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**In the matter of an  
INVESTIGATION PURSUANT TO THE CODE OF CONDUCT BYLAW NO. 53, 2023  
COMPLAINT NO. 2025-0029**

**Submitted by Reece Harding  
Young, Anderson (the "Investigator")  
February 26, 2026**

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**INVESTIGATION REPORT re File 2025-0029**

**INTRODUCTION**

1. In June 2025, Young, Anderson was retained as an Investigator under the City of Kamloops Code of Conduct Bylaw No. 53 (the “Code”) in relation to a complaint that was submitted by Councillor Dale Bass. The complaint alleges that Mayor Hamer-Jackson breached the Code by sending a series of emails in April and May of 2025 to staff and Council that: (1) contained intimidating, bullying, and abusive content; and (2) breached privacy obligations.

2. This report is prepared and submitted pursuant to section 4.32 of the Code and has been delivered to the complainant, respondent, and Corporate Officer as per sections 4.32 (d) and (e) of the Code. As discussed below, I have determined that Mayor Hamer-Jackson did breach the Code. My recommendation as to remedial measures, censure, sanctions, and corrective actions is set out in detail below.

**THE COMPLAINT**

3. As noted above, the complaint centres on Mayor Hamer-Jackson’s email correspondence in April and May of 2025. In short, the complaint, which was submitted by Councillor Bass, alleges that the Mayor sent a series of emails in April and May to staff that: (1) contained intimidating, bullying, and abusive content; and (2) breached privacy obligations. She characterized the Mayor’s conduct as follows:

*The mayor has subjected at least three staff with a barrage of intimidating, abusive and privacy-breaking emails. Barrage may not be an accurate description; multiple emails sent at all times of the day or night, often one after another, with personal details that never should have been included in work emails. The rhetoric used seems to me to be intimidating and possible attempts to obstruct them from performing their jobs.*

**ISSUES**

4. In view of the complaint, this report will consider the following issues:

1) Did the Mayor breach his privacy obligations under the Code?

a) Do the Mayor’s emails contravene FIPPA (s. 3.1(a) & (c); s. 3.15)?

b) Did the Mayor share or otherwise reveal personal information of staff (s. 3.8)?

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- 2) Were the Mayor's emails intimidating and abusive in a manner that breached the Code?
  - a) Do the Mayor's emails constitute bullying and harassment (sections 3.1(a) & (d); section 3.11)?
  - b) Did the Mayor's emails constitute intimidating conduct directed at influencing staff's exercise of their official duties (section 3.22)?

## SUMMARY OF EVIDENCE

*a. Records provided by the City*

5. I asked the City to provide copies of the responses to these alleged privacy breaches, along with the initial email or records from the Mayor that led to the privacy concerns in the first place.

6. I received these records from S.22(1) Personal Information, who provided several emails and text messages in response to my request. Specifically, S.22(1) P provided me with original correspondence that triggered a breach of privacy; communications to the Mayor and others to contain the breach; correspondence with the Mayor related to the breaches; and the closing letters from the Office of the Information and Privacy Commissioner (OIPC) in which it is confirmed, from their perspective, privacy breaches occurred.

7. S.22(1) P also provided the following high-level summary of the privacy breaches:
- PRIV-25-014- occurred on April 28, 2025, when the Mayor included personal information of two employees in an email to all Council and a staff member;
  - PRIV-25-016- occurred on May 1, 2025, when the Mayor included personal information of a staff member in an email to all Council and a staff member; and
  - PRIV-25-018- occurred on May 13, 2025, when the Mayor included personal information of a staff member in a text message to a Councillor.

8. I will not reproduce, in the body of this report, the emails and the text message at issue in the files described above. They are all attached to our December 10, 2025, letter to the Mayor.<sup>1</sup>

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<sup>1</sup> I will refer to this letter as "**Attachment A**" throughout my investigation report, as it contains most of the documents that are relevant to the investigation. As I will discuss further below, it represented a final attempt, after many months of attempts, to seek the Mayor's participation in this matter and contained a detailed disclosure of particulars.

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Broadly, they show Mayor Hamer-Jackson communicating with council members regarding an employment issue that engaged their **S.22(1) Personal Information**. In the emails and text messages, Mayor Hamer-Jackson reveals the details of conversations he says he had with certain City employees, including the **S.22(1) Personal Information**.<sup>2</sup>

9. The City quickly determined that, in its view, these communications constituted privacy breaches under the *Freedom of Information and Protection of Privacy Act* (FIPPA). As such, the City attempted to contain the breaches by directing Mayor Hamer-Jackson to “double-delete” the emails. It appears that Mayor Hamer-Jackson chose not to comply with the City’s direction.

10. The City also reported the matter to the OIPC on this issue. The OIPC’s closure letters were provided to me.<sup>3</sup> These letters indicate that the OIPC determined that the emails constituted privacy breaches and that the City had reasonably attempted to contain the breaches. As I will discuss further below, I am not bound by the views of either the City or the OIPC as to whether a privacy breach took place. I must make an independent determination under the Code as to whether the emails breached the Code. I simply refer to these determinations here because they are part of the factual background of the complaint.

11. Also at issue in this complaint are other emails sent by Mayor Hamer-Jackson to the staff members that were responsible for communicating with him regarding the alleged privacy breaches. These emails were sent by Mayor Hamer-Jackson, in particular to **S.22(1) Personal Information**. As with the emails above, I will not perform a verbatim recitation of their contents in the body of this report.<sup>4</sup> The emails were sent in April and May of 2025 and generally they are communications between **S.22(1) Personal Information**, Mayor Hamer-Jackson, and Council. **S.22(1) Personal Information**, in the emails, asked Mayor and Council to delete the emails, as the City has determined that they are privacy breaches. In other emails, **S.22(1) Personal Information** attaches summaries of the OIPC’s determinations on these issues.

12. It is Mayor Hamer-Jackson’s response to the emails that he received from **S.22(1) Personal Information** that are at issue. I will set out the relevant background and content here.

13. On April 29, 2025, **S.22(1) Personal Information** sent Mayor Hamer-Jackson an email regarding PRIV-25-014, noted above, which included a direction to double-delete the email that the City had

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<sup>2</sup> The communications that initiated the privacy breach files are at Attachment A, pp. 9, 16, and 26-28. The versions of these communications attached to Attachment A are redacted. I have also attached unredacted copies of each of these communications as Attachment B.

<sup>3</sup> Attachment A at pp. 46-55.

<sup>4</sup> See Attachment A.

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determined was a privacy breach. Mayor Hamer-Jackson responded the next day saying, “what are you asking me to do?”

14. On May 2, 2025, after an email from [REDACTED] regarding PRIV-25-016, containing a direction to double-delete, Mayor Hamer-Jackson responded with five emails of his own, sent between 9:54am and 11:01am. In those five emails, Mayor Hamer-Jackson posed a series of rhetorical questions. While the exact nature of his views are hard to follow, he: (1) questions the City’s view that anyone’s privacy has been breached; (2) asks about [REDACTED] conduct in other FOI-related matters; (3) asks whether a Supreme Court judge would agree with “deleting evidence”; (4) asks whether [REDACTED] and another City employee have “taken the most recent FOIPPA foundation exam” as he has; and (5) refers to the first time he met [REDACTED], which he links to a general feeling of disillusionment with the City and its processes.<sup>5</sup>

15. [REDACTED] responded at 11:27am by reiterating the City’s position on the emails. [REDACTED] noted, in particular, that no evidence was being deleted and that a record of the email thread at issue would be preserved for records retention purposes.<sup>6</sup> To this response, Mayor Hamer-Jackson sent several emails to [REDACTED] and another City employee<sup>7</sup> in which he poses a series of statements and questions regarding: (1) whose privacy has been breached; (2) whether staff are “protecting people that have lied publicly”; (3) why staff is not answering him promptly; and (4) who is in charge of the Whistleblower Policy. These emails were sent between 2:51pm and 11:56pm on May 2, 2025.<sup>8</sup>

16. On May 15, 2025, [REDACTED] sent Mayor Hamer-Jackson an email relating to PRIV-25-18, which included a direction to double-delete the text messages that were the subject of that file.<sup>9</sup> Mayor Hamer-Jackson did not respond to [REDACTED], but instead sent Councillor Margot Middleton an email alleging that [REDACTED] and another City staff member [REDACTED]. He also stated that [REDACTED].<sup>10</sup>

17. The emails described above, along with my interviews with the relevant witnesses, which I will set out in more detail below, inform the factual and legal findings in this report.

<sup>5</sup> Emails 20-25, Attachment A at pp. 17-25.

<sup>6</sup> Email 26, Attachment A at pg. 21.

<sup>7</sup> We have not referred to this City employee by name, as it is not relevant to the complaint, but this person was [REDACTED] supervisor.

<sup>8</sup> Emails 27-32, Attachment A at pp. 22-23.

<sup>9</sup> Attachment A at pp. 51-52.

<sup>10</sup> Attachment A at pg. 50.

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### *b. City Staff Members*

18. Multiple City staff members were interviewed during this investigation. I have chosen to summarize, for the purposes of this report, the evidence of two of the parties interviewed – [REDACTED] and [REDACTED]. These staff members were generally interviewed in relation to the allegations in the complaint regarding bullying and harassment. Those allegations stem from Mayor Hamer-Jackson's responses to staff's interaction with him regarding the alleged privacy breaches.

19. I found the evidence given by staff in their interviews to be forthright, reliable, and easily verifiable from my own review of the documents I had received from the City. In any event, as I will discuss later, Mayor Hamer-Jackson provided no evidence of his own to counter that which staff provided. Therefore, I have no evidentiary or credibility conflicts that I need to resolve. I accept the evidence of [REDACTED] and [REDACTED].

20. In the sections below, I will refer to the emails that are at issue in the complaint by the number assigned to them in the investigation. I will not repeat the content of the emails which are attached to this report and described above.

i. [REDACTED]

21. I spoke with [REDACTED], the City's [REDACTED] and [REDACTED] on November 5, 2025.<sup>11</sup> While there is more detail in the summary of [REDACTED] witness statement, I will further summarize [REDACTED] evidence here as well. [REDACTED] stated that, in respect of emails 8, 9, 12, 21-26, 30, and 31:

- they were aggressive and sarcastic in tone;
- were sent at a rapid speed;
- were, in [REDACTED] opinion, impolite and disrespectful; and
- that they caused [REDACTED] to feel humiliated and intimidated.

22. Specifically, [REDACTED] told me that

- in relation to email 25, [REDACTED] considered this a direct attack on [REDACTED] integrity in [REDACTED] role as [REDACTED];

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<sup>11</sup> A summary of [REDACTED] witness statement can be found at pages 3-4 of Attachment A.

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- in relation to email 9, that [REDACTED] felt this was a direct attack on [REDACTED] character and was an allegation that privacy staff were acting in a manner that was illegal. [REDACTED] characterized this as an “intimidation tactic” and noted that [REDACTED] believed there was a threat of legal action attached to this email;
- in relation to emails 21-24, 27 and 30, Mayor Hamer-Jackson questioned [REDACTED] professional competence; and
- in relation to email 31, Mayor Hamer-Jackson’s question as to who was in charge of the Whistleblower Policy was a threat.

In conclusion, it was clear from my interview with [REDACTED] that [REDACTED] found the Mayor’s conduct to be unwelcome and objectionable.

ii. [REDACTED]

23. I spoke with [REDACTED], the City’s [REDACTED], on November 6, 2025. Along with [REDACTED], [REDACTED] was implicated by the Mayor’s emails. Unlike [REDACTED], who was the direct recipient of many of the emails, [REDACTED] became aware of them only because of [REDACTED] employment duties relating to the containment of privacy breaches at the City.

24. As with [REDACTED] witness statement, [REDACTED]’ more detailed summary witness statement is attached to our December 10, 2025 letter to Mayor Hamer-Jackson.<sup>12</sup> [REDACTED] evidence very much echoed that of [REDACTED], as one might expect, since both have duties related to information and privacy.

25. More specifically, [REDACTED] stated that:

- [REDACTED] believed email 21 was about [REDACTED], as [REDACTED] [REDACTED]
- [REDACTED] thought emails 8, 22 and 23 were an attempt to influence [REDACTED] in relation to a direction [REDACTED] had given Mayor Hamer-Jackson to double delete emails; and

<sup>12</sup> A summary of [REDACTED] witness statement can be found at pages 4-5 of Attachment A.

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- [REDACTED] thought emails 31-33 were also directed at [REDACTED], because [REDACTED] is the staff member that makes decisions related to privacy breaches and because, again, [REDACTED] had [REDACTED] referred to above.

26. [REDACTED] told me that, in relation to nearly 30 privacy breaches [REDACTED] addressed with Mayor Hamer-Jackson, [REDACTED] had rarely achieved compliance. Rather, when attempting to address a privacy breach, [REDACTED] usually received a response that was related to a different matter or often past grievances. [REDACTED] felt that the Mayor was personalizing issues when [REDACTED] was simply trying to do [REDACTED] job as an employee of the City.

### ***c. Mayor Hamer-Jackson***

27. In this section of the report, I summarize my attempts to seek a response from and the participation of Mayor Hamer-Jackson, who is the respondent in this matter. I was unable to obtain a substantive response to any of these communications, and so I proceeded with and concluded the investigation without his participation.

28. On June 9, 2025, I sent an initial letter to Mayor Hamer-Jackson, notifying him of the complaint and enclosing a copy of it for his review.

29. On July 14, 2025, I sent a letter to Mayor Hamer-Jackson, informing him that I had decided not to dismiss the complaint on a preliminary basis, but rather to accept it for formal investigation. In this letter, I provided Mayor Hamer-Jackson with further records and particulars and requested that he give a written response by July 25, 2025.

30. On July 25, 2025, my colleague, Nick Falzon, emailed Mayor Hamer-Jackson, noting that the deadline set by my last letter had passed, asking if Mayor Hamer-Jackson intended to provide a written response to the complaint or needed more time.

31. On August 13, 2025, I sent Mayor Hamer-Jackson a further letter informing him that the investigation would proceed without his initial response as contemplated by the Code.

32. On October 8, November 9, and December 5 of 2025, and January 6, 2026, I sent letters extending the deadline to issue a written investigation report. In all these letters, I referred to the opportunity to hear from Mayor Hamer-Jackson as one reason that an extension of time was required.

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33. On November 6, 2025, my colleague, Amy O'Connor, emailed Mayor Hamer-Jackson to advise that we would soon reach out to again offer him a formal chance to participate, and I forwarded that same email to a second email address used by Mayor Hamer-Jackson.

34. On November 9, 2025, Mayor Hamer-Jackson responded with the following email:

Please forward all of my said emails and text with the words in question. Just the actual derogatory terms that I have allegedly asked. Thanks Reid.

35. I responded to this email and again sought to engage Mayor Hamer-Jackson in this complaint, summarizing the communications with him on this file and informing him that a more detailed letter would be provided to him. I also offered him the choice of either a digital interview or a response in writing.

36. Shortly after I sent that email, Mayor Hamer-Jackson responded with the following:

Just the specific actions and words in question please. Thanks Mayor Hamer-Jackson. Does CAO McCorkell hire you?

37. On December 11, 2025, Ms. O'Connor sent Mayor Hamer-Jackson a further, 57-page letter providing him with detailed and well-prepared particulars of the complaint, detailed summaries of witness interviews and another opportunity to respond. This letter stated that the deadline to respond would be January 9, 2026.<sup>13</sup>

38. Mayor Hamer-Jackson wrote back to Ms. O'Connor and me, via email, approximately twenty minutes after our office sent this letter and said the following:

Please just do your report and send to your same jury (councillors). Thanks Mayor Hamer-Jackson.

39. While I understood Mayor Hamer-Jackson's email of December 11, 2025, to be an indication that he would not be providing any response to the complaint, I advised him that I remained open to receiving such a response if he were to change his mind. In this regard, I decided to wait until the January 9, 2026 deadline I had set expired before advancing the investigation further. No response was received from the Mayor.

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<sup>13</sup> See Attachment A

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40. Ultimately, I received nothing of utility from the Mayor during this entire investigation, despite my many attempts to engage with him.

41. In my view, it is clear from the narrative above that the Mayor's failure to participate in this investigation led to significant delays in the production of this investigation report and has increased the cost of this investigation.

### **ANALYSIS**

#### **a. *Scope of the Complaint***

42. This complaint deals with two issues regarding certain email correspondence that Mayor Hamer-Jackson sent to staff and Council in April and May of 2025. While the specific legal issues are set out above, I must consider whether this correspondence was:

(1) sent in breach of the statutory privacy obligations imposed on Mayor Hamer-Jackson by the *Freedom of Information and Protection of Privacy Act* and the Code; and

(2) bullying, intimidating or abusive in a manner that breaches the Code.

#### **b. *The Code of Conduct Bylaw***

43. Five main provisions of the Code are at issue in this matter. First, it is alleged that Mayor Hamer-Jackson breached section 3.15(a) of the Code, which states:

3.15 A Member must:

(a) comply with the provisions of the *Freedom of Information and Protection of Privacy Act* and all policies and guidelines established by the City;

44. Second, and while section 3.15 incorporates FIPPA by reference, section 3.8 contains a more specific rule with respect to the disclosure of personal information:

3.8 A Member must not publish, share, or otherwise reveal, on social media or otherwise, any Personal Information belonging to Members, Staff, or Volunteers, or any of their respective families or other personal relations, nor make any statements attacking Members, Staff, or Volunteers, or any of their respective families or other personal relations.

45. Third, it is alleged that Mayor Hamer-Jackson breached sections 3.1(d) of the Code, which states:

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3.1 A Member shall not:

(d) Bully or Harass another person;

46. Fourth, Bullying and Harassment is also prohibited by section 3.11(c) of the Code:

3.11 Without limiting the ability of the Member to hold a position on an issue and respectfully express an opinion, a Member must ensure that:

...

(c) all communications by, and on behalf of a Member, including communications made via social media, are respectful and do not discriminate against, Bully and Harass, or defame any Member, Staff, or Volunteer.

47. "Bullying and Harassment" is defined in the Code as including:

(a) any conduct that would be contrary to any of the policies or guidelines established by the City concerning bullying or harassment;

(b) any unwelcome or objectionable conduct or comment that would be considered discriminatory under the Human Rights Code;

(c) Sexual Harassment;

(d) any other unwelcome or objectionable conduct or comment by a Member toward another person that causes that individual to be humiliated or intimidated, including verbal aggression or insults, making derogatory comments, including questioning the professional competence of a Member, Staff, or Volunteer, calling someone derogatory names, or spreading malicious and untrue rumours;

48. Fifth, section 3.22 is implicated by the complaint. It states:

3.22 A Member shall only use the influence of their office in the good faith exercise of their official duties, and shall not intimidate, improperly influence, threaten, or coerce Staff, other Members, or Volunteers.

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## FINDINGS

49. In respect of all findings made in this report, I have applied a civil standard of proof – the balance of probabilities. This standard, which is the only civil standard of proof in Canadian law, asks the trier of fact to determine whether it is “more likely than not” that an event occurred (see *F.H. v. McDougall*, 2008 SCC 53).

50. I note again, as I did earlier, that Mayor Hamer-Jackson did not co-operate with this investigation. I have therefore based my findings on both my own reading of the communications that came from him, as well as the uncontradicted evidence I received from City staff.

51. For the following reasons, I find that Mayor Hamer-Jackson breached the Code with respect to both aspects of the complaint.

**a. Privacy Breach Allegations**

52. In relation to the privacy breach allegations, I have stated above already that I am not bound by the determinations of either the City or the OIPC in this respect. I must, as required by the Code, make an independent determination as to whether Mayor Hamer-Jackson complied with his obligations under FIPPA, which are incorporated into the Code by section 3.15(a). Accordingly, I have put no weight on the earlier determinations made by the City and OIPC.

53. Section 36.3 of FIPPA sets out the definition of “privacy breach”. That section states:

**36.3** (1) In this section, "**privacy breach**" means the theft or loss, or the collection, use or disclosure that is not authorized by this Part, of personal information in the custody or under the control of a public body.

54. What is clear from a review of this section is that “collection”, “use”, and “disclosure” of personal information must only take place if authorized by FIPPA. Therefore, the question is whether Mayor Hamer-Jackson’s emails and text messages at issue constituted “disclosure” of personal information that was not authorized by FIPPA.

55. “Personal information” is defined by FIPPA as:

recorded information about an identifiable individual other than contact information;<sup>14</sup>

56. To review again, the City and OIPC determined that:

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<sup>14</sup> The Code of Conduct incorporates this definition.

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- PRIV-25-014 occurred on April 28, 2025, when the Mayor included personal information of two employees in an email to all Council and a staff member;
- PRIV-25-016 occurred on May 1, 2025, when the Mayor included personal information of a staff member in an email to all Council and a staff member; and
- PRIV-25-018 occurred on May 13, 2025, when the Mayor included personal information of a staff member in a text message to a Councillor.

57. Having reviewed the emails and text messages at issue in these files, I find that they did contain personal information of staff members:

- PRIV-25-014 resulted from an email containing personal information about the **S.22(1) Personal Information**. On April 28, 2025, Mayor Hamer Jackson emailed all of Council, copying **S.22(1) Personal Information**, and made comments about the employment status of **S.22(1) Personal Information** and **S.22(1) Personal Information** family circumstances.
- PRIV-25-16 resulted from a very similar email, this one sent on May 1, 2025, that contained information about **S.22(1) Personal Information**, again speculating about **S.22(1) Personal Information** employment circumstances and, this time, referring to a potential WorkSafeBC complaint that **S.22(1) Personal Information** may have filed against another staff member.
- PRIV-25-18 resulted from a text message that Mayor Hamer-Jackson sent to Councillor Karpuk on May 13, 2025, in which he stated that the **S.22(1) Personal Information** felt fearful, and came to him to inform him of this.<sup>15</sup>

58. All three files resulted from content that was similar – the Mayor informed Councillors, either by text message or email, about personal circumstances of **S.22(1) Personal Information**. The communications clearly contained “personal information” of **S.22(1) Personal Information**.

59. The next question is whether, having made the finding that the communications contained personal information, Mayor Hamer-Jackson was authorized by FIPPA to disclose the information. The reasons a person may disclose personal information are set out in section 33 of FIPPA. Section 33(1) states:

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<sup>15</sup> See Attachment B

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**33 (1)** A public body may disclose personal information in its custody or under its control only as permitted by subsections (2) to (9) or by section 33.3.

60. I will not set out subsections (2) through (9), which are lengthy, but note that the only subsection that arguably could apply to the information disclosed by the Mayor is subsection 33(2)(h):

(h) to an officer or employee of the public body, or to a minister, if the information is necessary for the performance of the duties of the officer, employee or minister;

61. While the Mayor did not provide me with any submissions on this point, this is the subsection that would authorize an officer of a public body (which would include an elected official)<sup>16</sup> to disclose to another officer information that is necessary for the performance of the duties of that officer.

62. The information at issue in the emails and text messages above was clearly not necessary for the performance of Council duties. Some of it related to the personal circumstances of **S.22(1) Personal Information**, to a WorkSafeBC complaint (which would be confidential), and to various private conversations that the Mayor says he had with **S.22(1) Personal Information**. I cannot see, when reviewing the communications in isolation and in the context within which they were sent, how they could relate to the duties of Council. As well, Mayor Hamer-Jackson provided no explanation of his view on this either during our investigation or in the emails he sent after he received privacy breach notifications from City staff.

63. Section 33(2)(h) of FIPPA which, again, is incorporated in the Code through sections 3.8 and 3.15, creates a “need to know” principle. That is, personal information must only be disclosed to those whose duties require knowledge of that information. Council has enshrined this principle, generally, in a policy entitled Council Policy No. CGL-30 “Confidential Personnel Records”.<sup>17</sup> That policy requires Councillors to:

not use or disclose confidential personnel information except for:

- the purpose for which that information was originally obtained or compiled
- a use which the individual has consented in the prescribed manner

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<sup>16</sup> See *R. v. Skakun*, 2014 BCCA 223

<sup>17</sup> See Attachment C

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64. I find that, by disseminating sensitive material regarding S.22(1) Personal Information in the three instances set out above, Mayor Hamer-Jackson violated this principle. In doing so, he also violated sections 3.8 and 3.15(a) of the Code.

### b. Bullying and Harassment/Intimidation

65. I must now determine whether Mayor Hamer-Jackson breached sections 3.1(d), 3.11(c), and 3.22 of the Code. Again, the communications that are at issue in this analysis are those directed toward S.22(1) Personal Information after S.22(1) P directed the Mayor to double-delete the communications that the City had determined to be breaches of privacy, as well as one email to Councillor Middleton that referred to S.22(1) Personal Information.

i. S.22(1) Personal Information

66. As regards S.22(1) Personal Information, S.22(1) Pers evidence was centred on the Mayor's emails regarding S.22(1) Personal Information and the "preservation of evidence" for use in BC Supreme Court.<sup>18</sup> S.22(1) P told me that these emails referred to S.22(1) P, and I accept S.22(1) P evidence in this regard. An accusation from the Mayor to a staff member of S.22(1) Personal Information, coming in the context of that staff member asking the Mayor to comply with freedom of information legislation, is serious. I accept S.22(1) Personal Information, evidence that S.22(1) P was impacted negatively by these communications, finding them unwelcome and objectionable. They, as a response to staff exercising their duties, baselessly call into question S.22(1) Personal Information *bona fides* in a manner that is unbecoming of an elected official.

67. However, I must also grapple with the fact that none of the emails at issue were directly addressed to S.22(1) Personal Information. Rather, some were addressed to Councillor Middleton, and others to S.22(1) Personal Information and another City employee. Can I find that Mayor Hamer-Jackson "bullied" S.22(1) P even though he did not include S.22(1) P as a recipient on the emails at issue?

68. I find that I can. In doing so, I note again that the definition of "bullying and harassment" in the Code includes the following language:

(d) any other unwelcome or objectionable conduct or comment by a Member toward another person that causes that individual to be humiliated or intimidated, including verbal aggression or insults, making derogatory comments, including questioning the professional competence of a Member, Staff, or Volunteer, calling someone derogatory names, or spreading malicious and untrue rumours;

<sup>18</sup> Emails 9, 21, 22, 23, 29, and Document #6, Attachment A at pp. 12, 19, 20, 22, and 50.

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69. While much of the conduct captured by this definition includes an element of directness, it is also intended to capture indirect conduct, such as “spreading malicious or untrue rumours”. That phrase, used as an example of “any other unwelcome or objectionable conduct by a Member toward another person” indicates that the word “toward” in this definition does not always require a direct communication or action.

70. In any event, I note that section 3.11(d) imposes a free-standing obligation on Council Members to ensure that all communications do not bully or harass a staff member. This section does not limit itself to public communications and appears to me to apply to communications dealing with City business, as are at issue here.

71. With that in mind, I find that Mayor Hamer-Jackson’s emails regarding S.22(1) Personal Information, of which there are several, were clearly directed “toward” S.22(1) Personal Information, as Mayor Hamer-Jackson knew that S.22(1) Personal Information. S.22(1) Personal Information S.22(1) Personal Information. As noted above, an allegation that a staff member S.22(1) Personal Information is a serious matter.

72. I therefore find that Mayor Hamer-Jackson’s emails were “unwelcome and objectionable conduct” by a member “toward” S.22(1) Personal Information. They were communications that constituted bullying pursuant to section 3.1(d) and 3.11(c) of the Code.

73. I cannot, however, find that the comments breached section 3.22 of the Code. As I read that provision, to find a breach of that section, I must determine that the communications at issue were an attempt to influence a staff member other than in good faith. I simply do not have enough evidence to make this finding as regards S.22(1) Personal Information, principally because the communications were not directed to S.22(1) Pe

ii. S.22(1) Personal Information

74. In relation to S.22(1) Personal Information, I find that Mayor Hamer-Jackson acted in a manner that was both unwelcome and intimidating. S.22(1) Personal Information told me that S.22(1) P found the Mayor’s emails to be aggressive, sarcastic, and often sent at a rapid speed. S.22(1) P further told me that the emails caused S.22(1) P to feel humiliated and intimidated. I accept this characterization and agree with S.22(1) Personal Information that the emails can be reasonably characterized as questioning S.22(1) Pe professional judgment and competence.

75. I find that, in particular, on May 2, 2025, Mayor Hamer-Jackson bullied and intimidated S.22(1) Personal Information when he: (1) questioned whether S.22(1) P had taken the most recent “FOIPPA

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foundations course” as he had; (2) made vague remarks about the day they met; (3) implied that he would not comply with [REDACTED] directions due to the need to use documents in a BC Supreme Court proceeding; (4) asked [REDACTED] who was in charge of the Whistleblower Policy; and (5) asked many other odd and sometimes disjointed questions.<sup>19</sup>

76. These communications were intimidating and abusive in a manner that breached the Code. The fact that these communications came in relatively quick succession and were in response to a single email from [REDACTED] also supports my conclusion. I agree with [REDACTED] that it would be intimidating for a staff member to receive several successive communications from a person, like the Mayor, in a position of power at the City.

77. Finally, [REDACTED] told me that [REDACTED] felt that Mayor Hamer-Jackson’s comments regarding BC Supreme Court could be taken as a threat of litigation against [REDACTED]. I agree that this is a reasonable characterization. This further informs my conclusions regarding bullying and intimidation. I also note that Mayor Hamer-Jackson asked David Hallinan, who is copied on some of the emails from [REDACTED], who was in charge of administering the City’s Whistleblower Policy. While his intention in asking this question is not totally clear, one can infer that— because he asked this after being notified by staff of a privacy breach, and because a Whistleblower Policy deals with allegations of staff misconduct – he was threatening to report [REDACTED] under this Policy.

78. In sum, I find that the communication by Mayor Hamer-Jackson regarding the privacy breach files discussed above constituted bullying as defined in the Code because they contained unwelcome and objectionable comments towards [REDACTED] that caused [REDACTED] to feel humiliated or intimidated, including verbal aggression or insults, derogatory comments, and questioning [REDACTED] professional competence.

79. I find that this conduct also constituted intimidation of [REDACTED] under section 3.22 of the Code, as it was directly related to two staff members directing Mayor Hamer-Jackson to double-delete emails. When one reads the Mayor’s communications in context, I find that they show him attempting to influence staff in relation to the decision to characterize his prior emails as privacy breaches. The emails go beyond simply asking clarifying questions, and stray into territory that the staff involved reasonably characterized as threatening or intimidating.

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<sup>19</sup> Emails 21-25, 27, 28, 30, 31, Attachment A at pp. 19, 20, 22, and 23.

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**RECOMMENDATIONS****a. Section 4.32**

80. As I have found a breach of the Code, I am guided by section 4.32, which states that I must:

- a) consider whether the Respondent (the Mayor) took all reasonable steps to prevent the breach, or whether the breach was trivial or done inadvertently or because of an error in judgment made in good faith, in which case I am to recommend no sanctions; and
- b) if I do not make the determination above, make recommendations as to the appropriate censure, sanctions, corrective actions, and/or other measures to address the breach.

81. In my opinion, having considered the circumstances through which Mayor Hamer-Jackson breached the Code, I cannot find that he took reasonable steps to prevent the breach, that the breach was trivial or inadvertent, or that the breach occurred because of an error in judgment made in good faith. In fact, the circumstances of this matter indicate that the Mayor was combative with the City staff who were simply attempting to do their jobs. Had the Mayor simply complied with their directions to double-delete the offending emails this complaint might not have been filed in the first place. In other words, the Mayor's decisions made the breach worse as opposed to preventing a further breach. In addition, the Mayor was given many opportunities to participate in this investigation to explain himself, and he refused to do so. As such, without his side of the story, I have no basis on which I could make findings under section 4.32 of the Code in any event. I am left with no choice but to conclude that this was not an inadvertent breach or error in judgment made in good faith.

**b. The Recommended Remedies**

82. Under section 4.35 of the Code, the following remedies are available to Council:

- a) a letter of reprimand from Council addressed to the Member;
- b) a request from Council that the Member issue a letter of apology, in a form and with content acceptable to Council;

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- c) the publication of the letters contemplated in subsections (a) and (b), along with the Member's written response, if any;
- d) directions to the CAO or Corporate Officer regarding the terms and conditions upon which the Member may receive Council or other City documents including documents containing Confidential Information;
- e) mandatory training on City business, the *Community Charter*, or this Bylaw;
- f) mandatory training on respectful workplace communications or other interpersonal skills;
- g) restrictions or conditions on access to certain City facilities;
- h) in accordance with the *Community Charter*, suspension or removal of the Member from some or all Committees and bodies to which the Member was appointed;
- i) prohibition from representing the City at events and/or being reimbursed for attending conferences and seminars;
- j) suspension or removal of the appointment of a Council Member as deputy mayor;
- k) the remuneration to which a Council Member would be otherwise entitled under Council Policy No. GGL -3, Remuneration, Travel Expenses, Insurance, and Communications Allowance be reduced in an amount and for a period considered to be reasonable in the circumstances;
- l) referral to a prosecutor or police;
- m) public censure of a Member; and
- n) any other sanctions, corrective actions, and other measures recommended by the Investigator or considered appropriate by Council, so long as those sanctions, corrective actions, and other measures are within Council's authority.

83. As I have stated in previous Code reports, in recommending an appropriate remedy, I ought to look at the circumstances and nature of the breach and its severity. Reviewing these

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factors, I then must recommend a remedy that is proportionate to the degree of the wrongdoing (see *Clark v. City of Medicine Hat*, 2024 ABKB 513). As always, I am also mindful of the words of the BC Supreme Court in *Skakun v. Prince George (City)*, 2011 BCSC 1796:

[44] I think it reasonable to think in certain cases council need to state the standard of expected conduct, but I note this: it is a power to be exercised with great care and great discretion. Far too easily, this could turn into an abuse of process for cheap political gain, and any council that sets out in this direction must be careful in what it is doing.

84. As an Investigator under the Code, I need to ensure that I take care to recommend a remedy that is proportionate to the breaches that I have found, not only because doing so is consistent with the purposes of the Code, but because of the Court's warning to municipal councils generally. I acknowledge that my recommendation will likely have a substantial effect on Council's ultimate decision when considering this investigation report.

85. My recommendation is further informed by the foundational principles at section 2.1 of the Code and that the office of Mayor carries with it certain responsibilities that are distinct from those given to other members of council. Section 116 of the *Community Charter* sets out the Mayor's responsibilities. I will not reproduce the whole section, but I note specifically subsections (2) (a) and (h):

(2) In addition to the mayor's responsibilities as a member of council, the mayor has the following responsibilities:

(a) to provide leadership to the council, including by recommending bylaws, resolutions and other measures that, in the mayor's opinion, may assist the peace, order and good government of the municipality;

...

(h) to carry out other duties assigned under this or any other Act.

86. I highlight these subsections because they reflect the significance of the Mayor's role as the elected leader of council and the community of Kamloops. That role imposes a duty on the Mayor to uphold the obligations placed upon him by provincial statutes and local bylaws in the interest of peace, order and good government.

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87. In relation to this complaint, I would place the privacy breaches at the lower end of the spectrum as regards their seriousness. I say this not because of the content of the information disclosed, but because the information stayed within the City's network and appears to have been adequately contained. The people who received the information, Council, have a duty of confidentiality under the *Community Charter* and the Code, which requires them to keep the information in strict confidence.

88. This was not the same, therefore, as a matter in which the information was disseminated to the public or the media.

89. The Mayor's reactions to the privacy breaches, however, which I have found constituted bullying and intimidation of staff, are of a different character. I wish to acknowledge just how difficult it would be for staff to be met with such a response when carrying out their employment duties especially when such responses come from the Mayor himself. As noted above, I accept the evidence provided to me by [§.22(1) Personal Information] and [§.22(1) Personal Information] regarding the impact of Mayor Hamer-Jackson's actions on them. In my opinion, no Mayor should treat staff in this manner and the Mayor owes these staff an unqualified apology.

90. Accordingly, I recommend to Council that in accordance with section 4.35 (a), (b), (c), (k) and (m) of the Code that:

- a. Council formally censure the Mayor and that a redacted FIPPA compliant version of this report be released to the public;
- b. the Mayor be sent a letter of reprimand from Council and a request from Council that the Mayor issue three unqualified letters of apology to [§.22(1) Personal Information], in a form and with content acceptable to Council and that the City publish these letters along with the Mayor's written apologies, if any; and
- c. failing the Mayor complying fully with the directions in paragraph (b) above within 21 days of Council's request to do so, that the Mayor's remuneration be reduced as per *Council Policy No. GGL -3, Remuneration, Travel Expenses, Insurance, and Communications Allowance* in an amount and for a period considered to be reasonable in the circumstances. In my judgment, a reduction of 5% for the remainder of the Mayor's term would be appropriate.

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All of which is respectfully submitted on this 26<sup>th</sup> day of February, 2026.

R.H.

Reece Harding,  
Investigator