

From: Joel Clements
Sent: Wednesday, April 14, 2021 11:43 AM
To: Regional Clerk <ClerkGeneralLine@york.ca>
Subject: Code of Conduct Complaint Against Councillor Perrelli

I wish to submit this letter as a formal delegation related to matters being discussed by Region of York Council at their next scheduled meeting.

Re.: Region of York Code of Conduct Complaint Against Councillor Perrelli, Recommendation Report, March 30, 2021

Dear Members of Council, Region of York,

I forward this email that I sent to the City of Richmond Hill Mayor and Council after reading the Integrity Commissioners Recommendation Report related to a complaint files against Regional Councillor Carmine Perrelli.

Please note that when I made a complaint to the Mayor and Council of the City of Richmond Hill after experiencing a similar situation to the person who lodged the complaint with your Integrity Commissioner and I was told that, and I quote directly, "social media accounts belonging to our councillors are not considered city property – even if councillors identify themselves as members of Richmond Hill Council. As a result, what they choose to include or remove from those accounts is completely up to them."

However, during the Region of York Integrity Commissioner's investigation Regional Councillor Perrelli advised that "because his Twitter account is operated under the auspices of the City of Richmond Hill and the complainant is a resident of Richmond Hill, the complaint is beyond the jurisdiction of the York Region Integrity Commissioner."

It would appear that Regional Councillor Perrelli is cleverly hiding behind mutually conflicting conditions – a move that would allow him to essentially escape consequences for his behaviour.

Clearly the actions of Councillor Perrelli, both in his actions towards constituents and the contradictory nature of his defence, do not serve the public in a conscientious and diligent manner that promotes public confidence, nor would they bear public scrutiny.

It is my understanding that you will be dealing with the Integrity Commissioners report in the near future, and it is my hope that you do so in a manner that sends a clear message that integrity is valued by the members of the Region of York Council.

Sincerely,
Joel Clements
Resident, City of Richmond Hill

Begin forwarded message:

From: Joel Clements

Subject: Social Media Accounts

Date: April 13, 2021 at 2:33:28 PM EDT

Cc: Joe DiPaola <joe.dipaola@richmondhill.ca>, "greg@gregberos.com" <greg@gregberos.com>, Castro Liu <castro.liu@richmondhill.ca>, David West <david.west@richmondhill.ca>, Karen Cilevitz <karen.cilevitz@richmondhill.ca>, Godwin Chan <godwin.chan@richmondhill.ca>, Carmine Perrelli <carmine.perrelli@richmondhill.ca>, Office-Mayor Richmondhill <officemayor@richmondhill.ca>, Tom Muench <tom.muench@richmondhill.ca>, Clerks Richmondhill <clerks@richmondhill.ca>

Dear Acting Mayor DiPaola and Council,

I has been several months since my letter to you all, and since then there have been additional claims of City of Richmond Hill councillors blocking members of the community from their social media accounts. The "several members of council" that I referenced in my previous letter were in fact Councillors **Carmine Perrelli, Greg Beros and Tom Muench.**

It has now come to my attention that a complaint was lodged with the Region of York Integrity Commissioner regarding Carmine Perrelli blocking a resident on Twitter. Mr. Perrelli's actions were found to be **contrary to the Code of Conduct.**

I have provided a link to the report for your reference, but would like to draw your attention to the **Summary of Findings** and **Recommendations** put forward by the Integrity Commissioner:

Summary of Findings:

[87] We find that effect of the Councillor blocking the complainant was to silence criticism of the Councillor on his Twitter account. To do that outside of a framework within which offensive postings can be adjudged, and proportional remedies applied as required, necessarily makes the decision-making around blocking to be arbitrary.

[88] In any event we find that the action was not justified, as the complainant's comment was not offensive or abusive.

[89] We find that arbitrary blocking on an open Twitter account contravenes the Code of Conduct principle that "Members shall serve the public in a conscientious and diligent manner that promotes public confidence and will bear public scrutiny".

[90] Though we find the action taken by the Councillor to breach the Code of Conduct, we believe it would be unfair to effect punishment, given the absence of guidance available in this relatively new area. Therefore, we are not recommending the imposition of any sanction. Principles Integrity

[91] In making our findings we recognize that given the recent and rapid evolution of social media as a means of communicating with constituents, codes of conduct have not kept pace in providing appropriate guidance for elected officials.

[92] Although we find that arbitrary blocking of criticism on open social media is contrary to the Code of Conduct, we also recognize that there is an absence of guidance provided to members of councils, including York Region Council, within a Code of Conduct. On that basis we do not believe these to be circumstances in which a sanction ought to be imposed on the Respondent. As noted above, we believe that “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”. The imposition of a sanction is not in the public interest in every case.

[93] Nevertheless, in following MICO’s Statement of Principles, this report has provided an opportunity to provide education and promote good governance. Recommendations:

Recommendations:

[94] It is recommended that this Report be received for information, and that no sanction be imposed on the Respondent.

[95] We also recommend that a policy framework be developed to include some general guidance for members, recognizing that circumstances certainly exist when a member would be well within their rights to block (or take other steps not addressed in this report, such as muting) a person on social media.

[96] Such policy guidance should include the provision of notice, the reasons for taking the action of blocking, and a specific time period for when the blocking would be in effect (which creates the space for remediation and more appropriate discourse).

[97] We will be pleased to be in attendance when this report is considered to answer any questions Council may have relating to its contents.

This breach of the Region of York Code of Conduct by Mr. Perrelli represents similar behaviour by himself and his two colleagues (that I am aware of) toward the electorate of the City of Richmond Hill. Mr Perrelli, Beros and Muench regularly block members of the public who represent a differing view, or question their public statements made on social media.

I would ask that Council review and consider the summary of findings, and in particular the recommendations, as they relate to the behaviour of certain councillors who serve the City of Richmond Hill. The Region of York IC has recommended that a policy framework be developed to provide guidance to Councillors regarding their use of social media. It is my understanding from the response I received from the Mayors office (prior to Mayor Barrows medical leave) there are currently no guidelines in place regarding the social media accounts of elected officials representing the City of Richmond Hill. It is obvious that we require a **policy framework** for the use of social media, just has been recommended for the Region of York.

During the complaint process with the Region of York, Councillor Perrelli opined that the Region IC did not having jurisdiction over his Twitter account – that it was operated under the auspices of the City of Richmond Hill. However, when I made the complaint copied below, the Mayors office was quick to point out that the social media accounts of Councillors are not considered “city property”. These types of contradictions do not serve the public in a conscientious and diligent manner that promotes public confidence and will bear public scrutiny. This situation of mutually conflicting conditions that block the public’s ability to hold elected officials accountable for their actions illustrates perfectly why the City of

Richmond Hill Council needs to develop a policy framework for the use of social media by elected officials. None of you should be above scrutiny.

Furthermore, I request that Councillors Perrelli, Beros and Muench restore my access to their public social media accounts immediately.

Thank you,
Joel Clements

Link to Region of York Code of Conduct Complaint Against Councillor Perrelli, Recommendation Report, March 30, 2021

https://yorkpublishing.escibemeetings.com/filestream.ashx?DocumentId=21450&fbclid=IwAR1_efemSP7BaewdbkzmA6D3Fgen5la0LVuUebKS3MwUcVG-WCFhLApE-FU