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Trustee made 'mistake,' court told

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A lawyer for embattled Catholic school Trustee Oliver Carroll said he made a "mistake" in breaching conflict of interest rules and that his "error in judgment" shouldn't cost him his seat on the school board.

Lawyer **Kim Mullin** said Carroll, a current trustee who chaired the Toronto Catholic District School Board from 2003 until 2006, didn't intentionally violate the Municipal Conflict of Interest Act this past May.

The allegations stem from Carroll's actions before, during and after a May 14 board meeting in which the board voted to not lay off teachers. Carroll's daughter was a new hire with the board. The decision cost the board at least \$3 million and added to its multi-million-dollar deficit.

The alleged conflict-of-interest incident landed in the courts after ratepayer Michael Baillargeon accused the trustee of helping Trustee Maria Rizzo introduce an amendment opposing layoffs and of taking part in the debate leading up to the decision.

ALWAYS OPPOSED LAYOFFS

Arguments for both sides wrapped up yesterday.

As Carroll sat in the court, Mullin said Carroll had been consistent since being elected to the board in 2003. He had always opposed layoffs and cuts to programs that would affect students, Mullin said, adding that his conduct surrounding the meeting was an "error in judgment."

"Trustee Carroll, on May 14 ... was trying to do his job, which he saw as protecting education and protecting programs," Mullin said.

Peter Jervis, lawyer for Baillargeon, said the trustee should be stripped of his position and barred from seeking a public seat for seven years.

"The evidence is incontrovertible that he committed these acts," Jervis said.

Baillargeon and Carroll declined to comment outside of court, citing their lawyers' instructions.

Justice J.E. Kelly said she would send her decision in writing to lawyers for both sides. She didn't offer a date but said she would work "vigorously" to come to a ruling.

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