

In our December newsletter: Ombudsman finds Children's Aid Society of Toronto failed to comply with child protection standards, French Language Services Commissioner releases 2021-2022 Annual Report, and more!

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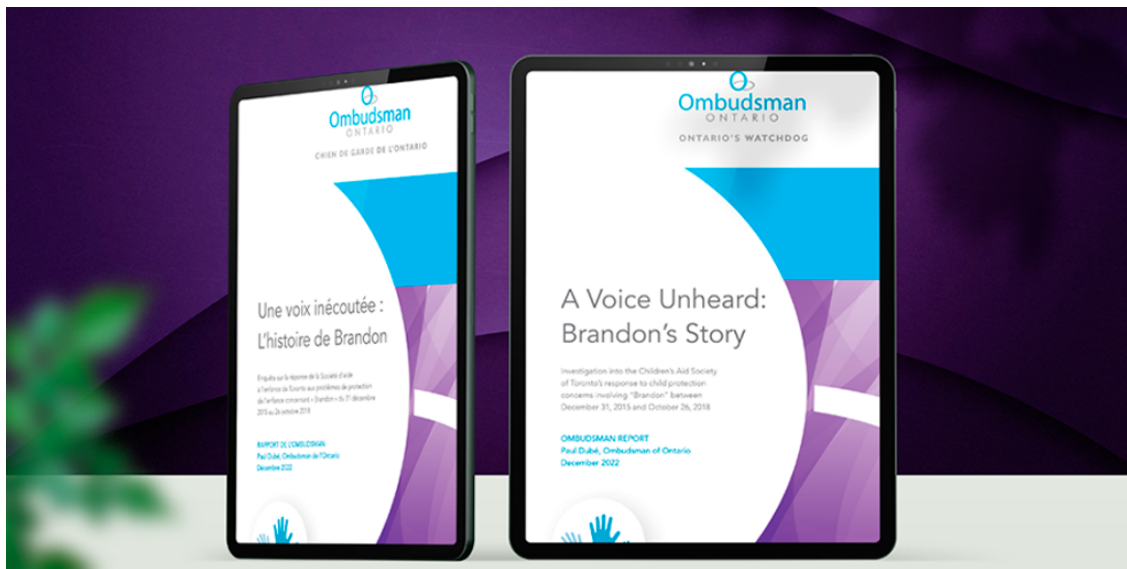
Ombudsman finds Children's Aid Society of Toronto repeatedly failed to comply with child protection standards and act in child's best interests

French Language Services Commissioner reports "important advancements" in 2021-2022

Here, there and everywhere

How we helped: Case summaries

Ombudsman finds Children's Aid Society of Toronto repeatedly failed to comply with child protection standards and act in child's best interests



In his latest investigation report, released on December 19, 2022, Ombudsman Paul Dubé found that the Children's Aid Society of Toronto repeatedly failed to protect the interests of a young boy despite multiple investigations and reports of concerns about his well-being and living conditions.

The report, entitled [*A Voice Unheard: Brandon's Story*](#), is the Ombudsman's first related to a children's aid society since his Office gained oversight of child protection agencies in 2019. It details numerous failures by the CAS to comply with the Ontario Child Protection Standards and its own policies.

The CAS has accepted all 18 of the Ombudsman's recommendations in the report, a response that he commended as "exemplary."

The investigation covers the period from December 30, 2015 to October 26, 2018, when "Brandon" was between the ages of 7 and 10. On October 22, 2018, police officers and paramedics found him on a urine-soiled futon inside a family member's filthy and bug-infested apartment. When police learned the CAS did not intend to apprehend Brandon, they did so themselves and took him to a foster home, where he has remained.

"Brandon's case serves as a reminder that children's aid societies must remain vigilant in

ensuring compliance with regulatory requirements and prescribed standards, which promote consistency and rigour in their provision of services and direct their focus to the best interests of children," the Ombudsman writes in the report.

Read the report

In the News

[Ombudsman releases scathing report after Toronto boy, 10, found malnourished and living in squalor](#) - CTV News

[Ombudsman rebukes Toronto children's aid in first child protection investigation](#) - The Law Times

French Language Services Commissioner reports "important advancements" in 2021-2022





In her third Annual Report, released on December 7, 2022, French Language Services Commissioner Kelly Burke reflects optimistically on the achievements of the Ombudsman's French Language Services Unit, which has resolved more than 1,000 cases since May 2019. She cites several examples of cases from the past year where her team helped individuals receive health care and other crucial services in French – and others where the Office's intervention will benefit all Franco-Ontarians in future.

“Although we still have much work to do, this report documents important advancements in the level of services in French in Ontario over the past year,” Commissioner Burke said.

The modernization of the *French Language Services Act (FLSA)*, announced by the government a year ago, is cause for optimism, she says in the report. She also welcomed the new regulation on active offer presented by the Minister of Francophone Affairs on December 6. It requires ministries, provincial government agencies and third parties delivering services on behalf of the government to proactively inform the public of the availability of these services in French and offer them at the time of the request.

The Commissioner's report takes stock of all her recommendations to date, noting that all have been well received by the government, and two have been implemented. As well, all 19 of her recommendations in her first formal investigation – into Laurentian University's cuts to French-language programs during its financial restructuring – were accepted and several improvements have been made.

The Commissioner makes two new recommendations in this report, based on the 277 cases (complaints and inquiries) received by the French Language Services Unit between October 1, 2021 and September 30, 2022, and issues arising from them:

- Regulation 398/93, which lists organizations designated to provide French language services, is outdated. She calls on the Ministry of Francophone Affairs to provide her with a plan to modernize the regulation.

- Job postings in the public service are only posted in both languages for jobs that are designated as bilingual. She recommends the Treasury Board Secretariat review employment policies to ensure more jobs are posted in French.

"These two new recommendations are intended to help the government look to the future," she said.

[Read the full report](#)

[Read the Commissioner's report highlights](#)

[Read the Commissioner's remarks](#)

In the News

- [A dying Franco-Ontarian is asked to speak in English](#)
- [Kelly Burke Commissaire du changement positif \(ONFR+\)](#) - In French only
- [Une Franco-Ontarienne se fait dire de parler anglais à l'hôpital \(Radio-Canada\)](#) - In French only

HERE, THERE AND EVERYWHERE

Locally speaking

Ombudsman staff will be at the Rural Ontario Municipal Association's annual conference at the Sheraton Centre in downtown Toronto, January 22-24, 2023. Stop by our exhibitor booth to pick up the latest resources and learn more about how we work with municipalities.

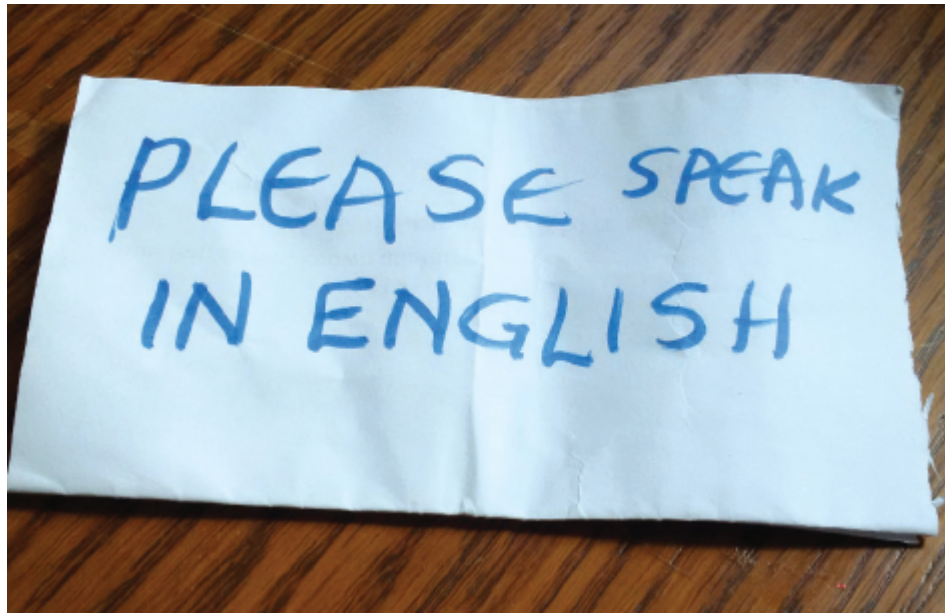
Also, stay tuned for our next edition of **Open Meetings: Guide for Municipalities**, our free pocket-sized resource for municipal clerks, councillors, staff and anyone interested in Ontario's open meeting rules.



Coming in early 2023, the new edition will include updated case examples from our investigations, including those related to electronic or virtual meetings. Hard copies will be mailed out to all Ontario municipalities and can be requested from our Office. An accessible PDF will also be available on our website.

In the meantime, visit the other [resources we make available to municipalities](#) - including our digital Open Meetings Case Digest, tip cards, and best practices suggestions.

HOW WE HELPED – CASE SUMMARIES



“Please speak in English”

A Francophone man and his family complained to us that they were unable to obtain services in French when visiting their dying mother in a hospital in Northern Ontario (the hospital is designated under the *French Language Services Act*, meaning it is expected to provide services in French). They said their mother received very few services in French and even found a note that asked her to “Please speak in English”.

Their mother died a few weeks after being admitted to the hospital. Our staff pursued the complaint with the hospital’s management. As a result of our intervention, measures were taken to remedy the lack of bilingual reception staff, among other things. An action plan was then developed that included identifying the language preference of patients and visitors, identifying bilingual personnel for each shift and training staff on expectations regarding French language services.

Learn more about the French Language Services Unit which answers questions and takes complaints about services in French



[Talk or else](#)

A 13-year-old in a group home complained that staff were forcing him to talk to them and share his feelings, rather than respecting his privacy. He said they threatened to remove privileges, like making calls to his parents or using an iPad, if he didn't comply.* We raised the issue with the home's supervisor, who agreed that staff should not threaten him when he does not feel like talking.

**Rights cannot be taken away as a form of punishment. Under the Child, Youth and Family Services Act, 2017, a young person in care has a right to speak in private with, visit and receive visits from members of their family or extended family regularly.*

[Click here to learn more about how we helped with issues or problems concerning children and youth](#)



Deadline driven

A driver who suffered what he believed to be a seizure in April 2013 was diagnosed by a neurologist and, as required by the Ministry of Transportation, had his licence suspended pending a medical review. On October 28, 2013, his doctor faxed documentation to the Ministry to prove that he had been seizure-free for six months, and thus eligible to have his licence reinstated.

However, the Ministry never received the fax. When the doctor learned this and sent it again a month later, the Ministry told the man it would take another 30 business days to process. The man contacted the Ombudsman for help, saying he would lose his job if he did not have his driver's licence reinstated by mid-December.

Ombudsman staff explained the situation to the Ministry, and the next day, its Driver Licensing Medical Review Section confirmed it had received the medical information and reinstated the man's licence. **The man was delighted, telling Ombudsman staff: "You've made my Christmas and you've made my job!"**

[Click here to learn more about how we helped Ontarians with their problems](#)

From all of us at the Ontario Ombudsman's Office, we wish you the happiest of holidays, and all the best for a safe, happy 2023.

Our Office will be closed on Monday, December 26 and Tuesday, December 27. We will be available again on Wednesday, December 28. We will also be closed on Monday, January 2, and working again on January 3. In the meantime, [complaints can still be made online](#).

File a complaint or contact us here



The Ombudsman is an independent officer of the Ontario legislature who conducts oversight of provincial government agencies and municipalities, universities and school boards, as well as child protection services and French language services. Ombudsman Paul Dubé was reappointed for a second five-year term, beginning on April 1, 2021.

The Ontario Ombudsman's work takes place on traditional Indigenous territories across the province we now call Ontario, and we are thankful to be able to work and live on this land.

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