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Ombudsman receives award of excellence

On August 13, Ontario Ombudsman André Marin was presented with the Canadian Bar Association (CBA)'s top award for a public sector lawyer, the [John Tait Award of Excellence](#). [See photo of Mr. Marin accepting his award from Public Sector Lawyers Forum chair, Mike Winstanley.]

The national award, which was presented at the CBA's annual conference in Vancouver on Aug. 13, recognizes Mr. Marin's "unwavering commitment to public service, his advocacy skills and legal acumen distinguish him as an outstanding legal professional," says CBA President Trinda L. Ernst. "He has used his talents to effect real and sustained improvements in the lives of average citizens. He exemplifies the type of exceptional service and contribution which the John Tait Award was created to recognize."

As the Ombudsman said when he accepted the award, "For more than seven years, I have used my legal training and advocacy skills to speak out for better governance so the voices of the victims, the young, the sick, and the elderly could be heard in the corridors of power. It is very humbling to be recognized by the CBA." [Read the full speech](#)

Established in 1998 to celebrate the accomplishments of Canadian public sector lawyers, the award is named in honour of John Tait, a public servant and lawyer who died in 1999. Mr. Tait "was a distinguished public servant who provided the government with the highest quality advice and counsel," according to former Prime Minister Jean Chrétien.

This is Mr. Marin's fifth award since 2009. [Read more from Mr. Marin's bio](#)

[Photo credit: Scott Brammer, courtesy of the Canadian Bar Association]



Municipal meeting investigations

London, Ont.:

On Monday, August 27, at 4 p.m., the Ombudsman will address City of London's Strategic Priorities and Policy Committee about his Office's recent investigations and the law requiring municipal meetings to be open to the public.

Mr. Marin's discussion with councillors will be live-tweeted on his Twitter account ([@Ont_Ombudsman](#), hashtag #OOLive) and webstreamed live on the new [Ombudsman Ontario Livestreaming channel](#).

The visit comes three weeks after the Ombudsman released his [latest report on a closed meeting in London](#) – in this case, he investigated complaints that a group of councillors met for lunch prior to two important council meetings. Although the Ombudsman found the lunch meeting was not illegal, he cautioned councillors that such gatherings can undermine public confidence and create perceptions that council members are illegally flouting the open meeting requirements and conducting business away from public view.

Amherstburg:

In July, the Ombudsman found that the Town of Amherstburg did not contravene the open meeting requirements when it received advice subject to solicitor-client privilege in a closed session on January 9, 2012, or when it went in camera on February 13, 2012. The Ombudsman congratulated the Town on taking steps to improve its closed meeting practices, since his

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

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SELECTED CASE

Medic vs. Ministry

A man who has suffered from Crohn's disease for 25 years had been receiving funding for the drug Remicade for 18 months under the Ministry of Health and Long-Term Care's Exceptional Access Program. The man's doctor advised that the drug, in combination with a steroid, was the most effective way to treat his disease, but the Ministry asked him to eliminate the use of the steroid.

The Ministry had an external medical expert review the case and denied further funding for the drug as long as it was being used with a steroid. The man turned to the Ombudsman for help, explaining that without the steroid, he would experience a flare-up of his disease. His doctor had explained this to the Ministry with no luck.

After an Ombudsman investigator spoke to his doctor and senior Ministry staff, the Ministry decided to have a second external medical expert review the case. This time the recommendation was to follow the man's physician's advice about using Remicade with a steroid. Funding was approved for the drug for another year.

last report was released ("[Behind Closed Doors](#)") in December 2011. [Read the most recent report](#)

Sudbury:

Earlier this year, the Ombudsman announced he would be investigating four closed meetings in the City of Sudbury. The meetings in question were closed under the exception for personal matters related to an identifiable person. The Ombudsman has made his preliminary report available to council members to allow them a chance to respond before the report is made public.

Midland:

The investigation into closed meetings in the Town of Midland between December 2011 and March 2012 is complete, and the preliminary report has been made available to city council members. They will have until August 29 to respond and the report will subsequently be made public.

Head, Clara and Maria:

The Ombudsman has completed his report into closed meetings held in in October and November, 2011, in the United Townships of Head, Clara and Maria. The report has been delivered to council and it is expected to make it public at a meeting in early September.

Annual Report – Open Meeting Law Enforcement Team (OMLET)

The Ombudsman will soon release his first Annual Report devoted to investigations of closed municipal meetings, conducted with our Open Meeting Law Enforcement Team. Watch this space to be the first to know more about when it will be released!

SORT investigation updates

OPP handling of stress-related injuries

The Ombudsman has finished his preliminary report on his investigation into how the Ontario Provincial Police deals administratively with operational stress injuries and how the Ministry of Community Safety and Correctional Services handles such injuries among police services across the province. The report has been sent to the OPP and Ministry for a response, and the Ombudsman plans to make it public in October.

Use of force

Investigators have spent the past few months conducting interviews in correctional facilities around the province for the Special Ombudsman Response Team (SORT) investigation into the handling of allegations of excessive use of force against inmates. Fieldwork has been completed – including more than 150 interviews – and the Ombudsman will soon begin drafting his report and recommendations.

Hypoglycemic drivers

The Ombudsman's investigation into how the province monitors drivers with uncontrolled hypoglycemia is continuing. The investigation, announced in March, will be completed by the end of this year.

Around the office

On August 7, the Ombudsman welcomed a delegation from the **General Office of the State Council of the People's Republic of China**, organized by the Sino-Canada Technology Exchange Centre in Toronto. They asked about the Ombudsman's powers, his work, how he conducts investigations, and how he holds government accountable. [See more photos here](#)



Also on August 7, the Ombudsman met with **Chief Forensic Pathologist Dr. Michael Pollanen** and was given an update on the province's new organ retention policy.



SHARPENING YOUR TEETH

Registration is now open for this year's [Sharpening Your Teeth](#) investigative training course for administrative watchdogs, which will be held in January 2013.

Please email training@ombudsman.on.ca or visit our site for more information.

CONNECTING ONLINE

The Ombudsman now has more than **8,200** Twitter followers and more than **1,790** Facebook fans.

The Ontario Ombudsman's Office now has a Livestream account! You can watch us live or see archived videos at <http://new.livestream.com/ontombudsman>. There may not be much there now, but we will be posting more details soon about future videos.

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



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