



Order in Council
Décret

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and concurrence of the Executive Council, orders that:

Sur la recommandation du soussigné, le lieutenant-gouverneur, sur l'avis et avec le consentement du Conseil des ministres, décrète ce qui suit :

WHEREAS by Order in Council O.C. 2589/87, dated the 26th day of November 1987, Mr. Rick C. Romain of Toronto was appointed a Justice of the Peace in and for the Province of Ontario.

AND WHEREAS a justice of the peace may be removed from office only by an order of the Lieutenant Governor in Council made pursuant to subsection 8(1) of the *Justices of the Peace Act*, which order may be made only if, pursuant to subsection 8(2) of the Act: a complaint regarding the justice of the peace has been made to the Justices of the Peace Review Council; and the removal is recommended, following an inquiry held under section 12 of the Act, on the ground that the justice of the peace has become incapacitated or disabled from the due execution of his or her office by reason of infirmity, conduct that is incompatible with the execution of the duties of his or her office, or having failed to perform the duties of his or her office as assigned.

AND WHEREAS the Justices of the Peace Review Council has, pursuant to subsection 11(7) of the Act, made a report dated January 25, 2002 and two reports dated September 4, 2002 to the Attorney General on complaints regarding His Worship Rick C. Romain, a Justice of the Peace, in which the Justices of the Peace Review Council recommended that an inquiry regarding His Worship Rick C. Romain be held under s. 12 of the Act.


AND WHEREAS pursuant to subsection 12(1) of the Act, the Honourable Mr. Justice Russell James Otter of the Ontario Court of Justice was appointed by Order in Council O.C. 2226/2002, dated the 18th day of December, 2002, to inquire into the question of whether there has been misconduct by His Worship Rick C. Romain and to prepare a report in accordance with section 12 of the Act.

AND WHEREAS the Honourable Mr. Justice Otter found in a report dated July 17, 2003 that His Worship Rick C. Romain has become incapacitated or disabled from the due execution of his office by reason of conduct that is incompatible with the execution of the duties of his office and recommended, pursuant to subsection 12(3) of the Act, that he be removed from office by order of the Lieutenant Governor in Council.

AND WHEREAS the Executive Council has considered the report of the Honourable Mr. Justice Otter and accepts the recommendation of that report that His Worship Rick C. Romain be removed from office by order of the Lieutenant Governor in Council.

NOW THEREFORE pursuant to subsection 8(1) of the Act, the said Order in Council O.C. 2589/87 is revoked and His Worship Rick C. Romain is removed from office.

Recommended 
Attorney General

Concurred 
Chair of Cabinet

Approved and Ordered NOV 27 2003
Date


Lieutenant Governor