



# REPORT

## MEETING TYPE: Regular Council

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**TO:** Council

**FROM:** Brian MacKinnon, Manager of Corporate Services/ Municipal Clerk

**DATE:** May 16, 2018

**SUBJECT:** RP-2018-051 - Report of the Integrity Commissioner dated May 9, 2018  
re: Complaint Against Councillor Forbes

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### TITLE:

Report of the Integrity Commissioner dated May 9, 2018 re: Complaint Against Councillor Forbes

### RECOMMENDATION:

THAT Council receives the May 9, 2018 Report from the Integrity Commissioner, Mr. Paul Heayn, respecting a complaint filed by Shayla Bradley respecting the conduct of Councillor Steven Forbes; and further

THAT, as concluded and recommended in Mr. Heayn's report:

- Council adopts the finding that Councillor Forbes, as a result of this complaint and subsequent investigative process, is fully aware of the high standards to which elected officials are held; and
- Council adopts Mr. Heayn's recommendation that no disciplinary measures be taken against Councillor Forbes.

### PURPOSE:

The purpose of this Report is to bring forward for Council's review, consideration and action, the Integrity Commissioner's Report dated May 9, 2018, and to implement recommendations outlined therein, in accordance with the Municipality's Code of Conduct.

### BACKGROUND:

Council approved Policy No. 1-4, being a Code of Conduct for Members of Municipal Council and Persons Appointed to Council Boards, Committees and Commissions on May 16, 2012. The Code of Conduct may be accessed on the Municipality's Corporate Documents Portal: [Policy No. 1-4, Code of Conduct.](#)

The Policy includes a complaint process which is open to anyone who believes that someone to whom the Code applies has breached the Code.

Ms. Shayla Bradley submitted a complaint to the Integrity Commissioner, Paul Heayn, on April 20, 2018, regarding Councillor Forbes' conduct respecting his online (social media, and specifically Twitter) presence.

#### **DISCUSSION:**

In accordance with the Code of Conduct Policy, Mr. Heayn completed his investigation. The Report of his findings is attached to this staff report.

Mr. Heayn has found that Councillor Forbes acknowledges that his post(s) on Twitter were substandard to the level of conduct that would be expected from an elected official, but also points out that Councillor Forbes is now clearly aware of his obligations as an elected official in such matters, and, "his conduct, comments and posts on social media is to be held to the highest standard," (Integrity Commissioner Report, May 9, 2018, p. 3).

Council, in accordance with the Policy, must receive the Report, consider the recommendations and determine whether or not to adopt those recommendations.

#### **RELATIONSHIP TO THE STRATEGIC PLAN:**

This is an administrative matter with no direct correlation to the Strategic Plan.

#### **FINANCIAL IMPLICATIONS:**

The fees for the Integrity Commissioner's investigation were not available at the time of writing this report.

#### **ATTACHMENTS:**

1. Integrity Commissioner's Report, "Report on the Investigation into a Complaint by Shayla Bradley Against Councillor Steven Forbes, Municipality of Sioux Lookout".

#### **SIGNATURES:**



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**Brian P. MacKinnon**  
Manager of Corporate Services and Municipal Clerk



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**Ben Hancharuk**  
Acting Chief Administrative Officer

# REPORT ON THE INVESTIGATION INTO A COMPLAINT BY

**SHAYLA BRADLEY**

**AGAINST**

**COUNCILLOR STEVEN FORBES  
MUNICIPALITY OF SIOUX LOOKOUT**

May 9, 2018

*REPORT AUTHOR: Paul S. Heayn, Integrity Commissioner for the Municipality of Sioux Lookout*

## **1. INTRODUCTION**

On April 20<sup>th</sup>, 2018 I received a Code of Conduct Complaint Form from Shayla Bradley of Sioux Lookout issuing a formal complaint against Councillor Steven Forbes. In her complaint, she cited Councillor Forbes social media account – Twitter – that posts “a lot of content that is insulting, degrading and insulting to various people and groups”. Ms. Bradley provided copies of two pages of Twitter content that provides examples of Councillor Forbes comments to various individuals.

## **2. BACKGROUND**

Councillor Forbes has a Twitter account entitled “Anger-management, @StevenForbes2”. The account was established in January of 2012 and has ninety three (93) followers. Some of the Tweets Ms. Bradley offers as examples go back as far as December 17, 2015 and the most recent example given – April 10<sup>th</sup>, 2018

## **3. Summary of the Complaint**

The basis of the complaint centers around comments made in reply to Nora Loreto’s Tweet about the inequality of the fund raising for the Humboldt Broncos tragedy compared to the fundraising for other tragedies. Ms. Bradley provided copies of Tweets from people other than Councillor Forbes about refugees, “Funding for Freedom Road (the road connecting Shoal Lake 40’s reserve with the Trans-Canada Pipeline) and MMIW (Missing and Murdered Indigenous Women) inquiry. To those replies Councillor Forbes was not vexatious but the most egregious centred on Councillor Forbes reply to Nora Loreto’s Tweet.

## **4. INVESTIGATIVE PROCESS**

In order to investigate this complaint, I went on Twitter to seek out the posts/Tweets on Councillor Forbes Twitter account.

I went on line to get a perspective on Nora Loreto and found that she is a writer, musician and activist based in Quebec City and a columnist who thinks that hard strategic work will bring about “the revolution”. She, along with Sandy Hudson, has a podcast on the internet that talks about racial inequality and other mainstream society biases. Sandy Hudson is the founder of “Black Lives Matter”.

One of the most egregious, insulting and serious Tweets provided to me by the Complainant is a Tweet in response to Nora Loreto “@NoLore-1d”. Nora Loreto Tweeted:

*“I’m trying not to get cynical about what is a totally devastating tragedy but the maleness, the youthfulness and the whiteness of the victims are, of course, playing a significant role”.*

She is referring to the millions of dollars of “Go-Fund-Me” money raised for the Humboldt Broncos Hockey Team and the **fact** (Ms. Loreto’s word) that **had** that bus held passengers of a minority group such as indigenous individuals, the fundraising would be far less than it is with this tragedy. I listened to two (2) episodes podcasted by Lora Loreto and Sandy Hudson entitled “Episode 17, Part **One**: The Eye of the Alt-Right Online Hurricane” and “Episode 17, Part **Two**: The Eye of the Alt-Right Online Hurricane”. These two podcasts elaborate on the Tweet by Lora Loreto and the backlash of millions of Canadians that mostly were detrimental comments – some even threatening her life and the life of her family.

It is in this vein that Councillor Forbes Tweeted on April 10<sup>th</sup>, 2018, at 6:56 a.m.:

*“Yeah, That’s why all the money flowed in. Cause they we’re white males. What the {expletive} is wrong with you? Here’s hoping karma works and you have love ones who die in a horrific way soon. #humboldtstrong”*

## 5. SUMMARY OF FINDINGS

At the time of writing this report, I could not find the actual Tweets that this complaint addresses on Steven Forbes account. The Tweets are not visible on his Twitter page.

However, the Tweet in question has been copied to the complainant’s Twitter Page and also still appears on Lora Loreto’s Twitter account. Listening to Nora Loreto’s “podcasts” discussing the reaction to the comments, Loreto has stated that any and all “Retweets” regarding her original Tweet will remain.

The CBC posted a news feed about Loreto’s Tweet and the detrimental responses she is receiving by discussing the post with an “at issue” panel. Ms. Loreto’s post has had wide publication.

Councillor Forbes comments on Twitter violate section 4.2 (ii) which states:

*Council and Board Members shall not use indecent, abusive or insulting words or expressions toward Council and Board Members, members of the public or staff and shall act in accordance with the Municipal Violence Free Workplace Policy.*

## 6. INTERVIEWS WITH COUNICLLOR FORBES

On April 21, 2018, I sent a copy of the complaint to Councillor Forbes asking for a written response. On April 25<sup>th</sup>, 2018 I received a written response to complaint from Councillor Forbes.

In his response he expressed how he felt when he heard about the Humboldt Broncos bus crash. He has a child the age as those Humboldt players who just returned from a two day bus ride to Collingwood for hockey. He was very upset saying it “shook me deeply”. When Loreto Tweeted her view of the level of fund raising that resulted from the accident, Councillor Forbes felt the need to express his opinion of her Tweet. It was an emotional time. He stated that “While I can see the point of view that my comments are out of line for an elected official, I didn’t view myself as acting as an elected capacity when they were posted but rather as a private citizen”

## **7. CONCLUSIONS**

I discussed this complaint with Councillor Forbes as a follow-up to his written response. Councillor Forbes has “been reminded by the Mayor that once elected, those (private citizen and Councillor roles) are no longer hats I can take on and off at will”. He realizes that there is no grey area. Once a Councillor you are held to a high standard. That is why there is a Council Code of Conduct. Councillor Forbes responded that “My regret is that this matter will not doubt serve as a distraction to all the good work the Sioux Lookout municipal council has been doing the last 4 years. And I am sorry for that”. I advised Councillor Forbes that Councillors at the local government level are subject to the same conduct protocols of a Member of Parliament in Ottawa and a Member of the Provincial Parliament in Toronto.

## **8. RECOMMENDATIONS**

After receiving Councillor’s written response and our interview by phone, it is my recommendation that there is no discipline warranted in this instance. Councillor Forbes is now well aware that his conduct, comments and posts on social media is to be held to the highest standard. There is no upside to responding to radical comments on social media by the public at large as well as journalists that use social media to get their views across. While one can disagree with comments posted on social media, opinions can be expressed in a more respectful manner and without swearing. I am confident Councillor Forbes will conduct himself with a great amount of discretion on line in any future posts.