

VOLUME 17, FEBRUARY 2012 [Subscribe to our e-newsletter](#) [Unsubscribe](#)

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Think local: Focus on municipalities

This will be the Ombudsman's fifth year of investigating public complaints about closed municipal meetings. Under the Municipal Act, councils, committees and local boards must meet in public, apart from some narrow exceptions. Our Open Meeting Law Enforcement Team (OMLET) investigates complaints about closed meetings and the Ombudsman reports on those that violate the Act.

OMLET has been busy lately – so much so that this year, the Ombudsman plans to launch a special Annual Report just for municipal closed meeting complaints. Watch for it this summer – we'll have more updates in future newsletters.



Recent municipal cases

Completed

Amherstburg: The Ombudsman's first report on an OMLET case this year found the town of Amherstburg repeatedly disregarded the Municipal Act and its own procedure bylaw by holding improper closed meetings and voting behind closed doors. In the wake of the Ombudsman's report, Amherstburg council amended its bylaw and invited OMLET members to conduct a training session on the "Sunshine Law" for all council members. Following the report, Mayor Wayne Hurst announced that council had made changes to the way it operates. "We provided Section 239 (of the Municipal Act) to every member of council," Hurst said in a [story in the Windsor Star](#). "I always ask council, does anyone have any concerns about the item we're going to discuss in-camera."

[\[Read the report\]](#)

Clarence-Rockland: The Ombudsman investigated several complaints about closed meetings stemming from a fractious dispute on council that involved the departure of a senior official and allegations of leaked emails. The Ombudsman's findings, outlined in two letters to the municipality, note that while the various meetings did not strictly violate the Municipal Act, they violated the principles of openness and transparency it is intended to uphold.

[\[Read the letters\]](#)

Hamilton: City council broke open the meeting rules in two closed sessions last June, the Ombudsman found. In two letters detailing his findings to the municipality, the Ombudsman stressed that the legal exemptions allowing closed meetings should be narrowly interpreted, and that councillors should "exercise caution when bringing third parties into a closed session."

[\[Read the letters\]](#)

Were the open meeting rules violated when several Hamilton councillors on the city's "NHL Proposal Sub-Committee" had breakfast with the president of the Edmonton Oilers and a local hockey coach last year? The Ombudsman said no - his report on this investigation was made public on February 22.

[\[Read the report\]](#)

The Ombudsman's Office oversees and investigates about 500 provincial ministries, agencies, tribunals, and Crown corporations.

[File a complaint online](#)

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INVESTIGATION UPDATES -
SPECIAL OMBUDSMAN
RESPONSE TEAM

Use of force

Investigators are conducting interviews in correctional facilities around the province for the Ombudsman's investigation into the handling of allegations of excessive use of force against inmates. Field work in the investigation is on track to wrap up by early March; then the Ombudsman will begin drafting his report and recommendations.

OPP stress injuries

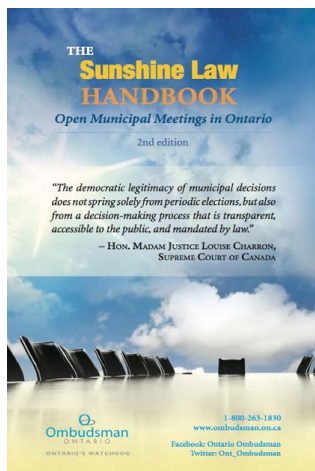
The Ombudsman is in the process of drafting his report on the issue of operational stress injury among Ontario Provincial Police members and how the province deals with this problem. Look for the report later this year.

COME MEET US!

Ongoing

London: Was it okay for the city to go behind closed doors to discuss evicting the "Occupy London" protesters from a local park this past fall? The Ombudsman's investigation is wrapping up this month and his findings will be submitted to the city soon.

"When in doubt, open the meeting": Learn more about open municipal meetings



Municipalities can choose their investigator for complaints about closed meetings. For some 193 of Ontario's 444 municipalities it's the Ombudsman. Who's the investigator for your town? [Find out here](#).

Do you need to make a complaint about a closed meeting in your municipality? You can do that [here](#).

We've handled 464 complaints since 2008. Of those, about a dozen have resulted in public reports – [read them here](#).

We publish a handy guide to the Municipal Act's open meeting requirements – sometimes known as the "Sunshine Law" – and the complaint/investigation process: Read [The Sunshine Law Handbook: Open Municipal Meetings in Ontario](#) (or [contact us](#) to request a hard copy).

More questions? This [FAQ](#) might help.

Ombudsman Ontario: Speeches, training - and Skype

Training: "Sharpening Your Teeth" in Montreal

Ombudsman André Marin and his team presented "[Sharpening Your Teeth](#)" (SYT) in French for the second time on January 23 and 24, at the Quebec Ombudsman's offices in Montreal. SYT is an advanced training course for ombudsmen and administrative watchdogs, focusing on conducting systemic investigations. It has been delivered to oversight agencies and investigators around the world, as well as at the International Ombudsman Institute headquarters in Vienna. The two-day course, known as "Aiguisez-vous les dents" in French, was a follow-up to a similar session conducted in November for the Quebec Ombudsman's Quebec City staff.

Coming this fall: An edition of SYT for delegates attending the International Ombudsman Institute conference in Wellington, New Zealand.

Good morning, Australia - Skyping across the miles



On February 8, Deputy Ombudsman Barbara Finlay took part in another first for our office when she gave a presentation about Ombudsman Ontario systemic investigations to a roomful of ombudsman staff in Melbourne, Australia - via Skype!

Windsor Law – Ombudsman speaks about G20, SIU

The Ombudsman's Office will be represented at the annual **Government and Community Services Fair** on February 25, **11 a.m. - 3:30 p.m.** at Cloverdale Mall, 250 The East Mall in Etobicoke.

Make sure you drop by to meet our staff, and ask any questions you might have on what our office does, how to file a complaint with us, or where to find us on Twitter and Facebook.

We'll also have a table at **Public Interest Day** at the Metro Toronto Convention Centre on March 2 from 10:45 a.m. - 12:30 p.m.

And, if you're a student, don't forget to look for our staff at the University of Ottawa on March 8. We will be attending the **Career Day 2012 Social Justice Information Fair** at the Ottawa Convention Centre from **11:15 a.m. - 1 p.m.** Stop by and say hi!

CONNECTING ONLINE

The Ombudsman now has more than **6,323** Twitter followers and more than **1,676** Facebook fans.

Thanks for your comments, conversation, and feedback!

Please continue to reach out to us on social media, or drop us a line at thewatchdog@ombudsman.on.ca.

SELECTED CASE

Owe no!

Selected case from the 2010-2011 Annual Report



A father contacted the Ombudsman out of frustration after trying in vain to find out from the Family Responsibility Office how much he owed in child support arrears. The debt was affecting his credit rating, but each time he contacted the FRO to clarify what he owed, he was given a different amount – ranging from \$6,000 to \$27,000. He feared that the FRO was attempting to get him to pay for a period when his child was living with



On January 31, the Ombudsman was again invited to address first-year students in the Access to Justice program at the University of Windsor's Faculty of Law. The Ombudsman's lecture on "Accountability in the Administrative State" focused on his recent investigations into the Ministry of the Attorney General's support for the Special Investigations Unit ([report: Oversight Undermined](#)) and the province's expansion of police powers for the G20 summit in Toronto in 2010 ([report: Caught in the Act](#)).

him and he was not required to pay support.

FRO staff initially told the Ombudsman that the man owed \$6,063.53, but once they were asked to review the file more closely, they found that in fact no arrears were owed. The FRO admitted to the Ombudsman that it had overlooked correspondence from the child's mother confirming that the father did not owe her any further child support.

Watch for the Ombudsman's 2011-2012 Annual Report, which will be released in June.

Here are a few tweets from students:



Philip Cumbo @Cumbop

31 Jan

@Ont_Ombudsman Great presentation @WindsorLaw today! More people need to listen to Andre Marin, he knows what he is talking about!



Tim Morris @tmorris85

31 Jan

@ont_ombudsman Following after the presentation of Windsor Law. Well done!

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