



Better Safe Than Sorry – Ombudsman’s remarks
André Marin

The report I am presenting today tells a cautionary tale. It begins with tragedy, when three innocent people are killed because one man made a terrible decision to drive when his blood sugar was dangerously low.

For that bad decision, Allan Maki was tried in court, duly convicted and sentenced for dangerous driving causing death. The system worked as it should.

However, the story in this report is about a system that did not work as it should – the system that monitors medical conditions like Mr. Maki’s to help keep the roads safe for all Ontarians. That is where the tragic tale turns to bureaucratic farce: Even after he had caused the death of three people, the Ministry of Transportation did not suspend Mr. Maki’s licence to drive for another 18 months.

For the relatives of his victims who complained to my office, this was adding insult to the unspeakable injury they had already suffered. The question had to be asked, if the system didn’t kick in to suspend Mr. Maki’s licence, how can we be confident that it is working to monitor other at-risk drivers?

Ever since 1968, doctors in Ontario have been required to report patients to the Ministry of Transportation if they have medical conditions that might make it unsafe for them to drive.

But the requirement is of no value if it isn’t followed up. Or if it is too confusing. Or if it amounts to paperwork that gets shuffled, lost or never followed up.

The focus of this investigation was not to re-investigate or assign blame to Mr. Maki. We know the system broke down in his case. Our focus was to recommend ways to ensure it is effective in future.

That brings me to the positive side of this story. The Ministry of Transportation has agreed to all of my recommendations and has begun implementing some of them. Along with revising old forms and improving internal training, it will work with stakeholders like the Canadian Diabetes Association to raise greater awareness among the public and the medical community about driver safety as it relates to diabetes. It has already published information on its website about standards for assessing medical conditions, which will improve education and transparency.

As one of the experts we consulted in this investigation pointed out, the government has engaged in effective, high-profile public awareness campaigns to combat impaired driving. It is high time it did something similar to educate Ontarians about responsible behaviour for drivers with medical conditions. The message must be clear, the rules must be strong and consistently applied, and medical and police authorities must be seen to take the issue seriously.

I am hopeful that these measures will go a long way to make Ontario's roads safer for us all.