July 20-25, 2023 in regard to your re-posting of the Smerconish article; and those received September 26, 2023 in regard to your post of photos with identifiable faces of homeless individuals. You were, in fact, copied on some of the emailed complaints regarding the photos you posted of the homeless. This was the basis of a conversation you had on September 28, 2023 with Jeff Abrams when he attended to provide in-person Training for London Council.

We acknowledge that we take a less rigid and more purposeful approach to our investigations whereas the City of London's Complaint Protocol is quite prescriptive and legalistic. As noted by Jeff during Training, the existing Protocol is simply unworkable, requiring *service* of documents, and suggesting complainants should review and respond to respondent's responses, more like litigation than an administrative investigation.

That said, while we had understood that you were aware of the complaints regarding photos you posted in which the faces of the homeless were identifiable, and that we had understood your response/explanation as communicated verbally in conversation with Jeff on September 18, we invite you to take the time to provide us with any additional comments or input, to this issue, as well as any further comments you might have in regard to our Findings in their totality. As we have articulated on many occasions, we genuinely seek to achieve course correction and authentic acknowledgement by respondents who may be found to have strayed outside their ethical obligations.

In this regard, we would appreciate receiving any additional thoughts from you by November 27, 2023 and we would be happy to meet with you (virtually) should you wish.

Sincerely,  
**Principles Integrity**

Janice Atwood and  
Jeffrey A Abrams, Co-Principals  
[postoffice@principlesintegrity.org](mailto:postoffice@principlesintegrity.org)  
Main Number: (647) 259-8697

(to initiate a complaint or to seek advice  
from the Integrity Commissioners please  
e mail [postoffice@principlesintegrity.org](mailto:postoffice@principlesintegrity.org))

On Thu, Nov 9, 2023 at 3:31PM Stevenson, Susan <[sstevenson@london.ca](mailto:sstevenson@london.ca)> wrote:

| Mr Abrams and Ms Atwood

MR. ABRAMS AND MS. AWOOD,

Kindly acknowledge receipt of my response letter attached.

Sincerely,  
Susan



**Susan Stevenson**  
Councillor, Ward 4  
City of London

**London**  
CANADA

300 Dufferin Ave P.O. Box 5035  
London, ON Canada N6A 4L9  
P: 519.661.CITY (2489) x 4430  
[sstevenson@london.ca](mailto:sstevenson@london.ca) | [www.london.ca](http://www.london.ca)



**From:** Stevenson, Susan  
**Sent:** Monday, November 27, 2023 12:46 PM  
**To:** Principles Integrity <PostOffice@principlesintegrity.org>  
**Subject:** Response Letter

Dear Mr. Abrams and Ms. Atwood,

Please find attached the requested response letter. Kindly confirm receipt of it.

Sincerely,



**Susan Stevenson**  
Councillor, Ward 4  
City of London



300 Dufferin Ave P.O. Box 5035  
London, ON Canada N6A 4L9  
P: 519.661.CITY (2489) x 4430  
[sstevenson@london.ca](mailto:sstevenson@london.ca) | [www.london.ca](http://www.london.ca)



Conf dent a S.  
Steven....27.pdf



300 Dufferin Avenue  
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London, ON  
N6A 4L9

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CANADA

November 27, 2023

Sent Via Email

Ms. Atwood and Mr. Abrams,

My objection to this process pertains specifically to paragraphs 36-47 and 50 of your Preliminary Report, in which you determine some actions “fell below the standard expected of members of Council”, specifically Rule 7 of the Code of Conduct.

In the process of coming to this conclusion, you did not adhere to the Code of Conduct for Members of Council Complaint Protocol (the “Complaint Protocol”) and you have found me in breach of the Code of Conduct prematurely and without due process.

In the Code of Conduct for Members of Council Complaint Protocol, it states:

*5.1 The Integrity Commissioner will proceed as follows, except where otherwise required by the Public Inquiries Act, 2009:*

*a) **serve the complainant and supporting material upon the Member whose conduct is in question with a request that a written response to the allegation by way of affidavit or otherwise be filed within ten business days;***

*b) serve a copy of the response provided upon the complainant with a request for a written reply within ten business days.*

As the Member whose conduct was in question, I was not served the complainant nor any supporting material for the basis of the complaint before receiving your Preliminary Report. I was also not requested to file a written response to an allegation within ten business days.

While I was copied on the initial complaint sent to you by the complainant, that is insufficient to comply with 5.1 of the Complaint Protocol. I have been copied on a number of complaints sent to the Integrity Commissioner, all of which I believe to be frivolous, vexatious, made in bad faith, outside of your jurisdiction, and/or without sufficient grounds for an investigation. As a Member subject to the Code of Conduct for Members of Council, I rely on your adherence to the Complaint Protocol in order to determine if and when I am required to participate in an investigation.

While Mr. Abrams and I had an in-person discussion on September 28<sup>th</sup>, it was not material to this apparent investigation. I initiated that conversation privately and proactively in an effort to better understand the subject matter of the Training Seminar. At no point was I informed that an investigation had been initiated; provided the complaint, the complainant, or their supporting material; nor was I requested to provide a written response. As the Member whose conduct was in question, I am entitled to all of those things as per the Complaint Protocol.

As the Integrity Commissioner for the City of London, you may believe that the Complaint Protocol is overly “prescriptive”, “legalistic”, and “simply unworkable”, but you were aware of that protocol before accepting the position and remain bound by that process. City Council is the



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**London**  
CANADA

legitimate authority that promulgates the Code of Conduct for Members of Council and the Complaint Protocol therein. As the Integrity Commissioner, it is not within your jurisdiction to selectively apply components of that by-law at your discretion. If you believe the Complaint Protocol as defined by Council is "simply unworkable", you may consider issuing a formal recommendation to City Council that we amend our Code of Conduct or recusing yourself from this process altogether. In the absence of your recusal or a Council amendment, you are bound to apply the Code of Conduct as written. That did not occur before issuing paragraphs 36-47 and 50 of your Preliminary Report.

There is a defined process for a reason and that process must be followed. You have not complied with the Complaint Protocol. You have come to a conclusion prematurely without fair and necessary consideration of the facts, and have therefore compromised the entire process. Therefore, I respectfully refrain from providing any further comment regarding this investigation.

Sincerely,

Susan Stevenson  
City Councillor, Ward 4