

Annual Report 2023-2024 – Facts and highlights

By the numbers – cases (complaints and inquiries) received

Total cases received between April 1, 2023 and March 31, 2024: **27,030**
(up 10% from fiscal 2022-2023)

44% of all cases were closed within one week, **57%** within two weeks

Cases by topic

Correctional facilities: **4,444** (p. 26)

Municipalities: General issues – **3,595** (p. 34); Complaints about closed municipal meetings – **99** (p.38)

School boards: **1,334** (p. 41); Complaints about closed school board meetings – **200+** (p. 44)

Post-secondary: Universities – **289**; colleges – **292** (p. 45); Ontario Student Assistance Program (OSAP) – **160** (p. 45)

Social services: Family Responsibility Office (FRO) – **440** (p. 49); Ontario Disability Support Program (ODSP) – **978** (p. 49); Ontario Works – **390** (p. 50)

Most complained-about organization: Tribunals Ontario – **1,457** cases, including **1,284** about the Landlord and Tenant Board (p. 32)

Children and youth: Young people in care – **1,722** (p. 55); Youth justice centres – **202** (p. 57)

French language: **511** (p. 69), a 73% increase over the previous fiscal year

See *also*: Top 10 case topics (p. 25) and Top 10 provincial government organizations and Top 10 correctional facilities by case volume (p. 90)

New in 2023-2024 – Complaint trends and proactive work

- Ombudsman staff visited correctional facilities and helped vulnerable inmates with issues related to overcrowding, medical care, segregation, incidents of use of force, and access to programs (pp. 28-29).
- Complaints about delays at the Human Rights Tribunal of Ontario increased, and Ombudsman staff are monitoring efforts to reduce the backlog (p. 32).
- A correctional facility for women added privacy screens for strip searches and improved staff training in respecting inmates' privacy (p. 33).
- The Ombudsman called on municipalities to remove fees for filing complaints to local integrity commissioners, and municipal administrators welcomed the Ombudsman's new best-practice resources about integrity commissioners and codes of conduct (p.36).
- The Ministry of Education is reviewing its memorandum on when school boards are required to charge tuition fees to children of newcomers to Canada, after the Ombudsman flagged four complaints (p. 43).
- The Ministry of Children, Community and Social Services worked to address delayed Special Services at Home payments after the Ombudsman flagged 79 complaints (p. 50).
- The Ministry of Children, Community and Social Services acknowledged the need to improve knowledge about Voluntary Youth Services Agreements for 16- and 17-year-olds after the Children and Youth Unit flagged 90 complaints about 30 children's aid societies (pp. 55-56).
- Children's aid societies made complaint forms more visible on their websites after Ombudsman staff flagged to the Ministry of Children, Community and Social Services that dozens of them were not doing so as required (p. 56).

- All government-operated youth justice centres were reminded that strip searches should not be done after routine visits, after a youth complained he was being strip-searched after every visit with his lawyer (p. 61).
- Ombudsman staff flagged complaints to the Ministry of Finance from members of First Nations about a backlog of First Nations HST rebate applications (p. 62).
- The Ministry of Transportation reviewed its processes for drivers who change their sex designation after a transgender woman complained to the Ombudsman that her pre-transition driving record was not carried over to her new licence (p. 67).
- All provincial government general public job postings now follow the French Language Services Commissioner's recommendation that they be available in both English and French (p. 71).
- Ombudsman staff were invited to share best practices with staff of all conservation authorities in the province so they can ensure their decision-making and public meetings are fair and transparent (p. 79).
- Ombudsman staff raised First Nations concerns about administrative barriers to obtaining birth certificates with the Ministry of Public and Business Service Delivery (p. 82).

New reports on investigations

Rights Unrecognized: Mia's Story (April 2024): The York Region Children's Aid Society accepted all 20 recommendations aimed at improving staff training in the use of Voluntary Youth Services Agreements (VYSAs) after 16-year-old "Mia" was refused a foster care placement despite repeated requests (p. 58).

Municipal closed meeting investigations: The Ombudsman issued 24 reports and letters on reviews of 38 meetings in 54 municipalities and local boards. He found 16 illegal meetings and 18 procedural violations, and made 29 best practice recommendations (p. 38).

School board closed meeting investigations: The Ombudsman has issued 5 reports and letters on reviews of closed school board meetings since April 1, 2023 (p. 44).

Ongoing investigations

Direct payment programs for parents and students: Investigators are interviewing Ministry of Education officials and complainants about problems with successive payment programs since 2020, which sparked hundreds of complaints to the Ombudsman (p. 46).

Adults with developmental disabilities who are inappropriately housed in hospitals: The Ombudsman's findings in this case are being drafted; meanwhile, Ombudsman staff worked proactively to find solutions for several individuals who spent years in hospitals. (p. 51).

Unilingual government out-of-home advertising: The French Language Services Commissioner's own-initiative investigation is now complete and a report will be published soon (p. 71).

Updates on completed investigations

Lessons for the Long Term (September 2023): The Ministry of Long-Term Care has a new strategy to ensure sufficient inspectors of long-term care homes in times of crisis, and a stronger process for sourcing personal protective equipment (p. 76).

Administrative Justice Delayed, Fairness Denied (May 2023): Action has been taken on 35 of the Ombudsman's 61 recommendations. The Landlord and Tenant Board now has more adjudicators. However, some issues the Ombudsman identified persist and a continued high volume of complaints suggests more needs to be done (pp. 63-64).

Missing In Inaction: Misty's Story (April 2023): The foster care agency that lost track of a 13-year-old Indigenous girl in its care in a southern Ontario city reimbursed her Indigenous child care agency for services it failed to deliver (p. 59).

A Voice Unheard: Brandon's Story (December 2022): The Children's Aid Society of Toronto has implemented all of the Ombudsman's recommendations and is using the case of "Brandon" as a training tool to ensure concerns of children in care are heard (p. 59).

Lost Opportunities (April 2022): The Ministry of Children, Community and Social Services has implemented most of the Ombudsman's recommendations to improve its process for closing youth justice programs and facilities. However, a recent closure raised similar concerns and is being reviewed (p.60).

Out of Oversight, Out of Mind (April 2017): Most of the Ombudsman's 32 recommendations to improve the tracking of inmates in solitary confinement (segregation) have been implemented, but Ombudsman staff continue to raise concerns about inmates with mental health issues being put in segregation, contrary to government regulation (pp. 30-31).

A Matter of Life and Death (June 2016): The Ministry of the Solicitor General has made some slow progress on the Ombudsman's recommendations to improve police de-escalation training, including replacing the previous use-of-force model with one that has de-escalation as a "guiding principle" (pp. 27-28).

The Code (June 2013): Nearly all correctional facilities are now equipped with closed-circuit cameras and more than half of facility managers have received training. All of the Ombudsman's recommendations are expected to be implemented by the end of 2025 (p. 31).

Between a Rock and a Hard Place (May 2005): Overwhelmed families of children with complex special needs continue to surrender custody to children's aid societies to get them proper care. Ombudsman staff work proactively with government and agency staff to find individual solutions and are monitoring systemic concerns (p. 52).

Submissions to government (available at www.ombudsman.on.ca)

Child, Youth and Family Services Act (May 2024 and August 2023): The Ombudsman proposed improvements to bolster children's rights and improve administration of Voluntary Youth Services Agreements. Two of his proposals were incorporated in new legislation (p. 58).

School board governance (April 2024): The Ombudsman's proposals to the Ministry of Education included allowing school board integrity commissioners to take complaints from the public, and permitting boards to meet virtually when safety is a concern (p. 45).

Searches of youths, staff and visitors at youth justice facilities (March 2024): The Ombudsman urged the Ministry of Children, Community and Social Services to make strip searches a measure of last resort in youth justice facilities (p. 57).

Local Services Boards and the Northern Services Boards Act (March 2024): The Ombudsman proposed that the Ministry of Northern Development make Local Services Boards subject to his oversight and the same open meeting rules as municipalities (p. 7).

De-escalation training standards for peace officers and use of force by police services (October 2023): The Ombudsman proposed clear standards on the use of de-escalation techniques by all peace officers and reiterated that police be required to use de-escalation techniques before force wherever possible when dealing with persons in crisis (p.27).

Individual case highlights – how Ombudsman intervention helped

- An inmate who is an amputee was provided with a wheelchair and shower bench so he could shower safely (p. 30).
- An Indigenous inmate was provided with smudge spray so he could smudge regularly at his facility (p. 30).

- A municipal housing provider promised to install security cameras after a tenant complained to the Ombudsman that her building's main doors were being left open (p. 37).
- A woman was given additional time to clean up debris in her back yard rather than being charged by the municipality for the job (p. 37).
- A municipality adopted the Ombudsman's suggestions for a fairer tax policy and apologized to a woman for not giving her adequate notice to move out when she couldn't pay her taxes (p. 40).
- A school board apologized to a mother who complained to the Ombudsman that she was never informed when her son hit his head at school (p. 43).
- A group of adult students were able to take their high school diploma equivalency tests just in time before the testing provider closed its operations (p. 42).
- A single mother of a child with special needs got a "life-changing" grant from the Ontario Student Assistance Program (OSAP) of \$11,000 after waiting nearly five years (p. 45).
- A student with disabilities had their \$7,000 loan restored to a grant after OSAP discovered it had been converted to a loan by mistake (p. 45).
- A group of 50 university students who all failed the same course were offered the chance to retake a condensed version of the course for free (p. 47).
- A college student was able to complete a practical assessment in lieu of repeating a course, so he could graduate in time to start the full-time job he had lined up (p. 47).
- A young man received more than \$4,500 in retroactive benefits when it took four months to transfer his file from the Assistance for Children with Severe Disabilities Program to the Ontario Disability Support Program (ODSP) (p. 49).
- The Family Responsibility Office (FRO) began collecting unpaid support of more than \$40,000 owed to a woman by her U.S.-based former spouse (p. 49).
- A man recovered more than \$4,000 in support payments that were mistakenly collected by the FRO (p. 49).
- After waiting six months, a mother finally received a decision from the Ontario Autism Program on her child's needs assessment (p. 50).
- After living in hospital for eight years, a 56-year-old man with developmental disabilities got help to move to a supported living arrangement within a few months (p. 51).
- A young man with autism who had spent three years in hospital – much of it in restraints – was moved to a community care setting (p. 51).
- A woman received \$25,000 in child support after trying for more than a year to resolve communication issues with the FRO (p. 53).
- The ODSP apologized to a woman and paid her \$10,000 after her benefits were mistakenly suspended for more than a year (p. 53).
- A youth was reimbursed \$500 for belongings that went missing when she was abruptly moved from one residential care placement to another (p. 56).
- An Indigenous man struggling to care for the newborn child of relatives suffering from addiction got help to finalize the paperwork to secure supports for the baby (p. 56).
- Government inspectors found 50 violations of a group home's licence after the youth there raised their concerns with Ombudsman staff who visited the home (p. 60).
- A woman's weekly allocation of funds from the Office of the Public Guardian and Trustee was increased so she could cover day-to-day expenses (p. 65).
- After waiting seven months, a landlord who claimed her tenant was threatening to kill her had a hearing scheduled with the Landlord and Tenant Board (LTB) (p. 65).
- An evicted family was able to return to their rental unit after the LTB ordered their landlord to keep the unit as is pending an emergency hearing (p. 65).

- After DriveTest erroneously rejected information about a refugee's driving experience in his home country, the man's record was updated so he could book his G2 driving test (p. 67).
- A man whose Canadian citizenship certificate had gone missing was able to renew his health card and get reimbursed for costs he had incurred for OHIP-covered services (p. 76).
- A woman was granted immediate short-term coverage for a life-saving drug and received guidance on the review process to obtain long-term coverage (p. 76).
- Ministry of Long-Term Care officials reviewed a woman's concerns about her mother's death in a long-term care home and conducted an additional inspection (p. 77).
- A man who had been incorrectly charged the commercial hydro rate on his residential unit was refunded the overpayment and billed at the lower residential rate (p. 78).
- A woman who relies on electricity for her mobility devices and risked having her hydro disconnected for unpaid bills got help in applying to a special payment program (p.80).
- A woman was issued a new birth certificate within a week so she could renew her passport and travel overseas to visit a dying relative (p. 81).
- A man was able to apply for employment insurance after inconsistent name spellings between his handwritten birth certificate and his printed documents were clarified (p. 83).