

ONTARIO JUDICIAL COUNCIL

**IN THE MATTER OF A HEARING UNDER SECTION 51.6 of the
COURTS OF JUSTICE ACT, R.S.O. 1990, c. C. 43, as amended**

**Concerning a Complaint about the Conduct of
the Honourable Justice Donald McLeod**

Before:

Justice Janet Simmons, Chair
Court of Appeal for Ontario

Justice Michael Epstein
Ontario Court of Justice

Mr. Malcolm Mercer
Lawyer Member

Mr. Victor Royce
Community Member

Hearing Panel of the Ontario Judicial Council

ORDER FOR DISCLOSURE

Counsel:

Mr. Guy J. Pratte, Ms. Nadia Effendi, and Ms. Christine Muir
Presenting Counsel

Mr. Frank Addario and Mr. Wes Dutcher-Walls
Counsel for Justice McLeod

ORDER

THIS REQUEST made by Presenting Counsel for the Ontario Judicial Council, was heard on Wednesday, May 27, 2020 by teleconference;

WHEREAS the Hearing Panel is authorized, under the *Procedural Rules* of the Ontario Judicial Council, to order disclosure in respect of information or documents prepared exclusively for the purpose of the investigative stage of the Complaint Process;

AND WHEREAS in response to a request from Presenting Counsel to meet with her, Dahabo Ahmed-Omer informed Presenting Counsel that she was unwilling to so meet without first reviewing the transcript of her interview, dated July 4, 2019 (the “Transcript”) with investigating counsel retained to assist the investigating complaint subcommittee of the Ontario Judicial Council; and

ON NOTING the consent of the parties, and on hearing the submissions of the Presenting Counsel and lawyers for the Honourable Justice Donald McLeod,

IT IS HEREBY ORDERED that:

1. The Transcript is to be disclosed to Ms. Ahmed-Omer, subject to the following restrictions:

- a. The Transcript shall be provided by Presenting Counsel to Ms. Ahmed-Omer electronically at *dahabo.ahmedomer@gmail.com*;

- b. Ms. Ahmed-Omer is prohibited from disclosing, circulating or otherwise disseminating the Transcript, and from making any copies of the Transcript, other than for personal use in relation to this hearing; and
 - c. upon completion of her evidence at the hearing or the hearing, whichever is the earliest, Ms. Ahmed-Omer shall permanently delete the electronic copy of the Transcript provided to her from all devices on which she received or stored it and shall destroy any other copies made by her.
2. The Transcript is to remain otherwise confidential and shall not be further disclosed or made public, subject to the use of the Transcript at the hearing of the within complaint proceeding by Presenting Counsel or counsel for the Honourable Justice Donald McLeod.

Released: this 2nd day of June, 2020.

“Justice Janet Simmons”, Chair

“Justice Michael J. Epstein”

“Mr. Malcolm M. Mercer”

“Mr. Victor Royce”