

Legislative  
Assembly  
of Ontario



Assemblée  
législative  
de l'Ontario

Office of the Integrity Commissioner  
The Honourable J. David Wake, Commissioner

Bureau du commissaire à l'intégrité  
L'Honorable J. David Wake, Commissaire

January 27, 2020

Board of Directors, Democracy Watch  
c/o Duff Conacher, Co-founder of Democracy Watch  
P.O. Box 821, Stn. B, Ottawa, ON  
K1P 5P9

**DELIVERED VIA EMAIL: [info@democracywatch.ca](mailto:info@democracywatch.ca)**

Dear Mr. Conacher,

**Re: Your letter of January 22, 2020**

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I write in response to your letter of January 22, 2020.

Due to the limits set out in the *Lobbyists Registration Act, 1998* (Act), I am not able to provide you information regarding the matters you raised about potential non-compliance of certain individuals with the Act.

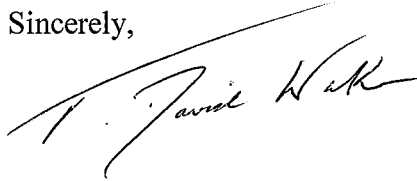
As you note, the Act at subsection 17.10(1) states that I cannot disclose to “any person” whether I am conducting an investigation, or any information, document or thing obtained during an investigation. The only exceptions are that I may disclose any information, document or thing if necessary to the conduct of the investigation, to refer to law enforcement, to enforce a penalty (e.g. to publicize the name of the person against whom a finding is made), or for the purposes of my annual report (subsection 17.10(2)).

The Act makes no allowance for me to disclose information to members of the public who raise concerns with my office. While the Act allows me to act on the information you or other members of the public provide, it does not contain an exception to allow me to release information to you (or any other member of the public) unless such disclosure is necessary to my investigation (which, in my view, it is not). I cannot agree with your analysis that the Act allows me to disclose information to you if my investigation is completed. The language and purpose of the Act suggest otherwise.

As required by the Act, in my 2019-2020 annual report, as always, I will describe the investigations I conducted during the year, as well as the number of matters that I referred, refused or ceased to investigate. I encourage you to review my annual report when released.

I appreciate your feedback regarding public information about section 3.4 of the Act. I thank you and Democracy Watch for your ongoing interest in the integrity of our governmental institutions. If you have any questions or concerns please contact, Stephan Luciw, General Counsel at 416-314-1583 or [stephan.luciw@oico.on.ca](mailto:stephan.luciw@oico.on.ca).

Sincerely,

A handwritten signature in black ink, appearing to read "J. David Wake". The signature is fluid and cursive, with a long horizontal stroke at the end.

The Honourable J. David Wake  
Integrity Commissioner