

## Coroner's Inquest into the Death of Scott Johnson

March 2019

The following information is being provided in light of PEO's participation at the coroner's inquest into the death of Scott Johnson at a 2012 Radiohead concert.

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### What is PEO's role at the inquest?

The inquest will examine the events surrounding the death of Scott Johnson. Mr. Johnson, 33, died on June 16, 2012. He was working on a temporary concert stage at Downsview Park when the stage roof structure collapsed. An inquest is mandatory under the *Coroners Act* when a worker dies on a construction project. The inquest will examine the events surrounding Mr. Johnson's death. The jury may make recommendations aimed at preventing future tragedies of a similar nature. The inquest is expected to last three weeks and hear from approximately 25 witnesses.

As regulator of the practice of professional engineering in Ontario, PEO sought and received standing at the inquest. PEO's participation may include providing an overview of its statute, applicable PEO regulations and guidelines, and providing input with respect to implementation of recommendations relating to the regulation of professional engineers and professional engineering in Ontario.

### Has PEO opened any investigations as a result of this incident?

PEO can confirm that there is an open and ongoing registrar's investigation into the conduct of former engineer Domenic Cugliari.

PEO is required to treat all investigations strictly confidentially under Section 38 of the *Professional Engineers Act*, and as such cannot comment on or confirm the details of any investigation.

As a regulator, it is PEO responsibility to investigate any possible engineering practice deficiencies related to this incident and determine if engineering work was carried out by appropriately licensed people and companies. Our investigation is consistent with our mandate to govern PEO licence and certificate of authorization holders, and regulate and advance professional engineering practice to protect the public interest.

### Is Domenic Cugliari still licensed as an engineer with PEO?

No. Mr. Cugliari resigned his licence in July 2018. As such, he can no longer refer to himself, or be referred to, as an engineer. However, PEO still has jurisdiction over Mr. Cugliari for work he performed while he held a licence.

### What is a registrar's investigation?

As outlined in section 33 of the *Professional Engineers Act*, PEO's registrar can initiate investigations in the absence of a complaint being filed, on reasonable and probable grounds that a PEO licence holder or a holder of a certificate of authorization has committed an act of professional misconduct or incompetence. Investigators appointed by the registrar under section 33 investigations are provided powers, similar to those provided to law enforcement officials under a search warrant, to enter the business premises of the licence or certificate of authorization holder under investigation and examine anything relevant to the subject of the investigation. These investigations could lead to the discipline of PEO licence or certificate of authorization holders. As set out in section 38 of the *Professional Engineers Act*, all information relating to any investigation must be kept confidential. When matters or allegations are referred to the Discipline Committee for hearing, the discipline proceedings are generally open to the public.

**In general, when can PEO confirm if a complaint against a licence holder has been received or if an investigation has been launched?**

PEO's Complaints Committee considers complaint investigations in the public interest and makes the decisions relating to the disposition of each complaint file. Among the possible outcomes – a complaint may not be referred to the Discipline Committee, a complaint may not be referred to the Discipline Committee with some other action taken, and finally, a complaint matter may be referred to the Discipline Committee for a hearing. Information only becomes public if there is a referral to Discipline, and on issuance of a Notice of Hearing by the Discipline Committee. Upcoming hearings are posted on PEO's website: [http://www.peo.on.ca/index.php/ci\\_id/2186/la\\_id/1.htm](http://www.peo.on.ca/index.php/ci_id/2186/la_id/1.htm).