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THE WATCHDOG

Newsletter

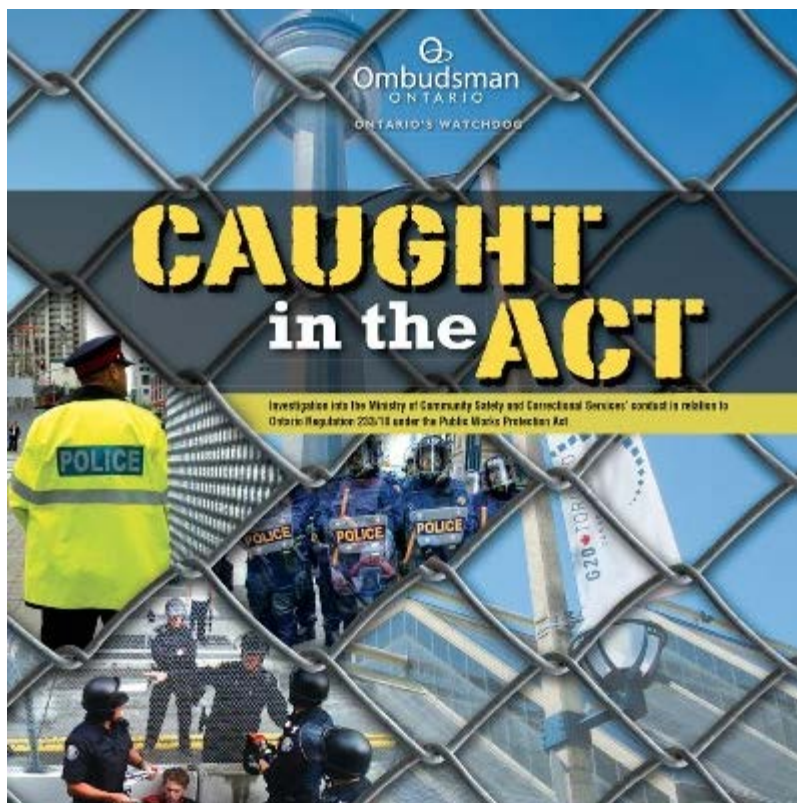
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'WAR MEASURES' LAW TO BE REPLACED



On Wednesday, April 10 the Ontario government announced it will pass new legislation to replace the Public Works Protection Act (PWP). This was Ombudsman André Marin's first recommendation in his 2010 report on the province's expansion of police powers for the G20 summit in Toronto.

In his report, *Caught in the Act*, the Ombudsman found that the use of a new regulation under the little-known PWP - enacted in 1939 to protect infrastructure in World War II - was an "opportunistic" and "inappropriate" use of a "war measure" that led to massive violations of civil rights during

APRIL 2013

The Ombudsman investigates public complaints about Ontario government agencies. His office oversees more than 500 provincial ministries, agencies, tribunals, boards, commissions and Crown corporations.

[FILE A COMPLAINT ONLINE](#)

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UOTTAWA

On March 6, Elena and Amanjit visited Ottawa for the University of Ottawa Faculty of Law's career fair. Keep an eye on our website for any [future job postings](#).

the June 2010 G20 weekend. [Read more about the report](#)

MUNICIPAL MEETINGS

**Toughen Sunshine Law, say Ombudsman, mayor;
penalties could increase transparency**

"Hitting rogue councillors in the pocketbook would get their attention that the rule of law applies to them, too."

-Ontario Ombudsman André Marin's March 16 *Toronto Sun* column about fining municipal politicians who hold illegal closed meetings.

Ombudsman André Marin has called for stronger penalties for politicians who go against the *Municipal Act* and hold illegal closed meetings. You've called for it, too, on Twitter and in your letters to local newspapers. And now, one city mayor is urging the Premier to adopt the Ombudsman's suggestions for more transparent, open local government.

In a recent letter, City of Sarnia Mayor Mike Bradley echoes the Ombudsman's words on fining rogue politicians, calling on Premier Kathleen Wynne to consider penalties for contravening the *Municipal Act*.

"The lack of penalties for elected people who violate the Act is a serious gap in the legislation," mayor Bradley writes. "I would like to add my voice to support the Ontario Ombudsman, Mr. André Marin, who has been calling for appropriate penalties to be in place beyond 'embarrassment' for municipal councillors who violate the open meeting provisions of the Act."

Municipal updates

- **City of Greater Sudbury** - The Ombudsman has advised Sudbury council that he cannot investigate complaints received in the wake of council's decision to replace him as its investigator. [Read the Ombudsman's letter](#)
 - **City of London** - Field work in this investigation is ongoing.
 - **Municipality of Central Huron** - The Ombudsman found that Council for the Municipality of Central Huron violated the *Municipal Act* during meetings held in May and July, 2012, but that a closed meeting on June 11 was justified.
 - **Township of Adelaide Metcalfe** - The Ombudsman found that the Township of Adelaide Metcalfe contravened the open meeting requirements of the *Municipal Act* at meetings held July 25, August 1, and August 13, 2012.
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MAKING HEADLINES

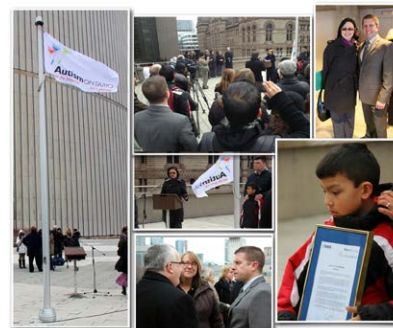
Is the headline of a newspaper article appropriate discussion for a municipal closed meeting? The Ontario Ombudsman ruled no in his recent report about closed meetings in Central Huron.

- [Read more in this J-Source piece](#)
- [Read the Central Huron report](#)



WORLD AUTISM AWARENESS DAY

On April 4, the Ombudsman attended a flag-raising at Toronto City Hall for World Autism Awareness Day.



CAS OVERSIGHT

POLICE OVERSIGHT IN ONTARIO



In March, the Ombudsman was invited to speak about police oversight at the first **Policing the Public** symposium at Carleton University in Ottawa.

Here's a snippet from his speech, "What's Wrong - and Right - with Ontario's Police Oversight":

"Why do we need civilian oversight of the police? The answer is simple: The police are not like regular citizens. They wield enormous power on behalf of the state. We give them guns. We give them the power to arrest and detain any of us. When the police

injure or kill a civilian, it is in the interest of everyone – not just every citizen but the police themselves – to have independent verification of what happened. If police simply investigate themselves, there are no checks and balances; no way to refute suspicions of bias, corruption and coverup."

The Ombudsman was joined on the panel by Carleton sociology professor Darryl Davies, Ottawa Police Chief Charles Bordeleau, lawyer Lawrence Greenspon, and retired RCMP officer Calvin Lawrence.

[Read the full speech](#) | [Watch the video](#) | Read a [Storify story of all the tweets](#)

INVESTIGATION UPDATES

- **Adults with developmental disabilities in crisis:** The Ombudsman is continuing to take complaints. Since the investigation began, the office has received more than 600 complaints - and the number is growing every day. Field work is expected to be completed in late spring.
- **Use of force in jails:** The Ombudsman is completing his draft report and recommendations for this investigation, our largest to date. Once it is sent to the Ministry of Community Safety and Corrections for a response, the final report will be released, likely in June.
- **Monitoring of drivers with uncontrolled hypoglycemia:** The Ombudsman's report and recommendations in this investigation will be drafted soon.

The above investigations are being conducted by the Special Ombudsman Response Team (SORT). Anyone who has information relevant to these investigations can contact our office at 1-800-263-1830, [file an online complaint](#) or email info@ombudsman.on.ca.



On April 11, Bill 42, "An Act to amend the *Ombudsman Act* with respect to children's aid societies," passed second reading. This bill would give the Ombudsman oversight of provincial children's aid societies, which are currently outside his jurisdiction. Next, it will go to the Standing Committee on Government Agencies.

Ontario is the only province whose Ombudsman does not have oversight of child protection services. In 2011-2012, our office received 491 complaints and inquiries about children's aid societies across the province. Concerns were raised about many compelling issues, including failure to investigate abuse allegations, inadequate investigations and problematic apprehensions of children.

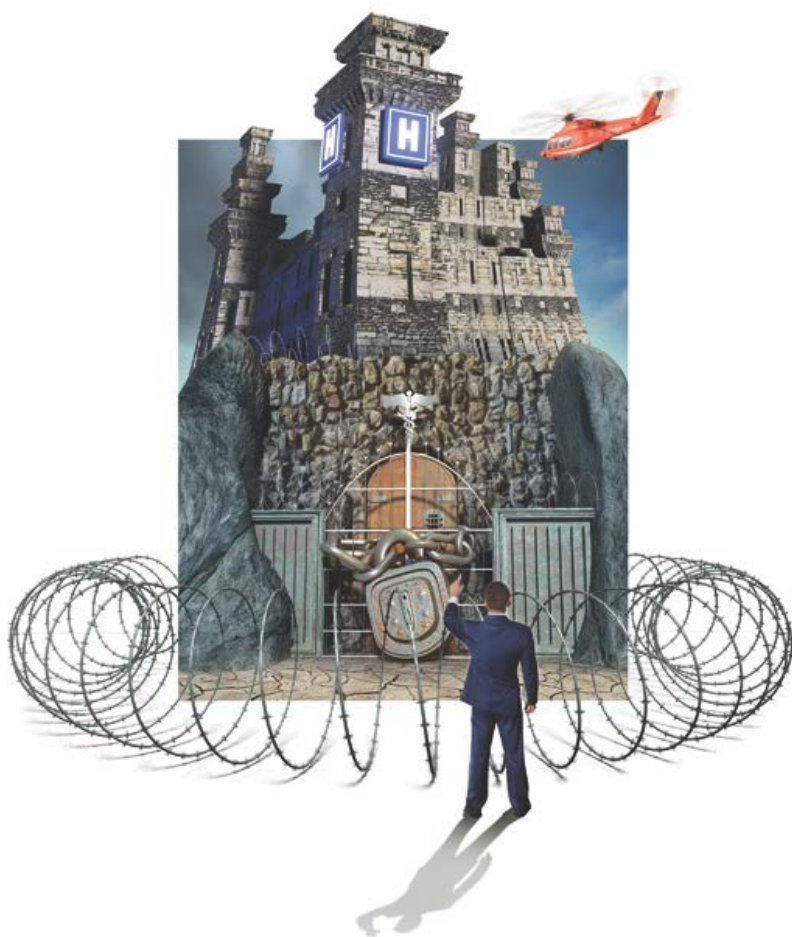
- [Read more about the bill](#)
- [Watch video of the Bill 42 debate in Queen's Park](#)
- Give Ontario Ombudsman powers to investigate children's aid societies, writes Christina Blizzard of the *Toronto Sun*. The paper's website also ran a poll on Ombudsman oversight of CASS. [Read more](#)

TRAINING

On April 2 and 3, senior Ombudsman staff delivered our office's world-renowned "Sharpening Your Teeth" training course to staff from the Independent Electricity System

ORNGE OVERSIGHT

In the wake of the introduction of Bill 11, the *Ambulance Amendment Act (Air Ambulances)*, 2013, the Ombudsman sent a letter to the Health minister and opposition health critics urging government to consider giving his office oversight of Ornge, instead of creating a new level of ministerial bureaucracy by installing 'special investigators' that would report solely to the ministry. [Read the letter](#)



THANK YOU

On April 1, it was officially eight years since André Marin was appointed Ombudsman of Ontario. [Here's](#) what people had to say - and a little thank-you note from the Ombudsman:

Operator. Here's Special Ombudsman Response Team director Gareth Jones discussing the principles of excellent investigations (below).



STAY CONNECTED

The Ombudsman now has more than **12,340** Twitter followers and **2,117** Facebook fans. Please continue to reach out to us on social media, or drop us a line at thewatchdog@ombudsman.on.ca

WHAT WOULD YOU LIKE?

What would you like to see in our newsletter? Let us know! Email us at thewatchdog@ombudsman.on.ca

2012-2013 ANNUAL REPORT

Stay tuned for our 2012-2013 Annual Report, coming early this summer.



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