

## ***Annual Report 2018-2019 – Facts & highlights***

### **By the numbers – cases received**

Fiscal 2018-2019 (April 1, 2018-March 31, 2019): **27,419 (30% increase over last year)**

Provincial ministries and programs within jurisdiction: **14,175** (breakdown pp. 72-73)

Municipalities: General – **3,002** (breakdown pp. 74-77); Closed meetings – **155** (stats p. 80)

School boards: **873** (breakdown p. 78) Universities: **282** (breakdown p. 79)

Most complained-about organization: Ontario Cannabis Store (**2,411** complaints – p. 33)

Top provincial organizations by case volume: See p. 71

**45%** of cases closed within 1 week; **61%** within 2 weeks

### **What's new – complaint trends and proactive work**

- New policing legislation will extend ombudsman oversight to all police oversight bodies (p. 20).
- Ombudsman and staff visited correctional facilities across the province – will visit youth custody facilities in coming year (p. 22).
- Chair of new Tribunals Ontario cluster updated Ombudsman staff on efforts to address complaints about delays – the most common complaint among 549 received about tribunals (p. 26).
- Ombudsman staff flagged surge in complaints about changes to Ontario Autism Program (575 cases), monitoring communication with families and other administrative issues (p. 27).
- Complaints about the Family Responsibility Office continued to decline, but Ombudsman staff flagged a problem with it improperly accepting special expense claims (p. 28).
- Ontario Cannabis Store staff updated the Ombudsman's team weekly on their response to complaints about deliveries, delays and customer service (2,411 cases – p.33).
- Ontario Lottery and Gaming Corporation resolved complaint of “self-excluded” player who was refused large casino jackpot, made improvements to self-exclusion program (p. 35).
- With integrity commissioners now mandatory in all municipalities, Ombudsman staff handled 115 complaints about them; shared best practices to help improve their processes (p. 39).
- Ombudsman's updated guide to municipal open meeting laws was sent to all councilors and clerks; new digital digest of hundreds of summaries of open meeting cases now online (p. 44).
- Ombudsman staff helped people with unreasonable exclusions of students and restrictions on parents; flagged to Ministry of Education that school boards lack consistent policies (p. 49).
- Ministry of Transportation changed its policy to allow refugee claimants to submit “certified true” copies of their driver's licences after federal officials took the originals (p. 54).
- Registrar General and ServiceOntario updated the Ombudsman on efforts to fix backlogs in birth, death and marriage registrations; complaints were up 106% and 38% respectively (p. 61).

- A municipal utility alerted two dozen customers about a technical glitch, discovered through one complaint to the Ombudsman, that delayed their Ontario Electricity Support Program funds (p. 66).

## Investigations

### Reports published in 2018-2019:

- *Suspended State* (driver's licence suspensions for unpaid fines, released September 2018): Ministry of Transportation agreed to overhaul its system for notifying drivers of licence suspensions, track returned mail, improve digital tools, and report back to Ombudsman (p. 55).
- *Press Pause* (seizure of property from journalist by Niagara regional council, released July 2018): The Region accepted all of the Ombudsman's recommendations, apologized publicly, changed procedures and began recording closed meetings (p. 41).

### New and pending investigations (all completed – reports are in progress):

- Niagara Region (CAO hiring process, launched August 2018): p. 42.
- Near North District School Board (school closure process, launched October 2018): p. 50.
- Ministry of Transportation (complaints about ambulance services, launched May 2018), p. 59.

Municipal closed meeting investigations: 46 meetings investigated, 22 reports and letters published; 26% of meetings investigated (12) found to be illegal, 33 best practice recommendations (p. 43).

### Updates on previous investigations:

- *The Route of the Problem* (school busing problems in Toronto, released August 2017): Most of the Ombudsman's recommendations were implemented; only 4 new complaints this year (p. 50).
- *Out of Oversight, Out of Mind* (tracking of inmates in segregation, released April 2017): A new definition of "segregation" closer to international standards is in place and more staff were hired. New complaints declined slightly, to 266 from 296 last year (p. 24).
- *Nowhere to Turn* (services for adults with developmental disabilities who are in crisis, released August 2016): New direct funding was announced; work on the Ombudsman's recommendations continues, as new individual complaints come in (almost 400 since report's release (p. 30).
- *A Matter of Life and Death* (provincial direction on police de-escalation training, released June 2016): New policing legislation requires officers to receive de-escalation training; new use-of-force model and Ontario Police College curriculum changes still in progress (p. 21).
- *In the Line of Duty* (operational stress injury and suicide among OPP members, released October 2012): Ombudsman staff assessing 90 new complaints and monitoring reviews by OPP and Solicitor General and Chief Coroner's review of suicides since 2012 (p.21).
- *Between a Rock and a Hard Place* (care and custody of children with complex special needs, released May 2005): New cases continue to arise where families are told the only way to get residential care for their children is to surrender custody; Ombudsman staff flagged the lack of a process for families to access temporary care for children in urgent situations and continue to monitor Ministry's response (p. 31).

### **Individual case highlights – how Ombudsman intervention helped:**

- Female inmates who were being triple-bunked at a correctional facility were moved after Ombudsman staff questioned why part of the facility was only being used on weekends (p. 23).
- An inmate received dentures after being without them for a year while he awaited trial (p. 22).
- A cancer patient was saved from eviction after Ombudsman staff ensured that her landlord received her overdue rent payment through the Ontario Disability Support Program (p. 29).
- A teen with autism and developmental issues who was being housed in a hospital was moved to a residential placement after Ombudsman staff worked with the family and officials (p. 30).
- A man who paid child support for 14 years even though his daughter was in the care of a children's aid society was refunded \$4,100 by the Family Responsibility Office (p. 32).
- The family of a man who died before he could collect his lottery winnings received the \$2,000 after Ombudsman staff helped them provide the required documents to verify his ticket (p. 36).
- A man received a new cannabis delivery after his first one turned out to be an empty box, and the Ontario Cannabis Store initially told him he had to return the box for a refund (p. 36).
- A woman whose municipal housing service refused her funding for a new furnace received \$5,000 after Ombudsman staff pointed out their refusal was not justified (p. 38).
- A municipality revised its order banning a man from all municipal property, including sidewalks and parks, and committed to reviewing his restrictions in six months (p. 40).
- A mother obtained busing for her two children with special needs after Ombudsman staff informed her of documentation needed by the school board (p. 48).
- A college student with a disability received \$9,510 in student assistance that she had been wrongly denied (p. 51).
- A commercial truck driver at risk of losing his job after an erroneous report by his doctor resulted suspension of his licence had it reinstated after contacting Ombudsman staff (p. 55).
- A senior who missed a driving test due to hip surgery had the test rescheduled and the resulting licence suspension and reinstatement fees revoked (p. 57).
- A driver whose licence was suspended for a fine he incurred 27 years earlier was refunded \$933 in duplicate fines and fees that Ombudsman staff discovered he had paid decades ago (p. 57).
- A woman who could not renew her health card because she did not have a permanent residence received coverage after Ombudsman staff put her in touch with the right officials (p. 58).
- A transgender woman received full coverage for breast reconstruction surgery after Ombudsman staff worked with her and her surgeon to submit required documentation (p. 60).
- A woman who waited two months for her long-form birth certificate received it in two days after she contacted the Ombudsman (p. 61).
- A Tesla owner received the missing second half of his \$7,000 in Electric and Hydrogen Vehicle Incentive Program rebate (p. 67).

***Update: Children and Youth Unit and French Language Services Unit  
May 1, 2019 to June 14, 2019***

**Children and Youth unit**

**Cases received since May 1:** 270

**Ongoing investigations:** All investigations ongoing as of May 1 are still in progress; reports will be finalized in the coming months.

**Outreach and priorities:**

- Ensuring all service providers for children in care post information for children and youth to contact the Ombudsman, as required by law
- Meetings with stakeholders, e.g., senior Ministry officials, Ontario Association of Children's Aid Societies; outreach events for service providers and children and youth in care
- Participating in Canadian Council of Child and Youth Advocates annual meeting

**French Language Services unit**

**Cases received since May 1:** 62

**Investigations:** All investigations ongoing as of May 1 are still in progress, reports will be finalized in the coming months.

**Outreach and priorities:**

- Hosting the International Association of Language Commissioners international conference in Toronto, June 26-27
- Conducting a nationwide candidate search for a permanent French Language Services Commissioner
- Meeting stakeholders in the francophone community, e.g., l'Assemblée de la francophonie de l'Ontario, health care entities, Minister of Francophone Affairs and officials