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émocratie en surveillance

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Integrity Commissioner Cathryn Motherwell
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June 15, 2026

RE: Request for investigation and public ruling on Deputy Director of Policy for the former Ministry of Mines Kevin Rombout leaving his ministry position and going to work directly for Kinross Gold, and on whether former Minister of Mines George Pirie has participated in any discussions, decisions or votes concerning Kinross Gold since Mr. Rombout left his office

Dear Commissioner Motherwell:

I am writing requesting investigations and public rulings on the situations of:

1. Deputy Director of Policy for the former Ministry of Mines Kevin Rombout leaving his ministry position and going to work directly for Kinross Gold Corporation, which seems to violate the *Public Service of Ontario Act*, and;
2. Whether former Minister of Mines George Pirie (current Minister of Northern Economic Development and Growth) has participated in any decisions concerning Kinross Gold since Mr. Rombout left his office,

which would violate the provisions in the *Members' Integrity Act* that prohibit “improperly” furthering the interests of another person or entity.

A. The situation at issue

The situation at issue is described in the June 14, 2026 *Toronto Star* article concerning Kevin Rombout’s move from the office of the Minister of Mines directly to Kinross Gold. [Click here to see](#) the article.

As the article summarizes, the facts of the situation, in part revealed by more than 4,000 pages of Government of Ontario records obtained by the *Star* under the *Freedom of Information and Protection of Privacy Act (FIPPA)*, show that:

- Kevin Rombout was Senior Policy Advisor from July 2022 to August 2024, and then Deputy Director of Policy from August 2024 to December 2024, for then-Minister of Mines George Pirie (Mr. Rombout’s LinkedIn profile confirms this – [click here to see](#) it);
- In that position, Mr. Rombout exchanged emails with Kinross Gold concerning its Great Bear gold mine project and directed public servants at multiple ministries on how to advance the project.
- He then left the Minister’s office in December 2024 and became Senior Analyst External for Kinross Gold, and;
- The Ontario government and Kinross Gold both claim that Mr. Rombout consulted the office of then-Integrity Commissioner J. David Wake, and that the Commissioner approved him moving from his senior position in the Minister’s office during he was involved in the government file concerning Kinross Gold’s mine directly to working for Kinross, and;
- Kinross provided the *Star* with what it said was an excerpt from the Commissioner’s determination that said Mr. Rombout did not appear to hold any confidential information that could give Kinross an unfair advantage.

B. Request for investigation and public ruling on Kevin Rombout’s actions

i. The applicable legal provisions to Mr. Rombout’s actions

Under [section 68](#) of the *Public Service of Ontario Act, 2006*, S.O. 2006, c. 35, Sched. A (*PSOA*), the Integrity Commissioner is the “ethics executive” for anyone who works in a minister’s office.

Under [section 69](#) of the *PSOA*, a ministerial staff person is required to notify the Integrity Commissioner when s/he “has personal or pecuniary interests that could raise an issue under the conflict of interest rules that apply to him or her” (subsection 69(3)) and the Commissioner “may make such inquiries as he or she

considers appropriate” (subsection 69(4)) and then shall “make a determination” (clause 69(5)(a)) and give the staff person “directions” that the Commissioner “considers appropriate to address the conflict of interest or potential conflict of interest.” The staff person “shall comply” with the direction (subsection 69(6)), and the Commissioner shall notify the Minister of any determination and direction (subsection 69(7)).

Under the *PSOA* is *O.Reg. 382/07, Conflict of Interest Rules for Public Servants (Ministers' Offices) and Former Public Servants (Ministers' Offices)*.

[Section 6](#) of *O.Reg. 382/07* prohibits a ministerial staff person giving “preferential treatment to any person or entity” and requires ministers’ staff to “endeavour to avoid creating the appearance that preferential treatment is being given to a person or entity...”

[Section 20](#) of *O.Reg. 382/07* prohibits a ministerial staff from advising the government about a "particular proceeding, negotiation or other transaction" and then going to work for any public body person or entity that is involved in that proceeding, negotiation or other transaction until the government ceases to be involved in the matter.

[Section 17](#) of *O.Reg. 382/07* prohibits a former ministerial staff person from ever using “confidential information in a business or undertaking” (subsection 17(2)), and from ever disclosing:

“confidential information obtained during the course of his or her employment by the Crown to a person or entity unless the former public servant is authorized to do so by law or by the Crown.” (subsection 17(1)).

[Section 19](#) of *O.Reg. 382/07* prohibits a ministerial staff person in a “designated senior position” (which is defined in [subsection 14\(1\)](#) as including ministerial advisor positions) from having substantial involvement with a public body, person or entity (clause 19(1)(a)) and having “access to confidential information” (clause 19(1)(b)) during the year before they leave their ministerial position and then, for one year after they leave their position, going to work with any public body, person or entity (subsection 19(2)) for which disclosure of the confidential information would give the body, person or entity “an unfair advantage in relation to one or more third parties” (clause 19(1)(b)).

One of the many absurdities of the government ethics provisions in the *PSOA* is that, under [section 70](#), the only penalty for violating a conflict-of-interest provision or a direction is possible (not mandatory, only possible) “disciplinary measures, including suspension and dismissal” from their government position. This is obviously a completely useless, meaningless penalty for someone whose action of moving to a position outside the government is the action that violates the *PSOA* provisions.

ii. Applying the legal provisions to Kevin Rombout's actions

The evidence obtained by the *Star* suggests that Kevin Rombout was advocating on behalf of Kinross Gold while he was in his position in the office of Minister of Mines. His advocacy appears to amount to preferential treatment for Kinross Gold and raises serious questions concerning whether he violated section 6 of *O.Reg. 382/07*. An investigation and public ruling are warranted into whether his actions violated section 6.

The evidence obtained by the *Star* also shows that Kevin Rombout clearly had substantial involvement with Kinross Gold during his last year in the office of the Minister of Mines in his positions as Senior Policy Advisor and Deputy Director of Policy (both of which are designated senior positions), specifically concerning the "particular proceeding, negotiation or other transaction" of Kinross' Great Bear gold mine, which has applied for approvals from the government.

Therefore, it seems clear that Mr. Rombout moving directly from the Minister's office to the position of Senior Analyst External for Kinross Gold would violate section 20 of *O.Reg. 382/07*.

Secondly, it is impossible for a former ministerial staff person to forget the confidential information that they learned while they were in their government position. As a result, even if they don't disclose that information to any person or entity, they can't help but use the information if it relates in any way to any business or undertaking in which they are involved.

Under [section 12](#) of *FIPPA*, records concerning deliberations between the offices of Cabinet ministers and Cabinet and its committees is confidential and cannot be disclosed for 20 years, and under [section 13](#) advice to the government is also confidential.

Given that the records obtained by the *Star* show Mr. Rombout was substantially involved in the government's review of Kinross' Great Bear gold mine, it is simply unbelievable that, as Senior Policy Advisor and Deputy Director of Policy in the office of the Minister of Mines, he did see any confidential information about the project.

Therefore, it seems clear that Mr. Rombout moving directly from the Minister's office to the position of Senior Analyst External for Kinross Gold would also violate section 17 of *O.Reg. 382/07*.

Thirdly, Mr. Rombout must have "had access to" at least one piece of confidential information (a Cabinet confidence or advice to Cabinet record) that would give Kinross Gold an unfair advantage in relation to the Grassy Narrows First Nation which opposes the mine. The government's internal position, questions, concerns, thinking, criteria for approval etc. about Kinross' Great Bear gold mine

would all clearly give Kinross an unfair advantage in relation to any other person or entity concerned about, opposing, investing or tracking the project.

Again, given that the records obtained by the *Star* show Mr. Rombout was substantially involved in the government's review of Kinross' Great Bear gold mine, it is simply unbelievable that, as Senior Policy Advisor and Deputy Director of Policy in the office of the Minister of Mines, he did not have access to any of this confidential information.

Therefore, it seems clear that Mr. Rombout moving directly from the Minister's office to the position of Senior Analyst External for Kinross Gold would also violate section 19 of *O.Reg. 382/07*.

iii. The need for an investigation and public ruling on Mr. Rombout's actions

Given the above analysis of the situation and Kevin Rombout's actions, an investigation and public ruling by you is clearly needed.

It is possible that Mr. Rombout misled former Integrity Commissioner Wake concerning whether he had substantial involvement with Kinross Gold and the government's review of Kinross' Great Bear gold mine project and access to confidential information the project during his last year in his position in the office of the Minister of Mines.

It is also possible that Commissioner Wake did not do anything but ask Mr. Rombout and a couple of other people in the government whether he had substantial involvement with Kinross Gold and the government's review of about Kinross' project and access to confidential information about the project during his last year in his government position, and that Commissioner Wake simply took their word that he did not.

That would not be at all surprising given that Commissioner Wake's enforcement record during his 8.5 years in office was negligently weak, including that:

- he approved of the fundraising events partially organized by businesses involved in the privatization of Hydro One and attended by Ontario Liberal Cabinet ministers Bob Chiarelli and Charles Sousa, who were responsible for the privatization process;
- he let off Premier Doug Ford even though he clearly violated the *MIA* by participating in the Cabinet meeting that approved Ford's old friend Ron Taverner as OPP Commissioner;
- he let off almost 98% of lobbyists he found violating the Ontario's *Lobbyists Registration Act*, 1998, S.O. 1998, c. 27, Sched. (*LRA*), and;
- he encouraged a culture of corruption that at least partially caused both the Greenbelt scandal and the Skills Development Fund scandal as he approved (through a negligently weak interpretation bulletin and guideline,

and through multiple rulings he issued) of dozens of lobbyists violating the key conflict of interest prohibition in the *LRA* and allowed them to fundraise, campaign and/or work for Premier Ford and his Cabinet ministers and/or the PC Party and then beginning to lobby the Premier and his Cabinet within a year afterwards.

In any case, it is very clear for several reasons that a full investigation is needed and a public ruling. The situation raises several very serious questions concerning what seem to be clear violations of one of Ontario's most important government ethics and democratic good government laws, and about former Integrity Commissioner Wake's approval of these violations.

The Supreme Court of Canada ruled in two cases in 1996 that "If democracies are to survive, they must insist upon the integrity of those who seek and hold public office" (*Harvey v. New Brunswick*, 1996] 2 SCR 876), and; "given the heavy trust and responsibility taken on by the holding of a public office or employ, it is appropriate that government officials are correspondingly held to codes of conduct which, for an ordinary person, would be quite severe" and; "[t]he magnitude and importance of government business requires not only the complete integrity of government employees and officers conducting government business but also that this integrity and trustworthiness be readily apparent to society as a whole" (*R. v. Hinchey*, [1996] 3 S.C.R. 1128).

As L'Heureux-Dubé, J. wrote for the majority in *Hinchey*: "The need to preserve the appearance of integrity..." requires that the statutory provisions at issue in *Hinchey* be interpreted so as to prohibit actions "...which can potentially compromise that appearance of integrity" (para. 16). Justice L'Heureux-Dubé also noted: "...it is not necessary for a corrupt practice to take place in order for the appearance of integrity to be harmed. Protecting these appearances is more than a trivial concern" (para. 17).

The appearance of integrity of the Ontario government cannot be preserved without a full investigation and public ruling by you concerning this situation and Mr. Rombout's actions.

Democracy Watch's opinion is that, given the evidence and the legal provisions that apply, you should issue a public ruling that Mr. Rombout moving directly from the office of the Minister of Mines to Kinross violated section 20 of *O.Reg. 382/07*. Democracy Watch's opinion is also that a full investigation and public ruling from you are warranted given Mr. Rombout's switch in jobs very likely violated also sections 17 and 19 of *O.Reg. 382/07*.

Democracy Watch's opinion is also that, given the evidence and the legal provisions that apply, you should also issue a public ruling that Mr. Rombout continuing in his position at Kinross violates section 17 of *O.Reg. 382/07*.

Democracy Watch's opinion is also that, given the evidence and the legal provisions that apply, it also appears that Mr. Rombout gave Kinross Preferential treatment while he was an advisor to the Minister of Mines, and that a full investigation and public ruling by you are warranted on those actions by Mr. Rombout.

Finally, as mentioned above, one of the many absurdities of the government ethics provisions in the *PSOA* is that, under [section 70](#), the only penalty for a public servant like Mr. Rombout violating a conflict-of-interest provision or a direction is possible (not mandatory, only possible) "disciplinary measures, including suspension and dismissal" from their government position. This is obviously a completely useless, meaningless penalty for someone like Mr. Rombout whose action of moving to a position outside the government is the action that, in Democracy Watch's opinion, violates the *PSOA* provisions.

As a result, you should also immediately issue an urgent call on all Ontario political parties to work together to add as soon as possible strong, mandatory penalties for people who have left their public service and are found to have violated the *PSOA*. The penalties should include fines, claw back of severance and pension payments, and a prohibition on working in the Ontario public service again. These penalties should also be added to the current penalties of suspension or dismissal from a public service position. As with all penalties, to be effective the imposition of a penalty should be mandatory for all violations, and the level of the penalty should be on a sliding scale that increases based both on the seriousness of the violation, and the income and overall wealth of the person being penalized.

C. Request for investigation and public ruling on Minister Pirie's actions

[Section 67](#) of the *PSOA* requires Ontario Cabinet ministers to ensure their staff are familiar with the ethics rules, and to promote ethical conduct by their staff.

Given former Minister of Mines George Pirie must have known at some point that his Director of Policy Kevin Rombout was considering leaving and taking a job with Kinross, this raises serious questions about whether Minister Pirie complied with the requirement in section 67 to promote ethical conduct by his staff.

Under [section 30](#) of the *Members' Integrity Act, 1994*, S.O. 1994, c. 38 (*MIA*), a member of the Ontario Legislature "who has reasonable and probable grounds to believe that another member has contravened this Act or Ontario parliamentary convention" or the Executive Council may request that you issue a public ruling on the situation.

The [Preamble](#) of the *MIA* sets out the principles upon which the *MIA* is based. Part 3 of the Preamble states that:

“Members are expected to perform their duties of office and arrange their private affairs in a manner that promotes public confidence in the integrity of each member...”

and Part 4 states that:

“Members are expected to act with integrity and impartiality that will bear the closest scrutiny.”

By quoting these statements under the heading “Standards of Behaviour” on the webpage:

<http://www.oico.on.ca/home/mpp-integrity/resources-for-new-mpps>

you make it clear that you consider the expectations set out in the Preamble to be as enforceable as all the other rules in the *Act*. In fact, you state at the end of that section on that webpage:

“The Act contains further rules and statements of values that must be adhered to by all MPPs.”

Sections [2](#) and [4](#) of the *MIA* state:

“Conflict of interest

2 A member of the Assembly shall not make a decision or participate in making a decision in the execution of his or her office if the member knows or reasonably should know that in the making of the decision there is an opportunity to further the member’s private interest or improperly to further another person’s private interest. 1994, c. 38, s. 2.

...

Influence

4 A member of the Assembly shall not use his or her office to seek to influence a decision made or to be made by another person so as to further the member’s private interest or improperly to further another person’s private interest. 1994, c. 38, s. 4.”

[Section 8](#) of the *MIA* states that, when in a conflict of interest under section 2 or section 4, the member of the legislature or “Executive Council” (Cabinet) shall, if present at a meeting at which the private interest is being discussed, disclose their conflict of interest and “withdraw from the meeting without voting or participating in consideration of the matter.”

The huge loophole in the *Act*, namely the definition in section 1 that says a “private interest”:

“does not include an interest in a decision,

(a) that is of general application,

(b) that affects a member of the Assembly as one of a broad class of persons...”

would not allow Minister Pirie to escape scrutiny for participating in a decision concerning Kinross, given that the decisions concerning the Great Bear gold mine specifically affect Kinross and, therefore, do not apply generally or to Mr. Pirie as one of a broad class of persons.

On page 8 of his February 8, 2002 ruling on the actions of then-Deputy Premier and Minister of Finance Jim Flaherty, then-Integrity Commissioner Coulter A. Osborne stated concerning the word “improperly”:

“that the qualification “improperly” is intended to convey a sense that the decision made (section 2) or influence exercised (section 4) was objectionable, unsuitable or otherwise wrong (see Black’s Law Dictionary definition of “improper”).”

You can see that ruling at:

<https://www.oico.on.ca/web/default/files/public/re-flaherty-minister-of-finance-feb-8-2002.pdf>

Given George Pirie was Minister of Mines, and given that he became Minister of Northern Economic Development and Growth, it is reasonable to assume that he would have continued, after Mr. Rombout left his office to go to work for Kinross, to be involved in meetings concerning the Ontario government’s review of Kinross’ Great Bear gold mine project.

Given his relationship with Mr. Rombout as his former senior advisor, and given Mr. Rombout’s position at Kinross, it would clearly be improper (objectionable, unsuitable and wrong) for Mr. Pirie to participate in any meetings concerning the Ontario government’s review of Kinross’ Great Bear gold mine project.

Therefore, an investigation and public ruling by you are warranted into whether Mr. Pirie has violated sections 2 and/or 4 and 8 of the *MIA* by participating in any meetings concerning the Ontario government’s review of Kinross’ Great Bear gold mine project.

Again, as L’Heureux-Dubé, J. wrote for the majority in the Supreme Court of Canada’s 1996 ruling in *R. v. Hinchey*: “The need to preserve the appearance of integrity...” requires that the statutory provisions at issue in *Hinchey* be interpreted so as to prohibit actions “...which can potentially compromise that appearance of integrity” (para. 16).

As a result, you should interpret the word “meeting” in section 8 of the *MIA* to include any communications in any way, including by email, text or other electronic means, between Mr. Pirie and anyone else in the Cabinet.

D. Conclusion: Uphold key ethics measures, unlike your predecessor

You have an opportunity to properly enforce key measures in key government ethics and democratic good government laws, the *Public Service of Ontario Act* and the *Members' Integrity Act*.

As summarized above, your predecessor J. David Wake failed to properly enforce Ontario's government ethics and democratic good government laws several times and, as a result, encouraged a culture of corruption that has tainted many Ontario government decision-making and policy-making processes since 2016.

We hope that you will correct course and begin, finally, to enforce these key laws as the Supreme Court of Canada ruled 30 years ago they must be enforced – to prevent and prohibit any action that can even potentially compromise the appearance of integrity in Ontario politics.

We look forward to hearing back from you about this request, and hopefully to seeing your public rulings issued very soon.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Duff Conacher', with a stylized flourish at the end.

Duff Conacher, Co-founder of Democracy Watch
on behalf of the Board of Directors of Democracy Watch