

Annual Report 2019-2020 – Facts and highlights

By the numbers – cases received

Total cases received, April 1, 2019-March 31, 2020: **26,423**

Correctional facilities: **6,000**

Municipalities: General – **3,014** (p. 39); Closed meetings – **54** (p. 44)

School boards: **732** (p. 56)

Universities: **282** (p. 59)

Most complained-about organization: Tribunals Ontario (**1,051** cases – p. 37)

Top 10 provincial organizations and correctional facilities by case volume: p. 79

52% of cases closed within one week; **64%** within two weeks

New areas of jurisdiction (May 1, 2019-March 31, 2020)

Children and youth in care: **1,775** (Children's aid societies: **1,458**)

French language services: **321**

COVID-19 update (March 16, 2020 to present)

Complaints and inquiries received while working remotely: More than **3,300**

Cases related to COVID-19: More than **800**

New in 2019-2020 – complaint trends and proactive work

- Ombudsman staff flagged lack of policies at youth justice centres for investigation of assaults, removing privileges and isolating young people (p. 22)
- The Premier committed to the French Language Services Commissioner that the government's coronavirus information would be provided in English and French (p. 25)
- Cabinet ministers' English-only podium signs were replaced with bilingual ones after the French Language Services Commissioner raised the issue with the Secretary of Cabinet (p. 28).
- The Ombudsman and staff visited correctional facilities and raised concerns about overcrowding and poor living conditions with the Deputy Solicitor General and Solicitor General, as complaints hit a new high of 6,000 (p. 33).

- The Ministry of the Solicitor General developed a new policy after Ombudsman staff flagged a case of an inmate who was not sent to hospital immediately after being sexually assaulted by inmates (p. 35).
- The Chief Coroner implemented new provincewide training for staff on communicating with families after a family complained that a loved one's body was cremated despite their request for a second examination (p. 38).
- The City of Hamilton adopted new procedures to ensure doors to City Hall are not locked during meetings, after two Ombudsman investigations of meetings that were illegal because residents could not get in (p. 45).
- The Ontario Cannabis Store enabled customers to file online complaints about the weight and quality of cannabis orders (p. 54).
- The Ministry of Education is addressing a gap in assessment and treatment services for students in so-called "Section 23" schools (p. 57).
- Ombudsman staff continue to assess issues raised about free speech on university campuses in four complaints, three of which involved events related to the 2019 federal election (p. 60).
- The Ministry of Transportation updated its website and its notices to drivers whose licences are suspended for dangerous driving (p. 66).
- The Ministry of the Attorney General and municipalities were encouraged to consider issues of fairness when attempting to collect fines from drivers for offences dating back as far as the 1980s (p. 67).
- The Fair Practices Commission made its complaint form available in French after Ombudsman staff alerted them to the needs of a Francophone complainant (p. 69).

Investigations

Reports published in 2019-2020

Lessons Not Learned (July 2019): The Near North District School Board accepted all 14 of the Ombudsman's recommendations to improve transparency, including revisiting its decision to close a North Bay School. (p. 59).

Inside Job: Niagara Region accepted all 16 of the Ombudsman's recommendations to improve the fairness of its hiring process, after the Chief Administrative Officer hired in 2016 was given an unfair advantage (p. 43).

New and pending investigations

Landlord and Tenant Board delays – p. 55

Long-term care monitoring during COVID-19 – p. 65

Emergency health services – p. 65

New assessments for potential investigations

Operational stress injury among correctional officers – p. 37

Deteriorating licence plates – p. 67

Hamilton sewage spill – p.73

Municipal closed meeting investigations: 54 total complaints (40 where Ombudsman is the investigator); 26 meetings in 24 municipalities investigated; 15 reports and letters issued; 5 illegal meetings and 4 procedural violations found, 18 best practice recommendations made (p. 44).

Updates on selected previous investigations

A Matter of Life and Death (2016): Many of the Ombudsman's recommendations, including body-worn cameras and a new use-of-force model that prioritizes de-escalation, are still being reviewed by the Ministry of the Solicitor General. New policing legislation is still not in force, but the Ontario Police College is working on new de-escalation training (p. 32).

In the Line of Duty (2012): Reports by Ontario's Chief Coroner on police suicides and the OPP's expert panel on workplace culture were issued, and a mental health program is in the works. Ombudsman investigators continue to assess developments and the need for further investigation (p.32).

Out of Oversight, Out of Mind (2017): Some 19 of the Ombudsman's 32 recommendations have been implemented, but legislation passed under the previous government is not in force, and there is still no independent review of segregation placements, despite a new regulation. Individual complaints about segregation declined to 162 from 266 (p. 36).

Nowhere to Turn (2016) The Ministry of Children, Community and Social Services continues to report on its progress, and Ombudsman staff help adults with complex special needs find placements on a case-by-case basis (p. 51).

Between a Rock and a Hard Place (2005): Ombudsman staff continue to address individual cases where parents of children with complex special needs relinquish custody of their children in order to get care for them (p. 52).

Suspended State (2018): The Ministry of Transportation made improvements, including informing drivers of suspensions for defaulted fines when they renew vehicle registrations, making it possible to pay these fines online or at ServiceOntario, and tracking returned mail (p. 67).

Individual case highlights – how Ombudsman intervention helped

- An 11-year-old who was threatened with a knife by another resident in her group home was given a new placement (p. 20).

- A group home improved its practices after a teen with developmental disabilities was found by police outside after midnight in the cold (p. 20).
- A youth justice centre began documenting and reviewing the placement of a 17-year-old with mental challenges who had had limited human contact for more than four months (p.22)
- A motorcyclist was given the chance to redo his road test in French, and the DriveTest location committed to providing bilingual examiners (p. 29).
- An inmate who waited for six weeks to see a doctor due was given an appointment for blood sugar testing and pain medication (p. 34).
- Correctional officers were suspended in the wake of an investigation after an inmate complained that they punched him and broke his nose (p. 35).
- A municipal integrity commissioner issued a report after an 18-month delay after Ombudsman staff flagged it to the municipality (p. 40).
- Municipal social housing staff reached out to a woman after she waited more than six weeks for a reply to her urgent request (p. 41).
- A cancer patient seeking funding for transportation for an urgent surgery connected with Ontario Disability Support Program staff, who were on rotating shifts due to COVID-19 (p. 48).
- A father who was ordered to pay \$1,000 in family support instead received a \$5,000 credit for child support he had overpaid for seven years (p. 49).
- A mother received \$9,482 in support from her ex-spouse the Family Responsibility Office (FRO) was prompted to garnish his wages (p. 49).
- A woman who was told to repay \$16,000 in Ontario Disability Support Program payments instead began receiving reimbursements for several years of deductions (p. 50).
- A woman received \$7,172 in family support that the FRO had been sending to an invalid mailing address for over a year (p. 52).
- A father whose children are now in their 30s but still owed child support dating back decades saw his arrears reduced by \$30,000 (p. 52).
- A man received \$1,222 from the Office of the Public Guardian and Trustee for a wheelchair claim that hadn't been processed (p. 54).
- The owner of a property that the Municipal Property Assessment Corporation mistakenly overvalued by \$100,000 filed for a tax refund (p. 54).

- The Ontario Student Assistance Program reviewed a student's file, resulting in her receiving a \$17,000 grant (p. 61).
- A student who wanted to resume his studies after being hospitalized had his \$15,000 OSAP loan changed to a grant (p. 62).
- An essential worker during the early days of the COVID-19 state of emergency had her driver's licence quickly reinstated (p. 66).
- ServiceOntario provided a woman's permanent driver's licence for pickup in person, after she waited six months to receive it by mail (p. 68).
- Metrolinx refunded a woman who accidentally bought a monthly Toronto Transit Commission pass when reloading her Presto card (p. 68).
- A man who was asked to repay \$28,000 in Second Career funding he received almost a decade ago had the debt reduced to zero (p. 70).
- Two refugees whose original identification documents were held by Canadian Border Services Agency were able to obtain Ontario Photo Cards (p. 71).
- A woman who waited five months for ServiceOntario to process her parking permit application had it mailed to her within 10 days (p. 71).