



# Connection

## International Ombudsman meet

Ombudsmen represent the “core value of democracy” and have an obligation to maintain their demand for good governance and fairness because their cause is right and just, said outgoing International Ombudsman Institute (IOI) president, Clare Lewis, Q.C., in his address at the Opening Ceremony of the VIII International Conference held in Quebec City in September.

Her Excellency the Right Honourable Adrienne Clarkson, Governor General of Canada, was the keynote speaker at the event. Quebec’s Ombudsman, Pauline Champoux-Lesage played host to 340 representatives from 77 countries, as well as representatives from Canadian ombudsman offices, who came together to share their experiences and engage in discussions about the role of the Ombudsman in balancing the obligations of citizenship with the recognition of individual rights and responsibilities.

In his address Mr. Lewis, who is also the Ombudsman of Ontario said, “The events of September 11, 2001 drove a stake through the security, confidence and vigilant commitment to fairness of democratic governments worldwide. In the Canadian legal system, there is an adage to the effect that “hard cases make bad law.” To no lesser degree do exigent and diffuse, uncertain threats to our very sense of security make possible dangerous, far-reaching responses by our governments, which are capable of



Her Excellency the Right Honourable Adrienne Clarkson, Sam Hamad, Quebec Minister responsible for the Capitale-Nationale Region and IOI President Clare Lewis, Q.C. at the opening ceremony for the IOI’s VIII International Conference held in Quebec City in September 2004.

undermining our basic concepts of democratic good governance and its fundamental fairness...

“People committed to Ombudsman principles and practices have the inclination and capacity to do something of value in times such as these. We cannot act as legislators but we can be a constant voice for government restraint and fairness in dealing with the public in a time of insecurity. These particularly difficult times present both challenge and opportunity to public sector Ombudsman. The challenge is always in finding and maintaining the

balance and now is a critically important time for us to be seen and heard to do so, advocating for measured and fair response by government to perceived threat as we stand between our governments and publics.”

The IOI was established in 1978 as a worldwide organization of ombudsman offices. It currently has 175 members from 83 countries. The head office is located at the Faculty of Law, University of Alberta, in Edmonton. The International Conference is held every four years in different locations worldwide.



Dr. James Young, Commissioner, Public Safety and Security Unit, Ministry of Community Safety and Correctional Services, was a guest speaker at Ombudsman Ontario's Staff Conference in October. Dr. Young's topic was emergency preparedness from a global perspective and he examined the impact of SARS, the Avian flu, the threat of terrorism and the possibility of natural disasters. He also discussed how various governments around the world have dealt with modern day disasters.



Ombudsman Clare Lewis greets Nicola Polito, a PhD student in Public Law Studies, Department of Law, University of Trento, Italy, who was visiting Toronto in October while doing research on his dissertation. Mr. Polito requested an interview with the Ombudsman to discuss issues such as being effective in a culturally diverse community, the Ombudsman's relationship with the judiciary power and areas of government administration that generate the greatest conflict for the public.



Members of Ombudsman Ontario's Senior Team welcomed Sir Brian Elwood (second from the right), former Chief Ombudsman of New Zealand, to the Toronto office in September. Sir Brian, who is a past president of the IOI, was visiting Toronto on returning to New Zealand from the VIII International Conference of the IOI in Quebec City. In the photo above, Sir Brian is joined by (left to right), Senior Counsels Laura Pettigrew and Wendy Ray and Peter Allen, Director of Corporate Services.

## Community Open House



Ombudsman Clare Lewis delivers his welcome speech to members of community organizations during Ombudsman Ontario's Community Open House held in June. In the photo above, his speech is being interpreted by Wendy Kirk, a sign language interpreter from the Canadian Hearing Society.

## Case summaries

### Ministry of the Attorney General

#### *Ontario Human Rights Commission*

It came to the Ombudsman's attention that the Commission's intake and inquiry staff were writing letters to complainants suggesting that a decision to dismiss their case had already been made when this decision could only be made by the Commissioners. This appeared to be inconsistent with the Commission's stated practice as set out in its enforcement and procedures manual. The Ombudsman wrote to the Commission asking it to consider this matter. The Commission responded that in the interest of appropriate customer service, avoiding future incidents, and clarity for the parties, it would ensure that the standard correspondence was amended.

### Ministry of Community and Social Services

#### *Family Responsibility Office (the FRO)*

Ms R, a support recipient, had not received any payments from the FRO. She called our office because she had learned that an income source had sent money to FRO but the FRO had no record of this. After our office became involved, the FRO contacted the income source, which confirmed it had made three payments. The FRO did a search and discovered the cheques had come in without a case number or name and had not been

posted to Ms R's case. The missing payments were found and paid to Ms R.

#### *Ontario Disability Support Program (ODSP)*

Mr. H registered for the self-employment program with ODSP Employment Supports. He contacted the Ombudsman because he was dissatisfied with the help he was receiving from service providers referred by the Ministry to assist him in setting up his own business. According to Mr. H and the Ministry, this was the second time that Mr. H had expressed dissatisfaction with his service providers. The first time, he complained about unreasonable delays caused by a service provider and he was allowed to terminate his contract and find another service provider. Mr. H complained that his current service provider had cancelled three meetings, two without any notice. He was also dissatisfied with the quality of the assistance he was receiving. When Mr. H complained to the Ministry about the service provider, he was referred back to the service provider to discuss his concerns. Mr. H was not satisfied with this response. He wanted to know more about how the Ministry selected service providers and monitored the quality of their services. According to Mr. H, the Ministry told him it was his responsibility to meet with each service provider and assess their ability to assist with his goals.

An Ombudsman Representative made several enquiries with the Ministry. The Ministry explained that it acts as

a broker between program participants and community service providers, who are on contract with the Ministry to provide employment support services. It also explained that there are over 40 service providers in the region in which Mr. H resided. The Ministry confirmed it had no formal complaint mechanism to deal with concerns about service providers.

As a result of our intervention, the Ministry provided Mr. H with a clear set of steps that he could take to address his concerns about his service provider. In addition, the Ministry agreed to review its procedures and develop a formal complaint mechanism for participants with concerns about service providers in Mr. H's region. The Ministry subsequently provided our office with a copy of a new Client "Complaint About Service Provider" process, ODSP Employment Supports, for the region in question. The Ministry indicated this document would also be sent to ODSP Directors across the province as a model for possible use in their regions. We recently learned that another region has adopted a similar complaint mechanism for complaints against service providers and will soon be providing information about this mechanism to ODSP participants and service providers.

*These cases are from Ombudsman Ontario's 2003-2004 Annual Report. A complete copy of the Annual Report can be found on our website at: [www.ombudsman.on.ca](http://www.ombudsman.on.ca). To have a copy or CD version mailed to you, please call 416-586-3353.*

# mission

STATEMENT

*Working to ensure fair and accountable provincial government service*

## Our Values

Ombudsman Ontario is guided by the following values in its interactions with its staff, the public and government:

**Fairness:** treating everyone in a reasonable, equitable and impartial manner

**Accountability:** providing quality services, taking responsibility, evaluating and improving through innovation

**Integrity:** demonstrating transparent, honest and ethical practices

**Respect:** understanding individual differences and valuing diversity

## Contact information

125 Queens Park

Toronto, Ontario M5S 2C7

1-800-263-1830 – English

1-800-387-2620 – French

1-866-411-4211 – TTY, hard of hearing  
and deaf

1-866-863-2560 – Fax

416-586-3300 – Toronto

416-586-3485 – Toronto Fax

Website: [www.ombudsman.on.ca](http://www.ombudsman.on.ca)

For general information, comments  
on this newsletter or mailing  
address changes, please call our  
Communications Office at  
416-586-3353.

*If your organization or umbrella group would like to learn more about Ombudsman Ontario, our **Community Education Program** staff would be pleased to facilitate an information session. Using overhead slides or a PowerPoint presentation and encouraging questions throughout, we will explain how we help people resolve their problems with provincial government organizations. Participants*

*will learn about the philosophy of the Ombudsman, how to complain to us, our most common referrals, as well as the most common types of complaints. We will provide handouts of the presentation and info kits to all participants. For further information or to book an information session, call Judith Klie, **Community Education Program**, 416-586-3357.*

## Who We Are

Ombudsman Ontario helps people resolve problems by investigating complaints they have with provincial government organizations. The office cannot deal with matters regarding federal or municipal government, the courts and the private sector. Ombudsman Ontario is independent of the government and is generally a place of last resort when other approaches to resolve complaints have been tried. Complaints can be made in writing, by telephone, e-mail, TTY, fax or by cassette recording. Services are free and confidential.

## About our logo

This is the symbol for Ombudsman Ontario. The “O” stands for our name. The three sets of arms come together: one each for the public, the government and our office.



Communications Office  
Ombudsman Ontario  
125 Queens Park  
Toronto, Ontario M5S 2C7

