

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 J. Epstein
Ontario Court of Justice

Mr. Malcolm M. Mercer
Lawyer Member

Mr. Victor Royce
Community Member

Hearing Panel of the Ontario Judicial Council

ORDER REGARDING WITHDRAWAL OF SUMMONSES

Counsel:

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

Mr. Frank Addario, Ms. Sheila Block, Mr. Faisal Mirza and Mr. Anthony Morgan
Counsel for Justice McLeod

ORDER

1. As Presenting Counsel has advised that the following employees of the federal civil service have provided all documents within their control that would have been required under summonses issued on June 3, 2020, Presenting Counsel's request for leave from the Hearing Panel to withdraw the summonses in relation to such employees is granted: Susan MacPhee, Zubair Patel and Tia Tariq.
2. In a letter to Presenting Counsel dated September 2, 2020, Senior Counsel for the Department of Justice, Ms. Elizabeth Kikuchi, has advised that The Honourable Minister Ahmed Hussen is not prepared to waive parliamentary privilege and provide evidence under a summons issued on June 3, 2020 in relation to him. Presenting Counsel's request to withdraw the summons in relation to Minister Hussen is adjourned to the next appearance date To Be Spoken To.
3. Counsel shall arrange two further appearance dates prior to October 31, 2020 through the Registrar to address outstanding issues including: the place and mode of hearing; the number of witnesses and where the witnesses will be coming from; and how many days of evidence will be required.

Released: this 14th day of September, 2020.

"Justice Janet Simmons", Chair

"Justice Michael J. Epstein"

"Mr. Malcolm M. Mercer"

"Mr. Victor Royce"