

## **Annual Report 2011-2012 – Facts and Highlights**

**Total complaints and inquiries received: 18,541** – up 27% from last year.

**Top 5 most complained about organizations (excluding jails) – page 76:** 1. Family Responsibility Office (**759** complaints); 2. Workplace Safety and Insurance Board (**582**); 3. Ontario Disability Support Program (**575**); 4. Driver Licensing (**351**); 5. Hydro One (**232**)

**MUSH sector complaints – outside Ombudsman’s mandate (page 13): 2,539** (most ever)

- Municipalities (excluding closed meeting complaints): 1,045
- Universities: 50
- School Boards: 119
- Hospitals and long-term care homes: 383 (hospitals); 19 (long-term care)
- Children’s aid societies: 491
- Police: 432

Petitions to the Legislature to expand Ombudsman mandate in 2011-2012: **16** (+8 post April 1)  
Private member’s bills to expand Ombudsman oversight since 2005: **9** (+2 introduced June 13)

### **Significant complaint trends and resolutions in 2011-2012:**

**Improvements at Family Responsibility Office (page 22)** – The FRO has made improvements, but remains the top source of complaints. This year, it corrected cost-of-living-adjustment errors in 1,700 cases because of a problem flagged by Ombudsman staff.

**Poor service at the Office of the Public Guardian and Trustee (page 24)** – The agency that deals with financial affairs of incapacitated Ontarians received 130 complaints (up from 113 last year), including some cases of poor communication with clients. Senior officials met regularly with the Ombudsman’s office and committed to improving service and training.

**Creation of “dummy” driver licences (page 26)** – The Ombudsman raised concerns about the more than 36,000 “dummy” licence records created by the Ministry of Transportation, in light of a case where a mixup allowed a drunk driver to keep his licence for several years.

**Expired driver licences (pages 21 and 67)** – The Ministry of Transportation revised its policy for renewing expired driver’s licences after a woman who had been driving for 40 years complained her renewal was denied because she had let her licence lapse for a year and the Ministry would not accept her U.K. birth certificate as valid identification. Renewals are now allowed within three years of licence expiration and the policy is under review.

**Services for the disabled (pages 23-24)** – Ombudsman staff helped get assistance for parents of children with severe special needs when they were wrongly denied, arranged care and placements for adults with developmental disabilities, and prompted the Ontario Disability Support Program to begin communicating with clients by email after years of requests.

**Systemic investigations and updates:**

- *Oversight Undermined* (Special Investigations Unit and Ministry of the Attorney General – report released December 2011) **page 36:** The Ombudsman found, in this follow-up investigation to his 2008 report *Oversight Unseen*, that the Ministry was actively undermining the SIU in its efforts to hold police to account. He recommended strong new legislation to reinforce the SIU’s mandate and consequences for police services that fail to comply. **Update:** Notifications of incidents by police services to the SIU nearly doubled in the first quarter of 2012 (101) over the first quarter of 2011 (57). The SIU also disciplined 4 investigators for wearing police rings, dismissing 2.
- *Non-emergency medical transportation services* (Ministry of Transportation and Ministry of Health and Long-Term Care – resolved June 2011) **page 39:** The Ombudsman suspended his investigation into serious issues of patient safety in this industry after both ministries agreed it should be regulated. **Update:** Regulation will be introduced as soon as the ongoing public consultation process is complete.
- *Limited funding of Herceptin* (Ministry of Health and Long-Term Care – resolved May 2011) **page 40:** The Ombudsman investigated complaints by several patients and families that the Ministry of Health and Long-Term Care would not pay for Herceptin to treat breast cancer tumours less than 1 cm in diameter. **Update:** The Ombudsman suspended his investigation when the Ministry announced it would fund Herceptin for smaller tumours under its new Evidence Building Program. As of February 2012, 45 patients have been approved.
- *Caught in the Act* (G20 summit – report released December 2010) **page 44:** The Ombudsman found there were massive violations of civil rights after the province quietly passed a regulation under the *Public Works Protection Act (PWPA)*, enhancing police powers for the June 2010 G20 summit in Toronto. **Update:** In February 2012, the Minister of Community Safety and Correctional Services introduced Bill 34 to replace the outdated *PWPA*, as the Ombudsman recommended. It was ordered for third reading June 4.
- *A Vast Injustice* (Funding of colorectal cancer drug Avastin – report released September 2009) **page 45:** The Ministry of Health and Long-Term Care reported to the Ombudsman that as of September 2011, some **712** colorectal cancer patients had received more than 16 cycles of treatment with Avastin since the province lifted its arbitrary cap on the drug as he recommended.

- *Monitoring of drivers with uncontrolled hypoglycemia* (Ministry of Transportation – launched March 2012) **page 42**: This ongoing investigation focuses on how the Ministry is monitoring drivers who might be a danger on our roads.
- *Use of force in jails* (Ministry of Community Safety and Correctional Services – launched August 2011) **page 42**: Investigators have completed more than 150 interviews with inmates and officials across the province about how incidents of use of force by correctional officers on inmates are reported and investigated.
- *Ontario Provincial Police handling of operational stress injuries* (Ministry of Community Safety and Correctional Services – launched March 2011) **page 42**: More than 185 interviews have been completed and the Ombudsman hopes to release his report in late summer.

**Successes achieved by Ombudsman staff (see Case Summaries, pages 49-67):**

- Persuaded the **Criminal Injuries Compensation Board** to review the claim of a woman who had been physically and sexually abused in both Ontario and Alberta. She was awarded \$12,000 in compensation and \$3,600 for therapy (**page 49**).
- Had \$10,000 in hospital fees waived for a woman whose line of credit was wrongly frozen by the **Office of Public Guardian and Trustee** when her husband went into a coma (**page 50**).
- Prompted the **Family Responsibility Office** to take enforcement action against a father of two who owed more than \$35,000 in support (**page 52**).
- Sparked the **Ontario Disability Support Program** and **Family Responsibility Office** to return \$17,421 in payments they wrongly accepted from a father for 13 years after his daughter turned 18 (**page 53**).
- Helped the elderly mother of a man who killed himself in jail get answers about his death from the **Ministry of Community Safety and Correctional Services** (**page 56**).
- Convinced **Hydro One** to reimburse a man for \$20,000 it overcharged him over 15 years because its two meters on his property were incorrectly installed (**page 57**).
- Helped the mother of a very sick 10-year-old girl cut through red tape to obtain an **OHIP** card immediately after officials told her it could take eight weeks (**page 63**).
- Moved the **Ministry of Transportation** to conduct tests that proved road salt contaminated a couple's property – and to provide them with a new well and water filtration system worth more than \$20,000 (**page 66**).