

Court of Appeal File No.: C66542
Superior Court File No.: 749/13

COURT OF APPEAL FOR ONTARIO

B E T W E E N:

THE ATTORNEY GENERAL OF ONTARIO

Respondent (Appellant in appeal)

and

JEFFREY BOGAERTS

Applicant (Respondent in appeal)

**EXHIBIT BOOK OF THE RESPONDENT (APPELLANT IN APPEAL),
THE ATTORNEY GENERAL OF ONTARIO**

VOLUME I

March 12, 2019

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I N D E X

Tab		Page No.
<hr/>		
VOLUME I		
1	Affidavit of Jeffrey Bogaerts sworn July 31, 2014	1
A	Exhibit “A”	7
B	Exhibit “B”	13
D	Exhibit “D”	28
E	Exhibit “E”	36
F	Exhibit “F”	40
G	Exhibit “G”	77
H	Exhibit “H”	112
I	Exhibit “I”	181
J	Exhibit “J”	270
K	Exhibit “K”	360
L	Exhibit “L”	365
M	Exhibit “M”	390
O	Exhibit “O”	455
P	Exhibit “P”	479
 VOLUME II		
<hr/>		
2	Affidavit of Jeffrey Bogaerts sworn February 18, 2015	1
A	Exhibit “A”	3
B	Exhibit “B”	10
3	Affidavit of Lisa Kool sworn May 3, 2017	14
A	Exhibit “A”	20

B	Exhibit “B”	68
C	Exhibit “C”	81
4	Affidavit of Connie Mallory sworn May 2, 2017	116
A	Exhibit “A”	125
B	Exhibit “B”	130
C	Exhibit “C”	147
D	Exhibit “D”	154
E	Exhibit “E”	164
F	Exhibit “F”	169
G	Exhibit “G”	171
H	Exhibit “H”	185
I	Exhibit “I”	233
J	Exhibit “J”	242
K	Exhibit “K”	254
L	Exhibit “L”	258
M	Exhibit “M”	292
5	Excerpt from Cross-examination of Jeffrey Bogaerts	295
6	Excerpt from Cross-examination of Connie Mallory	301
7	Excerpt from Cross-examination of Lisa Kool	414
8	Excerpt from Cross-examination of Jeffrey Bogaerts	435

Court File No. 749/13

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

JEFFREY BOGAERTS

Applicant

-and-

ATTORNEY GENERAL OF ONTARIO

Respondent

AFFIDAVIT OF JEFFREY BOGAERTS

(sworn July 31, 2014)

I, **JEFFREY BOGAERTS**, of Lanark County, in the Province of Ontario, **MAKE OATH AND SAY:**

1. I am the applicant of the above application, and as such have direct knowledge of the matters herein deposed. Unless I indicate to the contrary, these matters are within my own knowledge and are true. Where I have indicated that I have obtained facts from other sources, I have identified the source and I believe those facts to be true.
2. For most of my life, including presently, I have owned and cared for animals in Ontario. While I have never been subjected to an Ontario Society for the Prevention of Cruelty to Animals [OSPCA] investigation or inquiry, the fact that I own and care for animals makes me subject to the *OSPCA Act*.
3. ~~I have brought this application in the public's interest. I have read about various incidents involving the OSPCA and have personally attended several court proceedings involving the OSPCA, and it is my belief that various provisions of the OSPCA Act must be unconstitutional. I do not stand to gain anything from the outcome of this application, except satisfaction that the questions being asked with respect to this application and the constitutionality of the OSPCA Act have been determined by the Court.~~

4. Through research done by me and /or my lawyer, I have obtained the following documents which I believe may be relevant to these proceedings.
5. The OSPCA is a private provincial charity, with police powers granted through section 11 of the OSPCA Act. The OSPCA has a self described mission to "facilitate and provide for province-wide leadership on matters relating to the prevention of cruelty to animals and the promotion of animal welfare" and self described goals which include "to be a strong, unified and collaborative organization dedicated to the cultivation of a compassionate Ontario for all animals". A copy of the OSPCA "Backgrounder" and "Fact Sheet" from the OSPCA's website is attached as **Exhibit "A"** to this my affidavit. ~~While such a mission and goals may be noble in nature, I also believe that it demonstrates ideological activism on behalf of the OSPCA.~~
6. The OSPCA has expressly set out goals it wishes to achieve with respect to animal welfare. Such goals have been determined privately and internally, and are formally set out at section 1 of the OSPCA's Agent and Inspector Training Manual. A copy of excerpts from the OSPCA Training and Reference Manual: Section 1, Animal Welfare Position Statements are attached as **Exhibit "B"** to this my affidavit. ~~I believe that such goals are extreme and indicative of an activist agenda of the OSPCA. Such goals are similar to those of other activist groups, such as People for the Ethical Treatment of Animals [PETA]. For example, a copy of PETA's Basic Care Standards for Dairy Farmed Cows is attached as **Exhibit "C"** to this my affidavit.~~
7. In addition to privately and internally setting out policies to follow and goals to strive for while administering the law, the OSPCA has also negotiated agreements with other private organizations to determine how it will administer the law with respect to such

organizations' members. Various farm organizations, including Dairy Farmers of Ontario, Chicken Farmers of Ontario, Ontario Pork and Ontario Sheep Marketing Agency, have entered into "Memorandums of Understanding" [MOU] with the OSPCA, including an agreement on investigative practices. ~~Such MOUs effectively result in some individuals~~

~~being treated differently under the law by the OSPCA.~~ I have been advised by my lawyer, Kurtis Andrews, and verily believe it to be true, that the OSPCA and the above livestock groups refuse to release a copy of the respective MOUs. A copy of media releases associated with these MOUs are attached as **Exhibit "D"** to this my affidavit.

8. The OSPCA has also implemented a zoos and aquariums registry which requires zoos, aquariums and other animal exhibit operators to register and disclose private information to the OSPCA. The registry is not legally prescribed, and is described as "voluntary", but the OSPCA has promised that "[zoos and aquariums] that don't join will be subject to more scrutiny". ~~In other words, facilities that do not register and disclose private information (which they are not legally obligated to disclose) will be treated differently under the law.~~ A copy of a newspaper report quoting the OSPCA with respect to the zoos and aquariums registry is attached as **Exhibit "E"** to this my affidavit. Such policies are especially concerning given the OSPCA's open deploiment of animal exhibition, which is not prohibited under the law. A copy of the OSPCA's winter 2006 magazine, *Animals' Voice*, is attached as **Exhibit "F"** to this my affidavit.

9. ~~Unlike every other agency in Ontario with police powers, the OSPCA is a private organization with no government oversight.~~ The OSPCA's by-laws set out the corporate structure and voting procedures. Among the voting rules set out in the bylaws, the bylaws set out provisions which give more power to members (branch affiliates) that raise

greater revenues. Such revenues include proceeds from seized animals and donations inspired by promoting investigations and charges laid against people. A copy of Ontario Society for the Prevention of Cruelty to Animals: By-law Number Nine is attached as Exhibit "G" to this my affidavit. A copy of OSPCA Annual Reports are attached as Exhibit "H" to this my affidavit.

10. ~~To the best of my knowledge, the OSPCA is the only private organization with police powers in Ontario. As a private organization, the OSPCA is excluded from provincial oversight and accountability legislation. Most notably:~~
 - a. ~~Pursuant to the *Police Services Act*, the OSPCA does not fall under the definition of a "police force", and OSPCA agents and inspectors do not fall under the definition of "police officer". This means that complaints about the OSPCA and its officers cannot be brought to Ontario's Independent Police Review Director pursuant to section 5 of the *Police Services Act*;~~
 - b. ~~Pursuant to the *Ombudsman Act*, the OSPCA does not fall under the definition of a "governmental organization", which means that complaints about the OSPCA and its officers cannot be brought to Ontario's Ombudsman pursuant to the *Ombudsman Act*. The Ombudsman has recognized the problem with delegating legislative powers to non-governmental agencies with no or inadequate oversight. A copy of 2011-2012 Ombudsman Annual Report is attached as Exhibit "I" to this my affidavit. A copy of 2012-2013 Ombudsman Annual Report is attached as Exhibit "J" to this my affidavit; and~~
 - c. ~~Pursuant to the *Freedom of Information and Protection of Privacy Act* and *Municipal Freedom of Information and Protection of Privacy Act*, the OSPCA does not fall under the definition of an "institution", which means that information about the OSPCA and policies of the OSPCA, as well as information being kept by the OSPCA about people subjected to investigations or other members of the public, cannot be accessed pursuant to the *Freedom of Information and Protection of Privacy Act* or *Municipal Freedom of Information and Protection of Privacy Act*. A copy of a document titled "Making an Access Request to a Police Service" is attached as Exhibit "K" to this my affidavit;~~
11. The OSPCA is on record confirming that proceeds from seized animals and revenues associated with recovering costs associated with seized animals are entered into the OSPCA general revenue accounts. Such accounts also serve to pay the salaries of

OSPCA Agents and Inspectors, meaning that OSPCA officers' salaries are directly linked to the financial products of their investigations. An excerpt from the cross-examination of OSPCA Chief Inspector Connie Mallory, on record as part of Court File No. SR11-992, is attached as **Exhibit "L"** to this my affidavit.

12. In recent years, the OSPCA has been suffering from increased financial deficits. ~~I believe that such a situation with a police agency, with no government financial backing, creates a dangerous situation where decisions of the OSPCA through the course of their investigations may be prone to financial influence.~~ A copy of OSPCA Audited Financial Statements are attached as **Exhibit "M"** to this my affidavit.
13. ~~The OSPCA has expressly stated that it considers the expectations of donors when it enacts policy respecting its approach to enforcing animal welfare laws. More specifically, the OSPCA has recognized that its "tough" approach to law enforcement is expected from its donors who ultimately pay for agent and inspector's salaries and resources. A copy of the OSPCA's summer 2006 magazine, *Animals' Voice*, is attached as **Exhibit "N"** to this my affidavit.~~
14. The OSPCA provides both shelter services and law enforcement. The OSPCA Act provides seizure powers and statutory authority to obtain ownership of animals through its law enforcement powers. The OSPCA also sells animals and uses stories associated with "rescued" animals to promote and inspire donations associated with its shelter services. ~~I believe that these two components of the OSPCA are in an inherent and ongoing conflict of interest with each other, and it inevitably leads situations where seizures of animals may be influenced by financial interests of the OSPCA.~~ A copy of

OSPCA press releases from the OSPCA's website are attached as **Exhibit "O"** to this my affidavit.

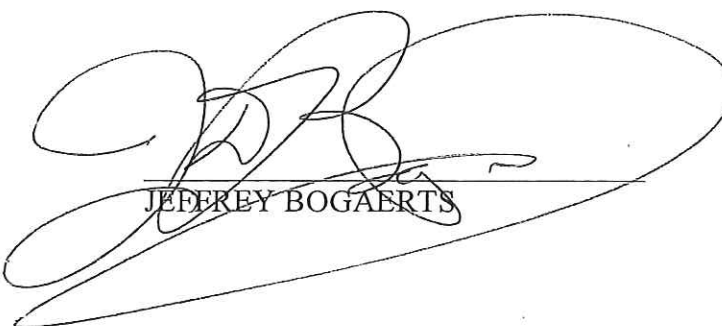
15. On March 1, 2009, amendments to the OSPCA Act came into force. The amendments included, for the first time, offence provisions prohibiting the causing or permitting animals to be in distress, and failing to provide prescribed standards of care. ~~I believe that these offence provisions are, in pith and substance, criminal offences.~~ These provisions interdict conduct in the interest of public morals. Even the OSPCA views these provisions in this way, describing these provisions as dealing with "animal abuse" and "animal cruelty". ~~By enacting these provisions through provincial law, such sections of the Act deny individuals the procedural protections of the criminal law, while convictions under these provisions nevertheless impart the stigma of a criminal offence.~~ A copy of OSPCA press releases from the OSPCA's website, describing such offences in this way, are attached as **Exhibit "P"** to this my affidavit.

16. I make this affidavit in support of the within application and for no other or improper purpose.

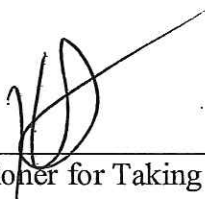
SWORN before me
at the City of Ottawa,
in the Province of Ontario,
on this 31st day of July, 2014.



A commissioner etc.

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)

JEFFREY BOGAERTS

This is Exhibit "A" referred to in the
Affidavit of Jeffrey Bogaerts
sworn before me, this 31st day of July, 2014.

A handwritten signature in black ink, consisting of a stylized 'J' and 'B' followed by a long diagonal stroke.

Commissioner for Taking Oaths

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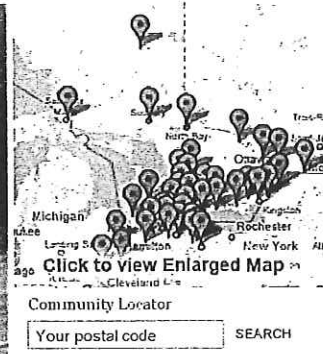
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Backgrounder

Through its province-wide network of 50 plus Communities, the Ontario SPCA is one of the largest, most responsive animal welfare organizations in the country, providing care and shelter for tens of thousands of animals every year.

The Ontario SPCA is unique amongst animal welfare organizations in Ontario: the *Ontario SPCA Act* mandates the Society to enforce animal cruelty laws and provides Society Branch and Affiliate investigators with police powers to do so.

The Society's programs and services include:

- Cruelty Investigations
- Sheltering and Adoptions
- Government and Industry Advocacy
- Humane Education
- Reducing Pet Overpopulation
- Emergency Rescue and Treatment
- Reuniting Lost Pets with their Owners

Our Mission

The Ontario SPCA's mission is to facilitate and provide for province-wide leadership on matters relating to the prevention of cruelty to animals and the promotion of animal welfare.

Our Vision

The Ontario SPCA is seen as the recognized authority on animal welfare issues and making a measurable difference for animals. The Ontario SPCA is an integral part of each community, promoting mutually beneficial human-animal interactions, and is viewed as a desirable organization for volunteerism and support.

The future for Ontario that the Ontario SPCA is working to help create:

- All Ontarians respect and appreciate animals
- Ontario has no homeless animals and no animal abuse

Our Goal

The Society's goal is to be a strong, unified and collaborative organization dedicated to the cultivation of a compassionate Ontario for all animals.

What is the Animal Welfare Philosophy of the Ontario SPCA?

The Ontario SPCA is an open admission, For Life, organization; we strive to accept all animals.

When entering one of our facilities, each animal is given his/her own animal care plan. The animal's best interests are always at the forefront of all decisions we make, including adoption, foster care, veterinary care, transfer to other adoption centres or rescue groups or, in some cases, euthanasia.

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Our staff are professionals who work in this field because they love animals, and the decisions they make are made for the good of the animal and of the communities that they will live in.

Our Animal Welfare philosophy leads us to focus on optimum solutions for animals in our shelters including high-volume spay/neuter services, adoption programs like Meet Your Match, animal fostering, animal transfer programs, humane education for the prevention of cruelty, enforcement of the Ontario SPCA Act and rescue & relief services.

The Ontario SPCA works in partnership with many organizations to ensure that optimum animal care strategies are available for communities across Ontario and we extend our programs and resources to Animal Welfare organizations across the province and around the world.

What is a "No Kill" facility?

The term 'no kill' can be a contentious one in animal sheltering and the term is used differently by different groups.

A true 'no kill' facility is one where animals are kept alive at any cost, and no animal is euthanized, regardless of state of health (including emotional health) or temperament.

Unfortunately, many of these facilities do not recognize that emotional and behavioural suffering is just as damaging as physical suffering, and/or will adopt out animals with aggressive temperaments who are a danger to the community.

For example, if an animal is physically healthy, but is showing signs of emotional distress in the form of behaviours caused by living in a kennel or cage for years, a true 'no kill' facility would keep the animal alive, without consideration for the emotional and behavioural suffering this animal is experiencing.

Ideally, the animal would be provided with in-shelter enrichment and/or the opportunity to go to foster care to alleviate the emotional distress, but this isn't always an option for many facilities. Unfortunately, many of these facilities are more like 'warehouses' for animals, rather than safe havens.

There are other groups who refer to themselves as 'no kill', who actually will euthanize animals, thereby negating the term 'no-kill'. Often these groups euthanize only for health related reasons and often only in the case where the animal could not live without on-going physical suffering.

Again, these can be places that do not recognize or treat emotional or behavioural distress or suffering.

There are also 'limited admission' facilities that often also refer to themselves as 'no kill'.

These facilities pre-screen the animals admitted into their shelter, usually choosing not to admit animals who suffer from minor-to-major behavioural problems, aggression, or suffer from any illness.

These groups often take only the 'easiest to adopt' animals, thereby allowing them to say they are 'no kill' simply because the animals they take in are 'easy' animals to adopt back out again. Other animals who do not meet the admission requirements are simply referred to other facilities.

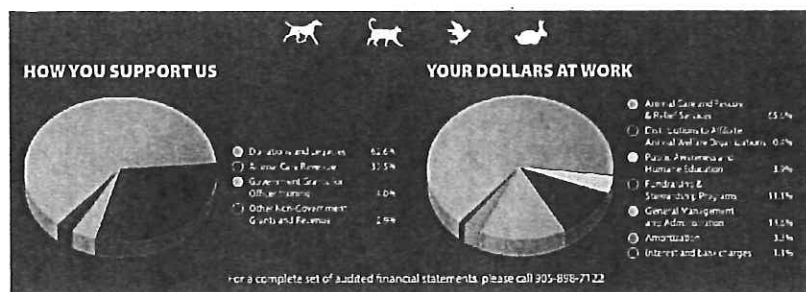
If a shelter has a "no kill" policy, it is important for the public to ask the shelter to define the "no kill" policy, so that the public may understand which definition the shelter is practicing.

The ASPCA has a similar philosophy towards "no kill" facilities:

"The ASPCA believes that unwanted pets deserve a dignified, painless death rather than suffer from such cruelties as malnutrition, disease or trauma, outcomes commonly associated with an unwanted and/or uncared-for existence. Similarly, long-term housing of individual dogs and cats in cages without access to exercise or social activities is not an acceptable alternative. Euthanasia must be understood for what it is: a last-step, end-of-the-road option to spare animals further hardship and suffering."

For more information on the ASPCA, please visit www.aspc.org.

Ontario SPCA Financials



View the complete set of financial statements [here](#).

View the 2012 Annual Report [here](#).

Ontario SPCA Board of Directors

- Isaac Breadner
- Ann Davidson
- Judy Decicco
- Craig Gagliano
- Rob Godfrey (Chair)
- Stewart Hill
- Ron Hunt
- Catherine MacNeill
- Rita Middleton
- Helen Renaud
- Chris White
- Kari Wilson (Vice Chair)

Senior Management

- Kate MacDonald - Chief Executive Officer
- Tom Stephenson - Chief Financial Officer
- Connie Mallory - Chief Inspector
- Dr. Magdalena Smedelj, D.V.M. - Chief Veterinary Officer
- Tanya Firmage - Director, Animal Welfare & Operations
- Debbie Schepens - Director, Human Resources
- Marc Ralsky - Director, Community & Donor Development
- Dave Wilson - Director, Shelter Health & Wellness
- Alison Cross - Director, Marketing & Communications

Ontario SPCA

Ontario SPCA Provincial Office
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Ontario SPCA Fact Sheet

Facilities

Lincoln County Spay/Neuter Services (St. Catharines)
 Marion Vernon Memorial Animal Clinic (Barrie)
 Newmarket Spay/Neuter Services (Newmarket)
 Ontario SPCA Provincial Education & Animal Centre (Newmarket)
 Provincial Office (Newmarket)

Programs & Services

Cruelty Investigations
 Sheltering and Adoptions
 Government and Industry Advocacy
 Humane Education
 Reducing Pet Overpopulation
 Emergency Rescue and Treatment
 Reuniting Lost Pets with their Owners

Support to more than 50 Ontario SPCA Communities

Animal care and wildlife education opportunities
 Administrative and financial support
 Legal services
 Public relations, marketing and fundraising assistance
 Information and resource sharing
 Leadership on community and provincial animal welfare issues and shelter operations

Initiatives

Spay-Neuter promotion
 Meet Your Match Adoption Program
 Friends for Life! provincial walk-a-thon
 National Cupcake Day for SPCAs and Humane Societies
 No Hot Pets
 And more

Publications

[Annual Report 2013](#)

Animal Care Statistics in 2013

The Ontario SPCA placed the following animals in permanent adoptive homes in 2013:

4,342 cats
 2,054 dogs
 437 small animals

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2013 Spay/Neuter Statistics

Number of Dogs Spayed 2,743
 Number of Dogs Neutered 3,190
 Number of Cats Spayed 5,169
 Number of Cats Neutered 3,863
 Total procedures: 14,965

Investigations Statistics in 2013

17,680 Complaints Investigated
 2,320 Orders Issued
 259 Provincial Charges Laid
 29 Criminal Charges Laid
 2,469 Animals Removed as a Result of an Investigation

Branches

Barrie • Bruce-Grey • Huron County (Goderich) • Kent County (Chatham) • Leeds & Grenville (Brockville) • Lennox & Addington (Napanee) • Midland & District • Muskoka (Bracebridge) • Orangeville & District • Orillia • Renfrew (Petawawa) • Stormont, Dundas & Glengarry (Cornwall) • Sudbury & District • Provincial Education & Animal Centre (Newmarket)

Affiliates

Alliston & District Humane Society • Arnprior & District Humane Society • Brant County • Cambridge & District Humane Society • Etobicoke Humane Society • Fort Erie SPCA • Gananoque & District Humane Society • Georgian Triangle Humane Society • Guelph Humane Society • Hamilton/Burlington SPCA • Humane Society of Kawartha Lakes • Humane Society of Durham Region • Kingston Humane Society • Kitchener-Waterloo Humane Society • Lincoln County Humane Society (St. Catharines) • London Humane Society • Niagara Falls Humane Society • North Bay & District Humane Society • Northumberland Humane Society • Oakville & Milton Humane Society • Ottawa Humane Society • Peterborough Humane Society • Quinte Humane Society (Belleville) • Sarnia & District Humane Society • Sault Ste. Marie Humane Society • Statford-Perth Humane Society • Thunder Bay & District Humane Society • Timmins & District Humane Society • Welland & District Humane Society • Windsor/Essex County Humane Society

Ontario SPCA

Ontario SPCA Provincial Office
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 Newmarket, ON, Canada
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 1-888-668-7222
info@ospca.on.ca

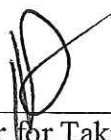
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This is Exhibit "B" referred to in the
Affidavit of Jeffrey Bogaerts
sworn before me, this 31st day of July, 2014.



Commissioner for Taking Oaths



ONTARIO SPCA

**ANIMAL WELFARE POSITION
STATEMENTS**

1-8

PREAMBLE

The object of the Society, as established by the Ontario SPCA Act is to facilitate and provide for the prevention of cruelty to animals and their protection therefrom.

The following animal welfare position statements have evolved over the years as the Society reacted to events involving animals and responded to queries concerning the "Society's position". These animal welfare position statements are the result of extensive research and correspondence amongst our member societies, individual members and our staff.

These Position Statements have been subject to extensive debate in committee and by the Board of Directors. They reflect positions that the Society wishes everyone to follow. It is acknowledged that there are some activities that are permitted under law, or lack of law, of which the Ontario SPCA does not approve.

The Society's basic premise is that **no activity should take place that places any animal in distress**. Until a law or regulation is passed that prohibits placing animals in distress, we can only deplore the activity and campaign against such activities but will not take any unlawful act to interfere. However, any activity that involves cruelty to animals will be investigated and appropriate charges will be laid if justified.

These position statements reflect goals that the Society wishes to be attained over time.

Updated June 18, 2002

INDEX

B.1	BIOTECHNOLOGY.....	1-12
B.2	BOVINE GROWTH HORMONE.....	1-12
B.3	BOUNTIES.....	1-12
C.1	CIRCUSES AND ANIMALS IN ENTERTAINMENT.....	1-12
C.2	COMPANION ANIMALS.....	1-13
C.3	COMPOUNDS.....	1-13
C.4	COSMETIC, PRODUCT, DRAIZE & LETHAL DOSE 50 TESTS...	1-13
D.1	DECLAWING OF CATS.....	1-13
D.2	DISSECTION OF ANIMALS IN SCHOOLS.....	1-14
D.3	DOG TRAINING.....	1-14
D.4	DRIFT NETTING.....	1-14
E.1	EAR CROPPING, TAIL DOCKING & SURGICAL MUTILATIONS.	1-14
E.2	EUTHANASIA.....	1-14
E.3	EXOTIC PETS.....	1-15
F.1	FARM & AGRICULTURE ANIMALS.....	1-15
F.2	FERAL CATS.....	1-16
F.3	FIELD TRIALS.....	1-16
G.1	GAMES.....	1-16
H.1	HELIUM BALLOON RELEASES.....	1-16
H.2	HUNTING & TRAPPING.....	1-16

1-10

H.3	HUNTING DOGS.....	1-16
P.1	PET STORES & MARKETS.....	1-17
P.2	PRIZES & GIFTS.....	1-17
P.3	PUPPY MILLS.....	1-17
R.1	RESEARCH & TESTING.....	1-17
R.2	RODEOS.....	1-18
S.1	SEALS & SEALING.....	1-18
S.2	SPECTATOR BLOOD SPORTS.....	1-18
S.3	STERILIZATION.....	1-18
T.1	TATTOOING.....	1-19
T.2	TRAPPING & FUR FARMING.....	1-19
T.3	TURTLES.....	1-19
U.1	UNDOMESTICATED SPECIES AS PETS.....	1-19
W.1	WHALING.....	1-19
W.2	WILDLIFE.....	1-19
X.1	XENOTRANSPLANTATION.....	1-20
Z.1	ZOOS & AQUARIA.....	1-20

Note: The term "animal", unless otherwise defined, shall include all forms of animals, birds, fish and reptiles.

B.1. BIOTECHNOLOGY

B.1.1. The Ontario SPCA accepts the production of gene products only when this production is consistent with existing Ontario SPCA position statements concerning research and testing using animals.

B.1.2. The Ontario SPCA accepts the use of genetic probes to determine animals likely to perpetuate genetic disease. Once identified, these animals should be allowed to lead a life consistent with their original purpose, but should not be allowed to reproduce.

B.2. BOVINE GROWTH HORMONE

B.2.1 The Ontario SPCA, recognizing that cows injected with Bovine Growth Hormone (rBGH) may experience extreme distress, and recognizing that milk from cows that have been injected with rBGH cannot be guaranteed not to cause long-range harmful side effects in humans, recommends that rBGH not be administered to cows and that should rBGH be administered to cows, milk produced by such cows be clearly labelled as such.

B.3. BOUNTIES

B.3.1. The Ontario SPCA does not support the imposition of a bounty on the hunting of any animal, including wolves and coyotes.

C.1 CIRCUSES AND ANIMALS IN ENTERTAINMENT

C.1.1. The Ontario SPCA strongly recommends the banning of the use of animals in circuses, travelling menageries and wild animal acts. No animal should be trained or be required to perform in a manner that causes it suffering or distress.

C.1.2. The Ontario SPCA recommends that where animals are allowed to perform under the law, they must always be provided adequate shelter, appropriate food, fresh water and regular exercise. The transport of animals must be in a manner appropriate to the species allowing for adequate safety and a minimum of stress. Animals must not be kept in travelling cages when not travelling.

1-12

C.1.3. The Ontario SPCA strongly recommends the adoption of a Code of Practice for the Use of Animals in Entertainment, which would include the film industry, and which would define the care and requirements of animals used to make films or for other entertainment, to ensure these animals are not abused, injured or subjected to stress while being so used.

C.2 COMPANION ANIMALS

C.2. The Ontario SPCA encourages the use of domestic animals as companions or pets when:

- a) human supervision and presence is provided on a regular and daily basis along with adequate shelter, fresh food and clean water;
- b) every animal is given daily exercise and is not continuously tethered;
- c) every animal is given the appropriate immunization and is spayed or neutered; and
- d) every animal has an appropriate licence and identification.

C.3. COMPOUNDS

C.3. The Ontario SPCA accepts the right of persons to conduct training or field trials for dogs in or outside of compounds, but condemns the use of captive wildlife or species other than those being trained, during such training. The Society does not condone the release into fenced compounds of dogs or other animals with the intent that these animals hunt other species also placed or released into these compounds.

C.4. COSMETIC, PRODUCT, DRAIZE AND LETHAL DOSE 50 TESTING

C.4. The Ontario SPCA strongly condemns the use of live animals for cosmetic and product testing and condemns the cruel and unreliable Draize and Lethal Dose 50 tests. All of these tests can be adequately carried out using alternatives.

D.1. DECLAWING OF CATS

D.1. The Ontario SPCA supports the Canadian Veterinary Medical Association policy that in certain circumstances, declawing is a reasonable option for cats that would otherwise be denied a home or face

1-13

euthanasia because of their damage to the household environment. Normally, the declawing of forelimbs only is recommended.

D.2. DISSECTION OF ANIMALS IN SCHOOLS

D.2. The Ontario SPCA strongly condemns the practice of requiring or encouraging students to dissect animals in schools as adequate videotape lessons and computer models make dissection by students unnecessary.

D.3 DOG TRAINING

D.3.1 Equipment

The Society realizes that a wide variety of training aids and equipment is available to trainers. Any equipment that is used abusively or neglectfully and causes harm to any dog is unacceptable. Training equipment that is recommended or provided to owners should be given with adequate and humane instruction.

D.3.2 Methods

The Society promotes the humane treatment and training of all dogs. Dog trainers should practice positive, motivational and humane methods and techniques. Any dog training method or technique that frightens, inflicts pain, or is abusive is unacceptable.

D.4. DRIFT NETTING

D.4. The Ontario SPCA strongly condemns the use of drift nets for any purpose and encourages the federal government to press for their banning worldwide.

E.1. EAR CROPPING, TAIL DOCKING AND SURGICAL MUTILATIONS

E.1. The Ontario SPCA is opposed to the surgical mutilation of animals for cosmetic purposes and strongly recommends that the Canadian Kennel Club change the dog show rules so as to eliminate cosmetic mutilation.

E.2. EUTHANASIA

E.2.1. The Ontario SPCA recommends euthanasia for animals to terminate severe or incurable suffering.

1-14

E.2.2. The Ontario SPCA accepts euthanasia for animals in its care when an animal is vicious, or is unlikely to be adopted due to age or temperament, or when shelters are overcrowded and there is no chance of early relief.

E.2.3. The Ontario SPCA recommends that whenever euthanasia is required, it should be performed by trained personnel using methods that are appropriate for the species and its condition. Barbiturate injection is the preferred method.

E.3. EXOTIC PETS

E.3. The Ontario SPCA strongly supports the banning of the sale or importation of any exotic creature or wildlife for use as a pet or display and joins the Canadian Federation of Humane Societies in urging the federal and provincial governments to bring in legislation banning the keeping of wildlife or exotic animals and to ban their importation and sale.

F.1. FARM AND AGRICULTURE ANIMALS

F.1.1. The Ontario SPCA accepts the raising or husbandry of agricultural food animals or fowl where all possible means are taken to alleviate stress and suffering and when close confinement, also known as factory farming, is not practiced. The Society believes that close confinement systems do not provide the physical, psychological and social needs of farm animals, and strongly encourage the agricultural industry to adopt more humane farming methods.

F.1.2. The Ontario SPCA recommends that the physical alteration of farm or agricultural animals, such as removing horns, castration, etc., only be carried out when absolutely necessary, and under the supervision of/or by a veterinarian. The Society is opposed to the debeaking of fowl, amputation of animals' tails and punching of animals' ears for identification purposes.

F.1.3. The Ontario SPCA strongly recommends a "Code of Practice" be adopted and put into effect by the Department of Agriculture which would clearly define the requirements for the transportation of each species of animal with the aim of alleviating injury, stress and abuse. The deliberate injury of animals to make them more docile while in transit, such as "boar bashing" will result in charges under the criminal code.

1-15

F.1.4. The Ontario SPCA recommends the slaughter of food animals or fowl as near as possible to the place where they were raised to lessen stress and injuries caused by transportation. The Society opposes the export/import of animals for slaughter.

F.1.5. The Ontario SPCA believes the Agriculture Canada/Federation of Canadian Humane Societies recommended codes of practice for the care and handling of agricultural livestock should be the minimum standard acceptable.

F.2. FERAL CATS

F.2. The Ontario SPCA recognizes the great increase in the numbers of feral cats and recommends their sterilization whenever possible.

F.3. FIELD TRIALS

F.3. The Ontario SPCA is opposed to the use of live birds at dog trials for training.

G.1. GAMES

G.1. The Ontario SPCA strongly opposes the use of animals in games such as "greasy pig catch", "catch the rooster", or similar competitions held at schools, fairs and exhibitions.

H.1. HELIUM BALLOON RELEASES

H.1. The Ontario SPCA strongly recommends the banning of the release of helium-filled balloons on the grounds of danger to birds, animals and fish and unnecessary pollution to the environment.

H.2. HUNTING AND TRAPPING

H.2. The Ontario SPCA condemns the hunting and trapping of animals for sport or by any person other than for their own consumption.

H.3. HUNTING DOGS

H.3. The Ontario SPCA condemns the hunting of animals with dogs and the allowing of free running non-tethered hounds or dogs to harass animals.

1-16

P.1. PET STORES AND MARKETS

P.1.1. The Ontario SPCA encourages the provincial government to licence and regulate the operation of pet stores, and recommends that the industry and government establish a "Code of Practice" for the operation of pet stores and the setting of minimum standards for care and housing of animals in pet stores.

P.1.2. The Ontario SPCA prefers that pets be acquired by adoption from a humane society or from a reputable and licenced breeder at the place where the animal was born.

P.1.3. The Ontario SPCA is opposed to the deliberate breeding and sale of crossbred or hybrid animals.

P.1.4. The Ontario SPCA recommends that any sale of animals or birds be subject to a 24-hour delay before delivery to reduce impulse buying. The Society also recommends that all pet stores or markets be required to offer a non-conditional 48-hour return on all live sales. The Society further recommends that every purchaser know the source of every animal prior to purchase.

P.2. PRIZES AND GIFTS

P.2. The Ontario SPCA strongly recommends that animals not be given as prizes or unsolicited gifts.

P.3. PUPPY MILLS

P.3. The Ontario SPCA strongly condemns the existence of "puppy mills" where female animals are continuously bred to produce the greatest number of offspring. The Ontario SPCA joins the Canadian Federation of Humane Societies in encouraging the provincial and federal government to pass legislation banning such establishments.

R.1. RESEARCH AND TESTING

R.1. The Ontario SPCA seeks to minimize the use of animals in research and testing and to eliminate all causes of stress, pain and suffering to animals so used. The Society strongly encourages the federal and provincial governments and the research community to make greater efforts in developing alternatives to the use of animals in research and testing.

1-17

R.1.2. The Ontario SPCA accepts the need for the use of animals in research only when it has been proven that no alternative exists and only when the animals are afforded all possible protection from pain and stress. Animals in research facilities must be afforded suitable accommodation, be given adequate fresh food and clean water daily, be given regular and frequent exercise and be provided a means of stimulation. The Ontario SPCA recommends the Canadian Council On Animal Care, "Guide To The Care and Use of Experimental Animals", as the minimum level of care acceptable.

R.1.3. The Ontario SPCA opposes the use of companion animals and wildlife for research.

R.2. RODEOS

R.2. The Ontario SPCA strongly recommends the banning of the use of animals in rodeos for any purpose which causes the animal to be placed in a stressful condition such as "bronco riding", "calf roping" or "throws", "wild bull riding" or "chuck wagon races", as they cause by their nature, injury, torment and stress to the animals.

S.1. SEALS AND SEALING

S.1. The Ontario SPCA supports the Canadian Federation of Humane Societies and the World Society for the Protection of Animals in opposing the commercial hunting of seals and recommends that the federal government outlaw this unnecessary and inhumane activity.

S.2. SPECTATOR BLOOD SPORTS

S.2. The Ontario SPCA condemns the use of animals in all blood sports such as bullfighting, cockfighting, dogfighting or similar events.

S.3. STERILIZATION

S.3.1. The Ontario SPCA believes that the most effective way to decrease the proliferation of unwanted dogs and cats is for all owners of companion animals to have them spayed or neutered. Show animals and those of breeders registered with Canadian Kennel Club may be exempt.

1-18

S.3.2. The Ontario SPCA strongly recommends that all licencing authorities offer differential rates for the licencing and/or identification of animals so that spayed or neutered pets are provided a discount from the

fees paid by owners of animals that have not been sterilized. Such a differential has been proven to increase the spay/neuter of animals and thus reduce the numbers of unwanted and abandoned animals in turn reducing municipal by-law enforcement costs.

T.1. TATTOOING

T.1. The Ontario SPCA opposes the practice of tattooing animals and recommends microchip implantation as the preferred means of identification.

T.2. TRAPPING & FUR FARMING

T.2. The Ontario SPCA opposes the farming or trapping of fur bearing animals and the merchandising of articles produced from animal fur. Live trapping of animals should only be carried out when required to prevent injury or further injury to wildlife, under the advice or supervision of an Ontario SPCA recognized wildlife expert.

T.3 TURTLES

T.3 The Ontario SPCA does not support the importation or sale of live turtles.

U.1 UNDOMESTICATED SPECIES AS PETS

U.1 The Ontario SPCA strongly discourages the keeping of normally undomesticated species as pets.

W.1. WHALING

W.1. The Ontario SPCA strongly supports the World Society for the Protection of Animals in efforts to abolish the hunting and killing of whales worldwide and requests the federal government to take all action to effect the end of whaling.

W.2. WILDLIFE

W.2.1. The Ontario SPCA opposes the trapping and removal of wildlife from their habitat, including wildlife living in urban areas, except

1-19

when required to prevent injury or further injury to wildlife. The public should be advised to animal proof their buildings and that the removal of wildlife, particularly during the spring birthing season, may be counter-productive and could result in the death by starvation of young animals left behind in inaccessible locations.

W.2.2. The Ontario SPCA does not recommend the use of commercial wildlife removal firms. Where wildlife must be removed to prevent injury or further injury, the use of humane live-trapping methods should be employed, and the advice of the Ontario SPCA Director of Wildlife Services or Ontario SPCA approved wildlife experts be obtained.

W.2.3. The Ontario SPCA supports the rehabilitation and fostering of wildlife only under approved and expert supervision. When wildlife is to be returned (released) to the wild, it is essential for the release site to be approved by the Ontario SPCA Director of Wildlife Services or by Ontario SPCA approved wildlife experts.

X.1. XENOTRANSPLANTATION

X.1.1 The Ontario SPCA has concerns about the implications of cross-species transplants and urges that a moratorium be invoked until all the humane, ethical, scientific, social, medical, and legal ramifications have been fully explored and regulatory guidelines enacted. Furthermore, the Society advocates the promotion of alternatives over and above the pursuit of animal donor programs.

Recognizing that clinical trials are already underway, it becomes critical that issues relating to animal welfare not be ignored. The Ontario SPCA insists that if experimentation on live animals is carried out, that it meet the guidelines of the Canadian Council on Animal Care, including euthanasia.

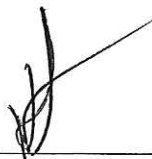
Z.1. ZOOS AND AQUARIA

Z.1.1. The Ontario SPCA accepts the use of zoos and aquaria only where the needs and welfare of the animals, birds, fish and reptiles take precedence over the requirements of the viewing public. The species must be provided with an environment that fulfills its physical, psychological and social needs.

1-20

Z.1.2. The Ontario SPCA strongly opposes the capture of any wild species for display in zoos and aquaria, believing that only captive bred offspring should be so used or displayed.

This is Exhibit "D" referred to in the
Affidavit of Jeffrey Bogaerts
sworn before me, this 31st day of July, 2014.



Commissioner for Taking Oaths

March 27, 2013 - Working Together For Animal Welfare: CFO and Ontario SPCA agree to co-ordinate resources



SHARE

Thursday, 28 March 2013 11:31

Chicken Farmers of Ontario (CFO) has signed an agreement with the Ontario Society for the Prevention of Cruelty to Animals (Ontario SPCA) to cooperate and coordinate resources when investigating complaints about animal welfare on registered chicken farms.

This arrangement will address both CFO's and Ontario SPCA's concerns and responsibilities regarding animal welfare.

Ontario SPCA announces new partnership with Ontario Pork

SHARE

Wednesday, 04 December 2013 19:49

Newmarket, ON (December 3, 2013) - The Ontario SPCA and Ontario Pork are pleased to announce the two organizations have entered into an agreement through a Memorandum of Agreement (MOA) to work together when investigating complaints about animal welfare on swine farms.

Under the Agreement, both organizations will work together to address concerns of animal abuse or neglect. Ontario Pork will provide technical assistance to Ontario SPCA Officers in cases where inadequate animal care may be occurring on swine farms.

Further, Ontario SPCA and Ontario Pork have agreed that upon at least 48 hours notice, Ontario Pork will visit a swine farm in conjunction with Ontario SPCA Officers for the purpose of investigating any complaints or allegations of inadequate animal care.

Similarly, Ontario SPCA has agreed to contact Ontario Pork with at least 48 hours notice, except in situations where animals are in immediate distress, to arrange a joint inspection of the licensed farm property.

In addition, the Ontario SPCA and Ontario Pork will host joint education sessions on an annual basis to exchange information and experiences related to on-farm animal care and Code of Practice issues.

"This is the fourth of recent MOAs that have been developed by the Ontario SPCA and livestock commodity groups" says Chief Inspector, Connie Mallory, Ontario SPCA. "We are pleased to be working together with Ontario Pork to help animals in need and enhance Animal Welfare across the province."

About Ontario Pork:

Ontario Pork represents the 1,600 farmers who market hogs in the province in many areas, including research, government representation, environmental issues, consumer education and food quality assurance. The pork industry in Ontario accounts for 1 in 7 jobs, and it is estimated that total industry output from farm gate sales is worth \$5.6 billion to the Ontario economy. Visit Ontario Pork's website: www.ontariopork.on.ca.

Provincial Media Contact

Brad Dewar
Investigation & Communications Officer
Ontario SPCA, Provincial Office
289-383-3503

About Ontario SPCA and Humane Society:

Protecting animals since 1873, Ontario SPCA is Ontario's Animal Welfare organization. A registered charity comprised of over 50 Communities.

Ontario SPCA is mandated under the Ontario SPCA Act to enforce animal welfare legislation and the Act provides Ontario SPCA Agents and Inspectors with police powers to do so.

Ontario SPCA provides leadership in animal welfare innovations including introducing high-volume spay/neuter services to Ontario and opening the Provincial Education and Animal Centre.

OntarioSPCA.ca

Ontario SPCA announces new partnership with Ontario Sheep Marketing Agency

 SHARE    

Tuesday, 22 April 2014 15:43

Newmarket, ON (April 22, 2014) - The Ontario SPCA and Ontario Sheep Marketing Agency (OSMA) are pleased to announce the two organizations have entered into an agreement through a Memorandum of Agreement (MOA) to work together when investigating complaints about animal welfare on sheep farms.

Under the Agreement, both organizations will work together to address concerns of animal abuse or neglect. OSMA will provide technical assistance to Ontario SPCA Officers in cases where inadequate animal care may be occurring on sheep farms. Further, Ontario SPCA and OSMA have agreed that upon at least 48 hours notice, OSMA will visit a sheep farm in conjunction with Ontario SPCA Officers for the purpose of investigating any complaints or allegations of inadequate animal care.

Similarly, Ontario SPCA has agreed to contact OSMA with at least 48 hours notice, except in situations where animals are in immediate distress, to arrange a joint inspection of the licensed farm property. In addition, the Ontario SPCA and OSMA will host joint education sessions on a bi-annual basis to exchange information and experiences related to on-farm animal care and Code of Practice issues.

"OSMA is pleased with the agreement and relationship established with the OSPCA. The arrangement aids animal welfare at the farm level, provides education to OSPCA inspectors and benefits the industry as a whole" says OSMA Chair Dennis Fischer.

"Working together with the farming community is very important to us. This is the fifth of recent MOAs that have been developed by the Ontario SPCA and livestock commodity groups" says Chief Inspector, Connie Mallory, Ontario SPCA. "We are pleased to be working together with Ontario Sheep Marketing Agency to help animals in need and enhance Animal Welfare across the province."

About Ontario Sheep Marketing Agency:

The Ontario Sheep Marketing Agency is a producer operated organization which represents all aspects of the sheep, lamb and wool industry in the Province of Ontario. It was established to encourage, promote and represent the industry. The OSMA's activities work to improve the marketing of sheep, lamb and wool through producer education, promotional campaigns, consumer education and public awareness.

Provincial Media Contact

Brad Dewar
Investigation & Communications Officer
Ontario SPCA, Provincial Office
289-383-3503

Ontario SPCA and Humane Society:

Protecting animals since 1873, Ontario SPCA is Ontario's Animal Welfare organization. A registered charity comprised of over 50 Communities.

Since 1919, when Ontario's first Animal Welfare legislation was proclaimed, the Ontario SPCA, with the help of its Communities, has been entrusted to maintain and enforce Animal Welfare legislation. The Act provides Ontario SPCA Agents and Inspectors with police powers to do so.

Ontario SPCA provides leadership in animal welfare innovations including introducing high-volume spay/neuter services to Ontario and opening the Provincial Education and Animal Centre.

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Memorandum of Agreement signed between OVA and OSPCA

SHARE

Wednesday, 25 June 2014 16:03

(Guelph, ON - June 25, 2014) - The Ontario Veal Association (OVA) and the Ontario Society for the Prevention of Cruelty to Animals (OSPCA) are pleased to announce the signing of a Memorandum of Agreement (MOA) to work together when investigating complaints about animal welfare on veal farms, on behalf of all their producers.

"Working with the farming community is very important to us," says Connie Mallory, Ontario SPCA Chief Inspector. "We are pleased to be working together with Ontario Veal to help animals in need and enhance Animal Welfare across the province."

The MOA will allow knowledgeable, industry representatives to accompany OSPCA inspectors to specific veal farm calls. Together, industry representatives and the OSPCA, will host joint education sessions on a bi-annual basis to exchange information and experiences related to on-farm animal care and code of practices issues.

Under the Agreement, both organizations will work together to address concerns of animal welfare. OVA will provide technical assistance to OSPCA Officers in cases where inadequate animal care may be occurring on the farm.

Furthermore, OSPCA and OVA have agreed that upon at least 48-hours-notice, OVA representatives will visit a farm in conjunction with OSPCA Officers for the purpose of investigating any complaints or allegations of inadequate animal care. Similarly, OSPCA has agreed to contact OVA with at least 48-hours-notice, except in situations where animals are in immediate distress, to arrange a joint inspection of the licensed farm property.

"The main purpose of the agreement between the OVA and the Ontario SPCA is to improve dialogue during on-farm inspections, promote education over enforcement and engage in joint on-farm training sessions to exchange information and experiences relating to proper care and management practices," stated OVA President Judy Dirksen.

About the OVA

Ontario veal is dedicated to promoting and enhancing a viable and competitive Ontario veal industry through innovation, marketing, advocacy and education.

-30-

For more information:

Tammy Oswick-Kearney
Communications Coordinator
tammyok@livestockalliance.ca

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This is Exhibit "E" referred to in the
Affidavit of Jeffrey Bogaerts
sworn before me, this 31st day of July, 2014.

A handwritten signature in black ink, consisting of a stylized 'D' with a vertical line through it, positioned above a horizontal line.

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Analysis: Will changes to Ontario's animal welfare rules make a difference?

The Liberal government is increasing the OSPCA's power to investigate animal welfare issues. But how will the public know what the society is doing?

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MPP Cheri DiNovo talks about her disappointment about the new funding for the ospca

By: Linda Diebel Canada, Politics Liam Casey, Published on Fri Oct 25 2013

The Liberal government is pumping 10 times more cash into the Ontario Society for the Prevention of Cruelty to Animals, giving it the authority to hire experts and boosting its power to investigate animal welfare issues.

But how will the public know what the society is doing? How will anyone be able to gauge the effectiveness of the

\$5.5-million annual boost in tax dollars announced Friday?

The OSPCA is a private charity that doesn't reveal much about what it finds, how it does its job, the qualifications of its inspectors or even detailed financial reports. That lack of transparency has drawn criticism.

"It's a problem," said Conservative MPP Frank Klees (Newmarket-Aurora). "It is extremely disappointing that the minister and government are not willing to deal with something as fundamental as the (basic structure) of the OSPCA."

Other critics said the changes are too weak to have a real impact.

Klees, a longtime critic of the OSPCA, called Community Safety Minister Madeleine Meilleur's announcement "smoke and mirrors" and listed a series of issues he says must be dealt with:

- The organization operates in secret with the public not aware of how money is spent or what goes to salaries. "Their books should be thrown wide open and posted on their website," said Klees.
- Inspection and investigation results, as well as the training and expertise of agents, should be made public.

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- The ultimate power should lie with the government, not the OSPCA. That would allow Ontario to separate the OSPCA's investigative arm, often criticized for trampling on citizens' rights, from shelter responsibilities.

Klees said he's tired of hearing Meilleur say she has no power over the OSPCA. "Then give yourself that power," he said.

At a Friday press conference with Meilleur at the High Park Zoo, OSPCA chair Rob Godfrey said he has fought for transparency and believes the results of investigations should be made public. He has been overruled by the board.

"We will continue to strive to be more public," he vowed. A ministry official also said privately that more OSPCA transparency is "at the top of our agenda."

Meilleur repeatedly argued that Friday's announcement was "the first step" and not the package she said she wanted a year ago. She initially sought mandatory licensing of zoos and aquariums.

"Our government cares deeply for the well-being of animals wherever they live in this province," she said Friday.

Meilleur began reviewing the province's animal laws in Ontario after a Star series in 2012 in which former trainers blamed health problems at Marineland on sporadically poor water and insufficient staffing.

Meilleur thanked the Star on Friday and said: "If it weren't for their work, we wouldn't be here today."

John Holer, owner of the Niagara Falls animal park and tourist attraction, has always denied any problems with water or staffing shortages. "The well-being of our animals and mammals has, and always will be, our first priority," park spokesperson Ann Marie Rondinelli said Friday.

Meilleur's changes include a registry with twice yearly inspections for zoos and aquariums throughout the province — a voluntary one.

Asked if Marineland will join, Rondinelli said "absolutely."

When asked if the Toronto Zoo will join, spokesperson Jennifer Tracey wrote in an email: "We look forward to learning more about the creation of this new registry."

Godfrey said zoos and aquariums that don't join will be subject to more scrutiny than the others, including "surprise inspections" from a new specialized team that has already begun work.

He said it would "look bad" if a big-name zoo such as Toronto's didn't join.

A team of experts, expected to be headed by marine biologist David Rosen of the University of British Columbia, is drafting new standards of care for marine mammals in captivity, including whales, dolphins and seals. It's due in June 2014 and, once written, will be enforced by the OSPCA.

The ministry press released cautioned: "In developing the final regulatory standards the economic and tourism impact of these standards on affected communities will be considered."


In a statement, Marineland said the park welcomes Meilleur's decision to "seek independent scientific advice in the establishment of appropriate standards of care for marine mammals."

She added: "Marineland will be pleased to share its knowledge and experience with the scientific reviewer."

Asked about Kiska, a lone killer whale at Marineland, Godfrey said he will wait until seeing the drafted marine mammal standards before commenting.

Rob Laidlaw, executive director of Zoocheck, an animal welfare group, was disappointed by the changes. "We've advocated for about 20 years for an up-front regulatory system, so if you want to open a zoo or aquarium, you want to keep a lion or tiger, you've got to get a permit.

"You need something up front that weeds people out, not a voluntary registry . . . This is the tiniest, tiniest step forward."



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Provincial New Democrat MPP Cheri DiNovo (Parkdale-High Park) was adamant: "This announcement will change absolutely nothing."

A ministry official will sit on the OSPCA board as part of Meilleur's changes — a move that Klees called pointless as long as the OSPCA structure remains the same. Mike Zimmerman, the bureaucrat to sit on the board, is said to be the architect of the OSPCA Act.

A year ago, Meilleur's wish list for change was much more ambitious. What she was able to achieve was what she felt could be done for now, without having to table a new law that might not pass in a minority government.

Klees called that argument a cop-out, given that the minister didn't seek support from the Conservatives or New Democrats. Said Klees: "Throwing more money at it isn't the answer."

Want to read more? Marineland: Inside the Controversy is available through the Star's weekly ebook program, Star Dispatches. Simply go to stardispatches.com and subscribe for \$1/week. Single copies of Marineland are available for \$2.99 at starstore.ca and itunes.com/stardispatches.

Read more about: [Marineland](#)



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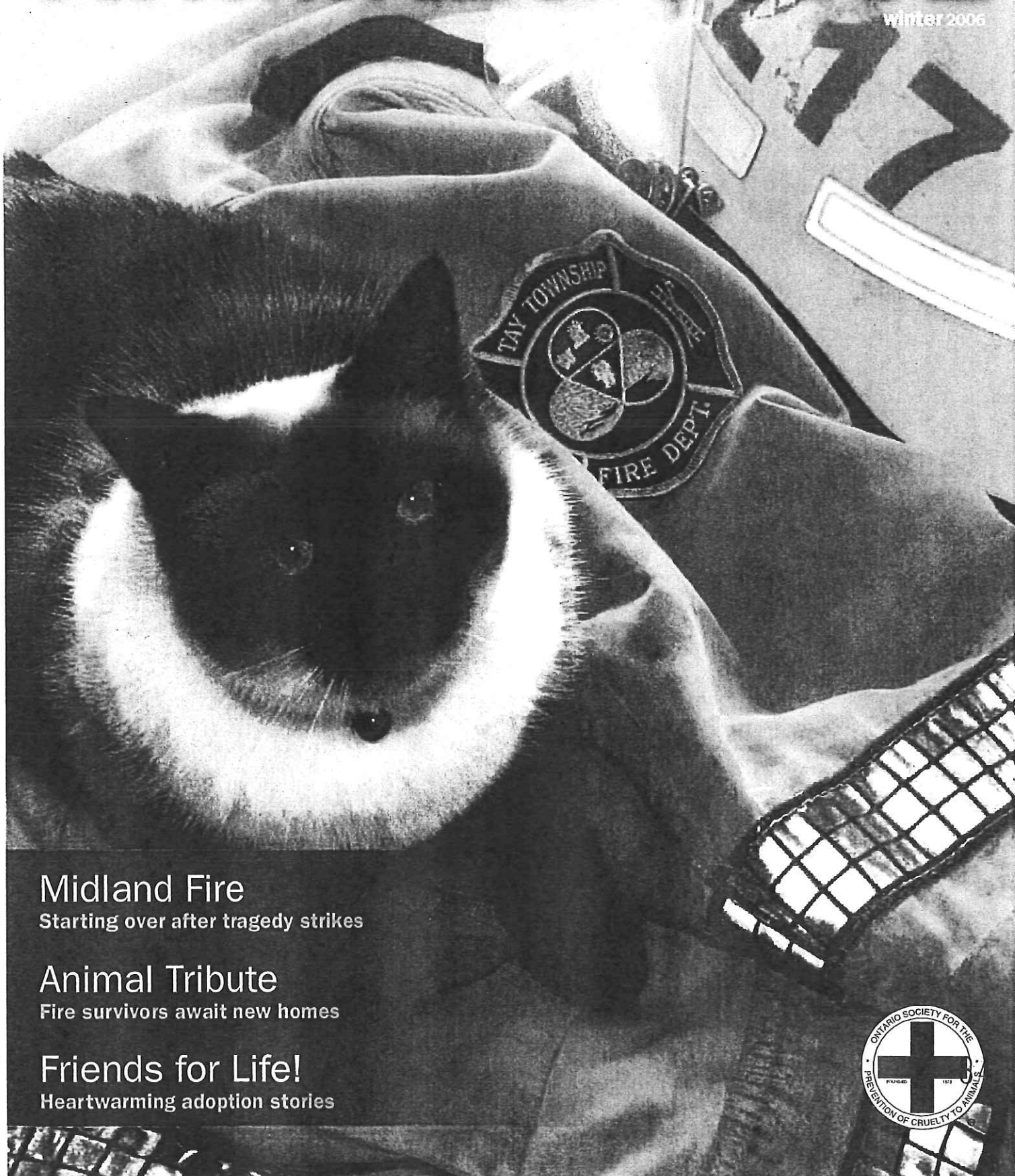
This is Exhibit "F" referred to in the
Affidavit of Jeffrey Bogaerts
sworn before me, this 31st day of July, 2014.

A handwritten signature in black ink, consisting of several loops and a long diagonal stroke extending upwards and to the right.

Commissioner for Taking Oaths

ANIMALS' VOICE

Winter 2006



Midland Fire

Starting over after tragedy strikes

Animal Tribute

Fire survivors await new homes

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Heartwarming adoption stories





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ANIMALS' VOICE

IN THIS ISSUE

MESSAGE FROM THE CHAIR

- 2 **Working together for animal welfare**

MESSAGE FROM THE CEO

- 3 **Making a difference for zoo animals**

FEATURES

- 4 **Animal Tribute**
Midland fire survivors await new homes
- 6 **The Ontario SPCA Midland & District Branch**
Starting over after tragedy strikes
- 12 **Friends for Life!**
Adoption tales of a rat, cat and two dogs
- 14 **Volunteers Making a Difference**
York Region volunteer helps hard-to-adopt dogs
Midland volunteer recounts her reaction to the fire
- 16 **Working in the Front Line**
Candid scenes from the field

DEPARTMENTS

- 18 **Behaviour and Training Tips**
Understanding your pet
- 22 **Society News**
A round-up of news, initiatives and successes
- 30 **Focus**
Helping Ontario's wildlife through the winter

This issue of *Animals' Voice* is dedicated to the tragic loss of the shelter animals who perished in the fire that destroyed the Ontario SPCA Midland & District Branch on August 3, 2006. As we plan for the rebuilding of the Branch, we do so with the spirits and souls of the lost animals in our hearts.

On the cover is Spirit, one of the survivors. He is now spending his days with the family of one of the Branch staff. Three other fire survivors still awaiting new homes are featured in the "Animal Tribute" article (p. 4). In "Volunteers making a difference" (p. 15), a long-time volunteer and supporter of the Midland Branch recounts her reaction to the fire and the important role the Branch has played in her life. If you would like to read the full story about the fire and find out how you can help the Branch rebuild, please turn to "The Ontario SPCA Midland & District Branch: Starting over after tragedy strikes" (p. 6).

Christine Arnett, Editor



WINTER ISSUE 2006

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The Ontario Society for the Prevention of Cruelty to Animals (Ontario SPCA): Protecting animals since 1873, the Ontario SPCA is a registered charity comprised of over 50 branches and affiliated humane societies relying primarily on donations to fund animal protection, care and rehabilitation for all animals, government and industry advocacy, and public education. The Ontario SPCA Act mandates the Society to enforce animal cruelty laws and provides Society investigators with police powers to do so – making the Ontario SPCA unique among animal welfare organizations in the province. The Ontario SPCA is a member of the Canadian Federation of Humane Societies, the World Society for the Protection of Animals, and is affiliated with the Royal Society for the Prevention of Cruelty to Animals.

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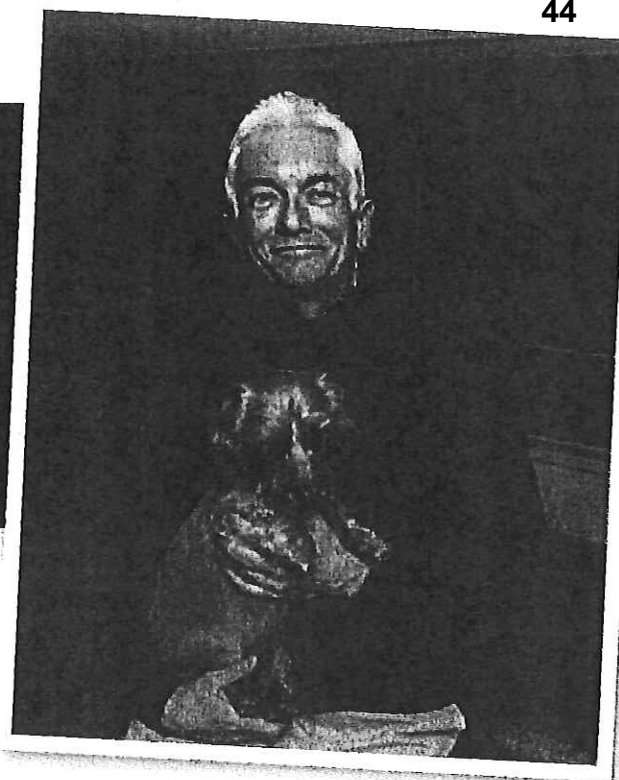
Working together for animal welfare

As the new Chairman of the Ontario SPCA Board of Directors, I wanted to share with you my own, and the board's, enthusiasm about the future of this organization and its impact on the welfare of animals across all of Ontario and beyond. Our opportunities to work together in improving the lives of abused, injured and homeless animals and in working for better legislation that holds animal abusers accountable will keep us very busy through the next few years.

We need to build consensus and work together as one organization with one mission and one vision.

Already, the board and senior staff have begun to identify opportunities to share knowledge and experience, embark on province-wide initiatives, and participate in training that addresses common needs.

The provincially-funded governance review is in progress as I write this message and has engaged local Societies, Branches, volunteers and staff in a dialogue that addresses our roots, our mission, our services and our future. Clearly, if we are to speak as the voice of animal welfare in this province, we need to speak with one voice. We need to build consensus and work together as one organization with one mission and one vision. We do serve a broad range of communities and there will always be unique challenges and perspectives in each community, but the skills and strategies that we need to develop in order to achieve success for the animals are often the same and can work for all of us.



Two of our biggest challenges are sustainability and research-based strategies. While there are an endless number of challenges – all with a cost – we have to survive in order to serve the animals and communities we care about so much. In the Animal Welfare world it may not be the best political language to say that we need to be more than “warm and fuzzy” – but undoubtedly, we must also be outcome and business oriented. That is our reality. We exist in a very competitive environment. Resources are limited and we compete not only with many other legitimate and worthy animal charities, but also with human services such as education and healthcare as major competitors for individual, corporate and government funding. In order to lead, educate, and build a more humane world, we have to identify best practices, make informed decisions, and measure our efforts against our desired outcomes.

I know that as we move ahead, our achievements for the animals and our communities will be very clear, measurable, and will be shared with pride across the province and country!

I look forward to the challenges ahead and to meeting and working with more of our supporters as we move forward!

Jim Sykes, Chair,
Ontario SPCA Board of Directors

Making a difference for zoo animals



I was recently very shocked when an Ontario SPCA inspector who was monitoring an animal auction in Ontario reported that a baboon and three other primates were sold at auction. It is incomprehensible that these special animals are auctioned off in this province to the highest bidder. Their sad fate is that they are the "discarded" animals from roadside zoos that indiscriminately breed animals, simply to show off the "babies" to the public.

Ontario has more roadside zoos than any other province, and more zoos than the rest of Canada combined, but also has the weakest animal protection legislation in the country and no specific legislation to establish standards for animal care to protect these special creatures from neglect. Anyone can own a lion, tiger, elephant or baboon — only the importation is controlled; no provincial or federal law prohibits persons from keeping or breeding these animals in Ontario. Consequently, each year, the Ontario SPCA is faced with the challenge of housing a number of exotic animals — including cougars, tigers, alligators, pythons, black bears and primates — as a result of investigations involving neglect.

Although we have tried in the past through voluntary inspections to improve standards of care and highlight the need for environmental enrichment at roadside zoos, our efforts at some facilities have failed. For example, three roadside zoos in Ontario have taken the unusual step of sending the Ontario SPCA letters prohibiting our inspectors from coming onto their properties without a search warrant.

Ontario does have several legitimate zoos that have knowledgeable staff, and that work to ensure the animals in their charge have full and healthy lives. These professional zoos are staffed by caring zookeepers, supported by staff or contract veterinarians knowledgeable

in zoo medicine. Unfortunately, there are many other zoos that lack the professional staff to ensure the animals are fed appropriate diets and live in an environment that meets the specific needs of the species and can enrich the animals' lives.

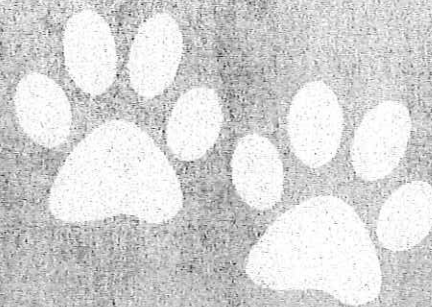
Recently, legislation that would govern and regulate Ontario zoos was introduced into the Ontario legislature by MPP David Zimmer. The legislation — Bill 154, *The Regulation of Zoos Act* — has the support of the Ontario SPCA and the World Society for the Protection of Animals. The Ontario SPCA is hopeful that the professional zoos and their associations will support this bill, and if passed, will help draft zoo regulations. This would bring all zoos up to the standard of care that the current professional zoos in Ontario exhibit.

I urge all readers to sign the petition in support of Bill 154 on page 11 of this magazine. Your united support will help ensure the protection of zoo animals — a protection long overdue to these vulnerable creatures and one that animals in other provinces have already been given.



Mike Draper,
Acting CEO,
Ontario SPCA

Midland fire survivors await new homes



Months after a fire destroyed the Midland & District Branch and claimed the lives of over 30 animals, three of the survivors are awaiting new homes, including Kojak.



Maureen & Kojak

After firefighters released Kojak from the burning building – terrified, disoriented and confused – he bolted from the safety of rescuers into the dark surrounding fields. Miraculously, Kojak was rescued yet again when he was found by a passerby several hours later wandering the highway. Rushed to the Heritage Animal Hospital in Midland for emergency care, he received treatment for smoke inhalation and irritation to his eyes over the next ten days.

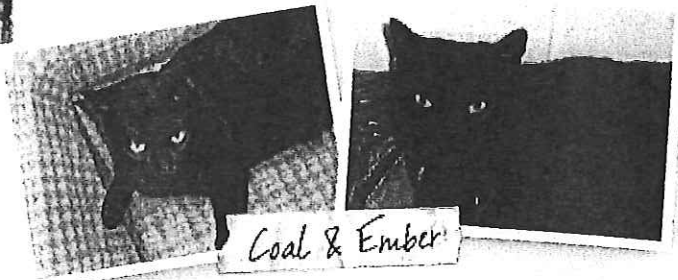
Throughout his recovery at the animal hospital, and his subsequent stay at the Ontario SPCA York Region

Branch, this beautiful two-year-old husky-border collie-mix has amazed staff with his brave, resilient and loving personality.

He joyfully greets each person and most dogs he meets, and thanks to the efforts of volunteers and staff he now knows how to sit, lie down and stay on request. As well, the cough he developed as a result of the fire is nearly gone, allowing him to howl or bark with gusto when he's excited to go in or outside.

This beautiful spirit is looking to find his forever home. A home that is willing and able to give Kojak the training his previous owners neglected to provide, and is prepared to deal with possible health complications as a result of the fire. What Kojak needs most in his life is a sense of security, stability and love – a family of his own.

We hope you can offer that special home!



Coal & Ember

Two cats who survived the Midland fire are waiting for a new home. Coal, a two-year-old black male, is available for adoption at the Orangetown & District Branch. Ember, a three-year-old black male, is waiting for a new family at the Onillia Branch.



47
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The Ontario SPCA Midland & District Branch: Starting over after tragedy strikes

By Christine Arnett, Director of Marketing & Communications
& Keri Semenko, Acting Director of Animal Sheltering & Wildlife Services

Every day staff and volunteers working at Ontario SPCA shelters across the province deal with tragedy first hand – from the loving animals that are coldly abandoned at our doors, to the unthinkable cases of abuse. While these situations are never easy, our staff is trained to deal with them. But on August 3, 2006 the staff and volunteers at the Ontario SPCA Midland & District Branch experienced another tragedy – one they were not emotionally prepared to face: the shelter was destroyed in a fire caused by a lightning strike.

Due to the incredible efforts of firefighters and Ontario SPCA staff and volunteers, over 30 cats, kittens, dogs and puppies were saved from the fire. But, sadly, over 30 animals were lost in the tragedy. Three cats, one kitten, two puppies and four adult dogs were treated for smoke inhalation and/or burns at the Heritage Animal Hospital in Midland. The other survivors were taken to the Orillia Branch immediately following the fire, and were later transferred to the York Region Branch where there is a staff veterinarian.





Photos: Hugh Coghill

Sadly, four of the animals who initially survived the fire later succumbed to their injuries. Among those unable to recover was a kitten rescued eight hours into the blaze after a firefighter heard faint crying coming from within the burnt walls.

"It was a very emotional scene to watch staff and volunteers gazing helplessly and in disbelief at the burning building," says Maureen Dool, Manager of the Midland Branch. "This was our worst nightmare – our hearts sank, knowing there was little we could do to save the remaining animals inside."

A GRASS-ROOTS FOUNDATION

The Midland & District Branch began as the dream of a handful of concerned community members who wanted animals in the area to have a humane organization to help protect them from abuse and neglect. This concerned group was initially formed in 1963 as the Midland Auxiliary of the Ontario SPCA with the goal of raising funds for the Society's provincial initiatives. Soon after, the Auxiliary realized they wanted to formally become an Ontario SPCA branch and provide investigative and sheltering services for the Midland area. In 1965, after two years of hard work and showing that a branch was viable in the community, the Midland Auxiliary became a branch of the Society, with an inspector appointed for the area.

AN 'HISTORIC' SHELTER

For many years the Branch operated without a shelter – the animals were either sent to the Barrie or Orillia Branches or kept by volunteer members of the Branch until permanent homes could be found. While this situation was workable, it was not ideal; so raising funds to purchase property for a shelter became a priority. Yard sales, bingos and community events were soon in full swing to help raise the needed funds. Finally, in 1992 the Branch purchased the historic Dutton family farm on Highway 12. With a lot of hard work and dedication, the beautiful old brick farmhouse was converted into a warm and welcoming shelter for domestic animals. A large outdoor cat enclosure was added soon after, and remained a main attraction at the shelter over the years. Other renovations at the shelter included large outdoor dog runs, a nursery and two cat isolation rooms.

This was our worst nightmare
– our hearts sank, knowing there
was little we could do to save the
remaining animals inside.

The Branch has provided a wealth of animal welfare services in the community, including animal cruelty investigations; animal rescues; intake and re-homing



Photo: Hugh Coghill

of surrendered, abandoned and stray animals; and humane education programs for local schools and community groups.

"The farmhouse contained many wonderful memories for many wonderful people and the thousands of animals that have passed through its doors over the years," says Dool. "Its historic presence and tragic demise will leave an indelible mark on this community."

A NEW BEGINNING

"While we are still mourning the tragic loss of the animals, we are also looking to the future and the rebuilding of the Midland & District Branch in their honour – they will never be forgotten," says Mike Draper, Ontario SPCA Acting CEO. "The Ontario SPCA Board of Directors passed a resolution to rebuild the Branch and we are currently meeting with an architect and finalizing the insurance settlement. The support from the community and across the province has been amazing. In addition to generous individual donations, there have been a number of third-party events that have been successful in fundraising for the rebuilding of the shelter – over \$200,000 has been donated to the rebuilding effort. In the upcoming months we will continue to rely on the community's support for building a new shelter – unfortunately, we believe that the insurance settlement will not cover the cost of the rebuild. We will also continue to need the community's donation support for ongoing animal care and investigations services in the Midland area."

The Ontario SPCA would like to extend a heartfelt "thank you" to everyone who has offered assistance, including firefighters from Tay Township, Severn Township and

the Town of Midland for battling the blaze and providing comfort and oxygen to the animals; the OPP Midland Detachment for keeping onlookers safe from the fire; the staff of Heritage Animal Hospital for providing medical care and much TLC to animals suffering from burns and/or smoke inhalation; the people who have adopted many of the surviving animals; and the public for their overwhelming support and generosity to help with the care of the survivors and our rebuilding efforts.

"The generosity of people has been overwhelming. I know we've always had support in the community but people have gone way beyond and we totally appreciate it," says Dool. "We are looking forward to serving the community in a more functional and efficient facility, and we hope to offer expanded services to our community."

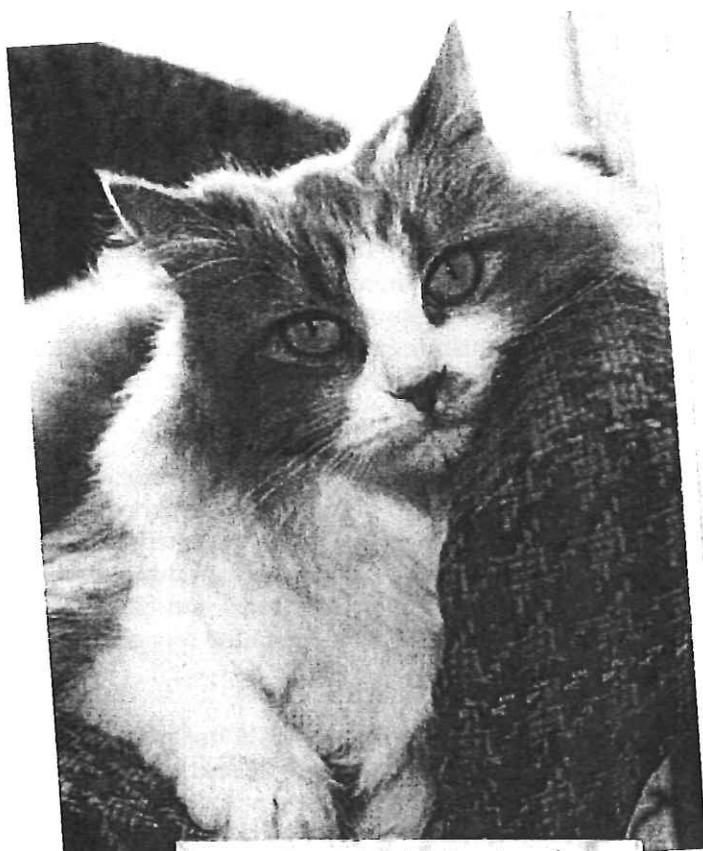
In the short-term, the Ontario SPCA hopes to set up a specialized trailer for temporary animal sheltering on the property, and in the coming months hold a community meeting to present the plans for rebuilding the shelter.

"A tremendous amount of commitment and dedication went into the formation of the Midland & District Branch," says Dool. "While we lost the physical structure that was the Branch, we did not lose the spirit that went into its making. The heart and soul of every donor, volunteer and staff member who has been involved with the Branch is reflected in the love and care we provide to the animals. No fire can destroy that."

.....

Photo: Hugh Coghill





*Rosie, one of the Midland survivors,
has been adopted into a loving home!*

How you can help

If you would like to make a donation to help with our rebuilding efforts and the care of the survivors you can:

1. Make an online donation at ontariospca.ca and click on "Online Donation." Then select "Tribute -- In Honour." Once you are taken to the next page you can specify the Midland Fire as the designated fund for your donation.

2. Donate by phone: 1-888-668-7722 ext. 321

3. Make a donation at any branch of the Bank of Montreal, specifying trust account number 3956-1031-534.

All gifts are eligible for a tax receipt. For donations made at the Bank of Montreal, please forward your bank receipt and personal information to the Ontario SPCA Provincial Office (16586 Woodbine Ave., RR 3, Newmarket, ON, L3Y 4W1) and we will ensure a tax receipt is issued immediately.



Join the Animal PAC Monthly Giving Plan

Please consider committing to monthly gifts in order to help the animals year round. We appreciate the support of our donors.

16586 Woodbine Ave RR3, Newmarket ON L3Y 4W1



Animal PAC Monthly Giving Plan

I would like to spread my support for the work of the Ontario SPCA throughout the year by making monthly gifts.

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☐ \$10 ☐ \$20 ☐ \$50 ☐ \$ _____

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Signature _____



ONTARIO'S "ROADSIDE" ZOO ANIMALS NEED YOUR HELP!

Join the campaign to protect all zoo animals

What is a "roadside" zoo?

Roadside zoos are substandard zoological facilities that typically house animals in poor, barren conditions, and lack trained professional animal care staff and the financial resources necessary to ensure proper animal care and housing.

Ontario has more zoos than any other province in Canada but no legislative requirements for staff expertise, financing, or mandatory standard for animal housing, management and safety. While there are some limited protections and licensing requirements for animals native to Ontario, there is no legislation protecting exotic zoo animals such as hippos, elephants, lions, kangaroos and primates. The Ontario SPCA estimates that Ontario has over 50 zoos, and over 20 large, private collections – far more than any other province.

Sign the Petition Support Bill 154

Liberal MPP David Zimmer has introduced new legislation to address the deplorable conditions animals are kept in at Ontario's roadside zoos. If passed, Bill 154, *The Regulation of Zoos Act*, would require all Ontario zoos to comply with professional animal welfare and public safety standards. The proposed legislation would ensure every zoo animal receives appropriate care and housing and that zoo visitors, staff and surrounding communities are safe.

You can take action by signing the petition on page 11 and getting friends and family to also sign!

Visit www.ontariosPCA.ca for more information.



Petition to the Ontario Legislative Assembly Regulate Zoos to Protect Animals and Communities

WHEREAS Ontario has the weakest zoo laws in the country, **and**
WHEREAS existing zoo regulations are vague, unenforceable and only apply to native wildlife, **and**
WHEREAS there are no mandatory standards to ensure adequate care and housing for zoo animals, or the health and safety of animals, zoo staff, the visiting public or neighbouring communities **and**
WHEREAS several people have been injured by captive wildlife and zoo escapes are frequent in Ontario, **and**
WHEREAS these same regulatory gaps were affirmed recently by the Environmental Commissioner of Ontario in his annual report

We, the undersigned, petition the Legislative Assembly of Ontario to support MPP David Zimmer's Bill, "The Regulation of Zoos Act".

Name (printed)	Address (in full) (printed)	Signature

Please mail this original petition (no copies) to:

World Society for the Protection of Animals, 90 Eglinton Ave. E, Suite 960, Toronto, ON, M4P 2Y3

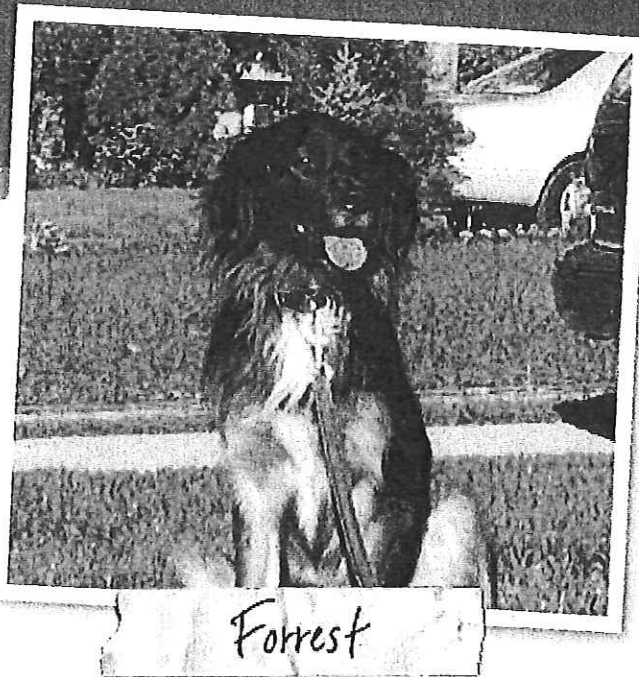
Ontario SPCA

adoption stories

On the evening of May 28, 2006, an Ontario SPCA investigator responded to a call from a concerned citizen regarding an injured dog found lying next to their garage in Dorset. The resident had found the dog lying flat on his side, unable to rise, but wagging his tail and raising his head when approached. At an after-hours emergency clinic X-rays determined that the dog had suffered fractures in both of his front legs, presumably from a tumble down the cliff nearby where he'd been found. Medical care costs for Forrest's surgery were estimated around \$5,000. Thanks to the Ontario SPCA Protecting Animals In Need Fund, and donations from concerned supporters, Forrest underwent surgery on May 31 to repair his broken legs.

"After we lost the eldest of our two dogs, we felt there was a void in the family. For the next year we looked on websites, keeping our eyes open for the right dog. Then one day, I saw Forrest's photo. His eyes were so soulful and sad – it felt like we were looking right into his heart.

It's been over a month since we adopted Forrest, and already he is making great progress. He loves sitting beside you with his head in your lap (being stroked), and his strength and stamina is slowly increasing. I can



walk him three houses down the street before he struggles on his weakest leg and starts trying to hold it up. The whole time his nose is going a mile a minute!

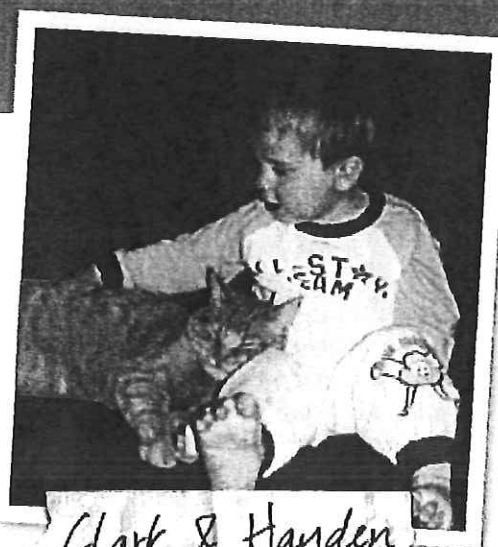
He's bonded with his "big" brother, Willy, a 13-year-old Scottish terrier – and he mimics many of Willy's behaviours. He's learned to bark out the window at visitors (previously he never made a sound), sit politely for a treat after walks (he looks to Willy and me repeatedly before taking Willy's cue), and he's started greeting our homecomings from a well-positioned spot on the sofa (Willy prefers the armchair). He is becoming quite curious, and has started following Willy and I around the house to see what we are up to.

Still, scars from his unknown past remain. If you touch his collar he collapses to the ground, and many things in the environment scare him. Thankfully, by taking baby steps to help him adjust to his new life, he is gaining confidence every day. Forrest is a great dog! He is a sweetheart and a gem and he's fitting in nicely with our family. The sorrowful look that was in his eyes is now replaced with a look of life and happiness!"

~ The Crozier family

"Clark is enjoying his new home. He loves chasing and bossing around our dog and playing with our son who is two years old. Clark has grown quite a bit and he is not shy about letting us know when he wants to eat, play or be loved. He has such a great personality as he loves to play and snuggle with us. Thanks!"

~ Krista, Marc and Hayden



Clark & Hayden



Neil

"When I adopted Neil he was not very social, but I worked with him and he grew to trust me quickly and adapted well to his new home. A couple of weeks after adopting Neil, I adopted Milo, a young male rat also in need of a home. Neil and Milo were happily living together in no time. Neil loves his baby food, and he loves cuddling in his hammock and on his shelf with Milo. They are also very fond of their tent! They are really the best of friends. It's wonderful to see them together!"

~ Vanessa

"I thought you would like a follow up on how Hunter is doing in his new home. As you can see, he has settled in very well. He is such a fun dog to have as he can become very talkative when he wants something, especially when he wants to go for a walk. He has given us a lot of joy and we are looking forward to showing him off to the rest of the family. He is so cute."

~ Lorraine Carleton



Hunter

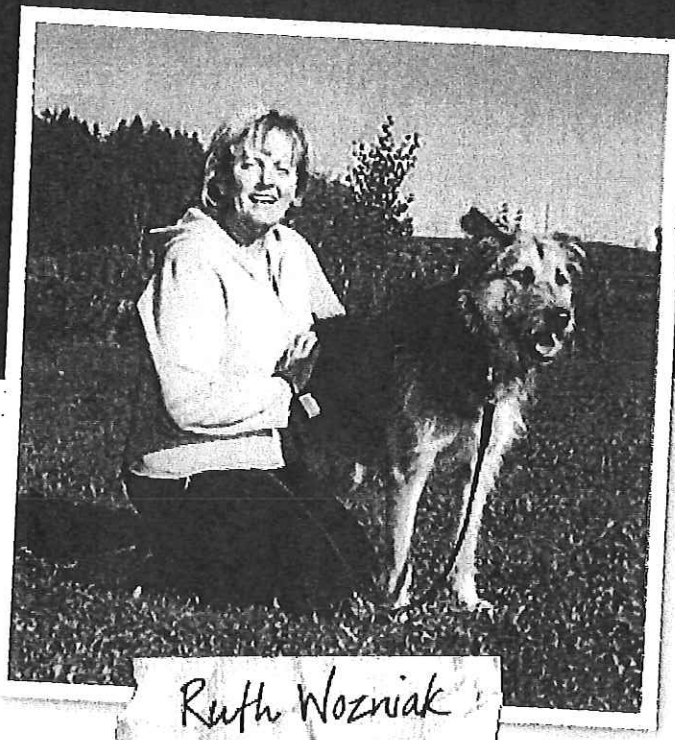
Volunteers making a difference

In the Spring of 2000, Ruth Wozniak began volunteering with the Ontario SPCA, assisting a trainer who was working with hard-to-adopt dogs to improve the animals' adoptability. While volunteering with the trainer, Ruth became inspired to use her skills to help dogs at the York Region Branch. "Ruth is an important part of our team," says Branch Animal Care Coordinator Jennifer Scott. "She's committed hundreds of hours to help train and socialize dogs – often sharing techniques with staff and volunteers. She is extremely giving and really cares about all of the animals."

"I learned some basics of positive dog training (rewarding a dog for giving a desired response) while attending classes with my current dog Joey, a nine-year-old collie-mix rescue. It was a lot of fun and it helped us create a very strong bond."

When I began volunteering with the Ontario SPCA I was introduced to clicker training (using a small device that makes a "click" to mark the behaviour, followed by a treat). The dogs we worked with were typically undersocialized or friendly but lacking in basic manners. They improved throughout our sessions, many of them dramatically. I began noticing other dogs in the shelter that could use similar help and I started training them on my own in consultation with staff.

I teach the dogs various commands, such as "Come," "Watch Me" and "Drop It" – however, even teaching a basic "Sit" can create a huge difference in a dog's outlook. For example, when I ask a dog to sit 20 times throughout a walk, and reward him each time, I'm giving that dog an opportunity to be a "good dog" 20 times. This improves the dog's self-esteem and confidence, and because the dog earns a reward, he wants to do it! Additionally, training and regularly rewarding a dog for sitting can help the dog understand appropriate



Ruth Wozniak

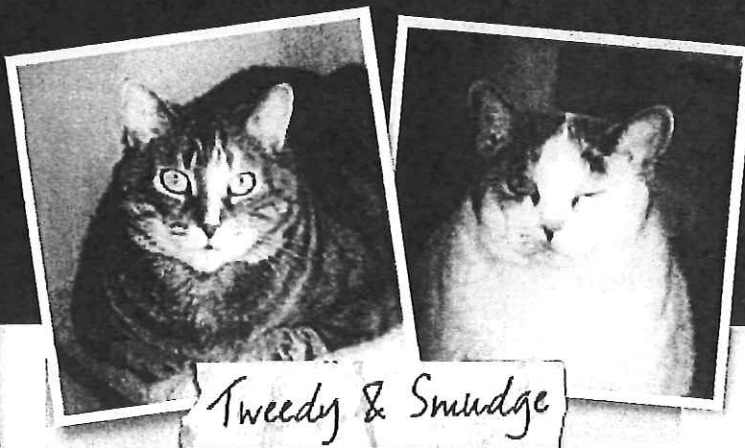
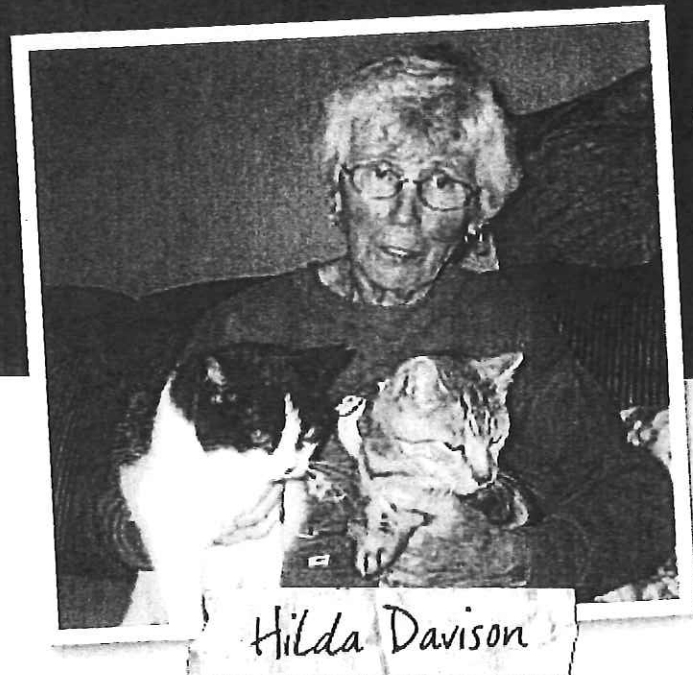
behaviour, distract him from less appropriate behaviours, encourage listening, build trust, establish leadership, provide mental enrichment and more.

To expand my knowledge I attend seminars, read books, talk to trainers and gather information from the Internet. My biggest source of knowledge is the dogs themselves. If a technique or training tool looks appropriate, I will try it and see how it works. The beauty of positive-reinforcement training is that it will not cause any physical or emotional harm to a dog, so you can try various approaches.

While I work with as many dogs in the shelter as I can, I often focus on one dog – training, exercising and socializing the dog until he or she is adopted. Knowing that a previously abandoned dog may be placed in a good home that provides love and guidance drives me to continue."

~ Ruth Wozniak

To learn more about volunteering
at the Ontario SPCA visit:
www.ontariospca.ca/1-volunteer.shtml



Sadly, Tweedy and Smudge perished in the Midland Branch fire.

Since 1990, Hilda Davison has volunteered with the Ontario SPCA Midland & District Branch tackling a wide variety of shelter challenges and needs – from helping the Branch fundraise to purchase its first animal shelter (the renovated farmhouse recently destroyed in a fire), to cleaning cages, providing animal care, serving as a Branch board member, organizing (and attending!) all of the Branch's fundraising events, fostering cats and more. "Hilda's hard work and dedication is exceptional," says Maureen Dool, Branch Manager. "Over the years she has stopped in almost daily to visit the animals and see what errands need to be done, as well as assisting staff at the Ontario SPCA Wildlife Rehabilitation Centre which is located on the same property. We can always rely on Hilda for good advice, lending a helping hand, or putting smiles on our faces!"

"The Midland Branch has been a big part of my life for the last 16 years. It is a feeling of belonging and responsibility. I started volunteering when the Branch's goal of owning a shelter was still a dream. When the property was purchased, I helped with cleanup efforts – wheeling away rocks from the original driveway, mucking manure out of the barn and removing rubbish from the farmhouse basement. I remember our joy watching the first animals arrive. But then on August 3, 2006 at 6:30 a.m., I stood and watched the farmhouse in flames – the shelter and many animals' lives destroyed.

It was overwhelming to see the shelter on fire. Charlene, a staff member, was the first person I met when I

arrived at the scene. She comforted me saying that they had managed to save some of the animals. The fire had already been burning for many hours and there was not much I could do.

At one point a fireman heard a kitten crying. We all rushed down to where he stood and saw him holding up the little bundle he had pulled out. The kitten was taken by one of the staff to Heritage Animal Hospital. Sadly, she later died.

Several cats perished in the fire that I was particularly close to including the three "golden girls." Smudge and Tweedy were great pals who shared a pillow or basket to sleep on, and Noelle, a recent arrival, was also very sweet and dear to me. I will forever grieve for them.

While it was very traumatic for me to be there at the time of the fire, then, and still now, my heart goes out to the staff and volunteers who were in daily contact with the animals that perished. I admire their strength and dedication to carry on.

Without question, I will continue volunteering with the Midland Branch so long as I am needed and I am able to help. I am sure that the outstanding staff will run the new shelter we're hoping to rebuild with as much effort and dedication as they did in the 'old farmhouse' we'd all grown to love."

~ Hilda Davison

Candid scenes from the field

SPECIAL TO *ANIMALS' VOICE* MAGAZINE

By Joanne McArthur



I've always been fascinated by the work of cruelty investigators. They are, in my eyes, courageous men and women who have dedicated their lives to protecting animals from cruelty and can legally enforce the proper care for animals.

As an animal welfare advocate and a photographer, I've travelled to many corners of the globe to photograph the plight of animals and have always found it difficult to witness and document their all-too-often heartbreaking circumstances. I marvelled that the cruelty investigators had chosen careers in which they must confront these circumstances not occasionally, but every day.

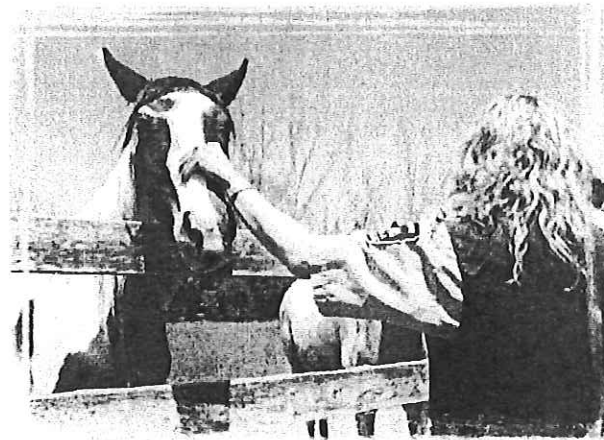
I decided to approach the Ontario SPCA and ask if I could start doing "ride alongs" with some of their investigators in order to document the incredible work that they do. What I've learned in my short time working with them is that they harbour an awe-inspiring well of strength, poise and professionalism in accomplishing the all too often upsetting tasks at hand.



Agent Lynne Barrington rescues a dog that became trapped on a window sill after breaking through the screen while home alone.



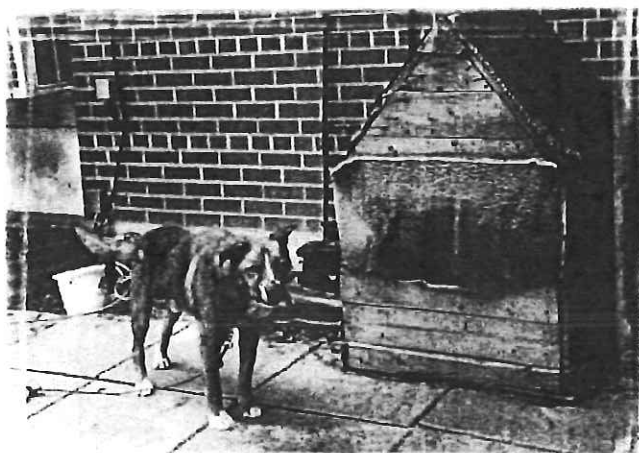
Acting Chief Inspector Hugh Coghill and Inspector Rachel Banks attend a circus inspection. The Ontario SPCA ensures that all circus animals are housed and cared for within the parameters of existing legislation.



Inspector Sarah Jones visits a horse that was surrendered to the Ontario SPCA by its owner. This seven-year-old mare was among the more than 100 horses rescued by the Ontario SPCA in 2006.



Ontario SPCA investigators deal with feline animal welfare issues every day, including cat hoarding situations, stray and feral cats, neglect and unthinkable acts of cruelty.



The Ontario SPCA responds to a call from a concerned member of the public about this dog that needed veterinary care for bleeding sores on its ears and nose and an eye infection. Following intervention by an Ontario SPCA Agent, the health and living conditions of the dog improved.



Inspector Allison Greene demonstrates a very dry water bowl found at the scene of an investigation.

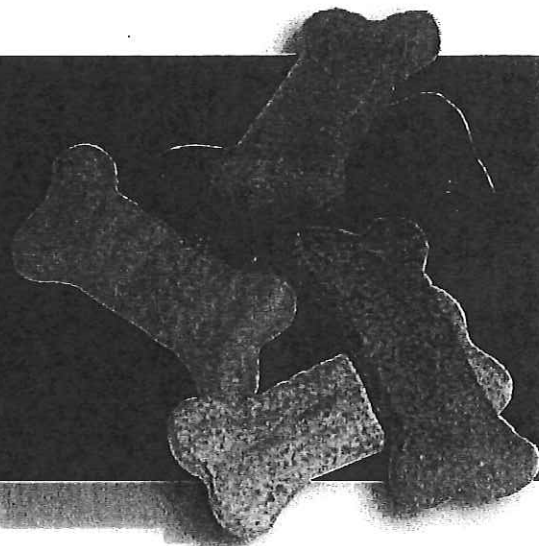


Inspector Sarah Jones feeds hungry and dehydrated chickens at an Ontario farm.



Understanding your pet

Four important questions to ask



Whether you've just adopted a dog or cat, or lived with one for years, there may come a day when your beloved pet starts exhibiting some strange new behaviours that leave you baffled. To help demystify your pet's behaviours and understand what actions you can take, ask yourself these four questions.

1. HAS THERE BEEN A CHANGE IN THE ENVIRONMENT?

Any change in the environment may contribute to new behaviours or behaviour problems. For example, the weeks or months following an adoption can be stressful for your pet as she adjusts to her new home. As well, the addition of a new pet or family member (spouse, baby), loss of a pet or family member, moving, and schedule changes can have a dramatic impact on behaviour.

2. IS THERE AN UNDERLYING MEDICAL PROBLEM?

Often new behaviours are really the result of a health issue or prescribed medication. For example, bladder infections or kidney disease may cause your cat to eliminate outside his litter box if he comes to associate the box with painful urination, or if he has an increased urgency to urinate. As well, a frequent side effect in dogs using steroids is increased thirst. By drinking more your dog will likely need to go outside to relieve himself more frequently. If he's not let out more often he may have accidents inside the house. Some behaviours are a result of a combination of health and environmental changes. For example, any condition that leads to an increase in discomfort or pain can lead to increased anxiety, irritability or fear of being approached or handled. If you're not sure, visit a veterinarian to rule out medical problems.

3. CAN YOU STOP THE BEHAVIOUR BY MANAGING THE ENVIRONMENT?

Many problems can be resolved by teaching alternative behaviours; for example, teaching your dog to sit rather than jump when greeting people. But if you aren't committed to training, managing your pet's environment may be the solution for you. Don't want your cat sleeping on your bed? Close the door. Don't want your dog chewing your shoes? Keep them in the closet when not in use. Don't want your dog chasing the cat whenever he gets a whim? Create a "dog-free zone" (baby gates often work well) in your house where your dog isn't able to enter and your cat can go to relax.

Photo: Chris Hughes

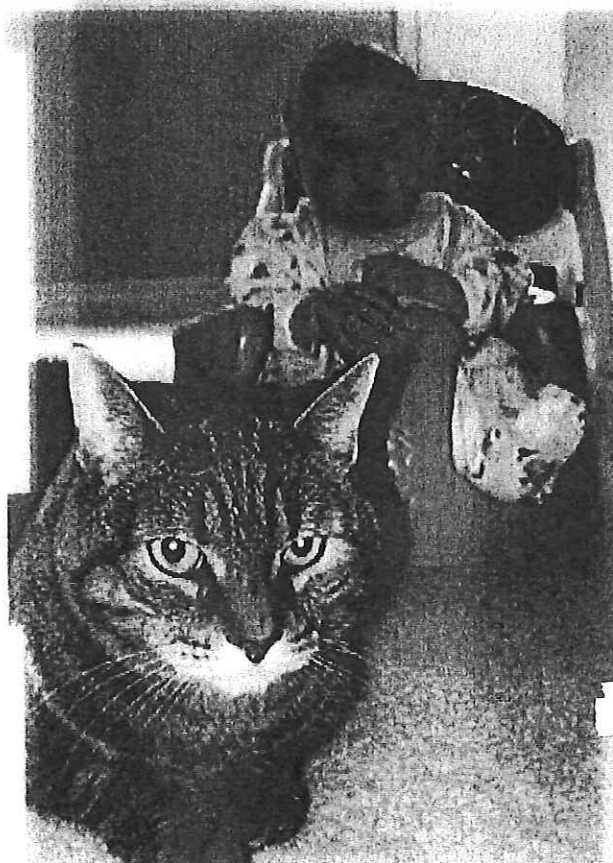




Photo: Marie Ostrom

4. ARE YOU ENCOURAGING THE BEHAVIOUR?

Throughout your pet's life he will continue to offer you new behaviours. How you respond will often determine whether or not the behaviour gets repeated. Consider that every time your pet's actions result in unpleasant consequences, such as lack of attention, the chances of your pet repeating the behaviour decrease. Every time your pet's actions result in pleasant (rewarding) consequences, such as attention or food, the chances of your pet repeating the behaviour increase.

To stop an undesired behaviour from being repeated it's important to determine what consequence(s) of the behaviour your pet finds rewarding. For example, if

your dog greets you at the door by jumping up and you respond by giving your dog a pat, pushing him off, telling him he's cute or gruffly saying "off," you've likely rewarded the behaviour and increased the chance he'll repeat it. The reason: jumping is generally an attention seeking behaviour. Therefore the next time your dog starts to jump turn away from your dog and stand silently like a tree – withdrawing all attention until all four paws are on the floor. If your dog no longer receives any positive consequences for jumping the behaviour should start to decrease in frequency.

SPECIAL NOTE:

Keep in mind that when you stop rewarding a behaviour that is well established your pet's behaviour will likely get worse before it gets better. This is known as an "extinction burst." It is simply your pet testing to see if variations of his behaviour can make the "reward" appear once more. Be patient and consistent (this applies to everyone in contact with your pet!) and the behaviour should start to decrease in frequency. This may take as little as a couple days or weeks (or more) depending on how long you've rewarded the behaviour and how consistent you are at preventing future rewards.

Happily, many behaviours have a simple solution. If you're unsure about what is causing the behaviour, or how to respond, speak with an animal behaviourist, a positive dog trainer (a trainer that uses positive reinforcement and not fear and punishment) or a veterinarian for help.

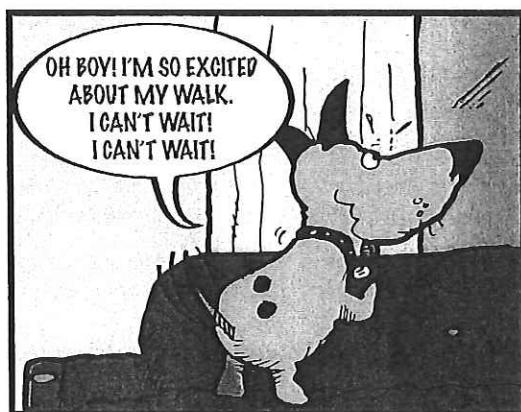
ANIMAL TALES

Follow the adventures of a lovable cast of characters in Ontario SPCA Animal Tales



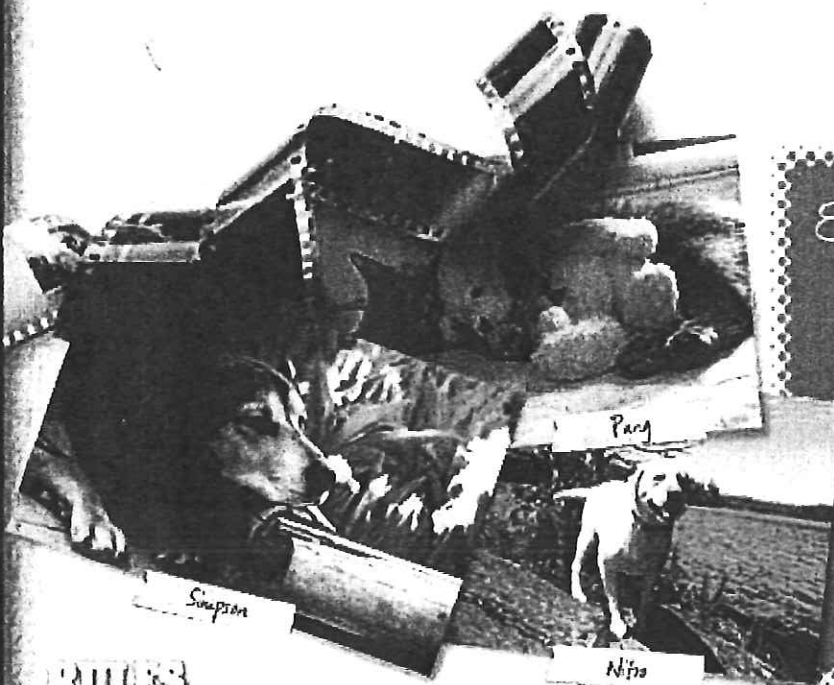
We hope you enjoy the Ontario SPCA's new comic strip "Ontario SPCA Animal Tales" – a cartoon highlighting shelter-life, Ontario SPCA activities, responsible animal care and the wonderful joy animals bring to our lives. Over the upcoming year you can follow the loveable cast of characters in *Animals' Voice* magazine, *Newshound* e-newsletter and on our website: www.ontariospca.ca. By visiting our site and clicking on the "Animal Tales" link you can meet the characters and view a new comic each month.

Cartoonist J. Coles and his family share their home with two fabulous felines (Merry and Pippen), a gregarious golden retriever (Mazzy), and a girl guinea pig named Stanley.



ONTARIO SPCA ANIMAL TALES © 2006 www.ontariospca.ca

2007 Annual PHOTO CONTEST



Enter our 2007 Photo Contest!

Send us that great photo of your pet, wildlife, or farm animals. Your photo could appear in the Ontario SPCA's 2008 calendar.

2006 Winners:

Simpson - Yvonne Gaudet
Pang the cat - Francesca Mastrella
Nitro (yellow Lab) - Debbie Kempe

RULES

1. All hard-copy submissions must be unmounted colour prints and include a submission form on the reverse. If your photo is chosen for the 2008 calendar or donor card series, you will be asked to supply the original negative.
2. All digital photo submissions must be a minimum of 4-megapixels and can be emailed to ospca@wyersdirect.com or sent on a CD by regular mail. Please ensure that digital photos are taken and sent at maximum resolution. Be sure to include your name, address, contact information, photo description, animal name(s) and type(s) with your emailed submission.
3. Photos reflecting any season and those containing people with pets are welcome. The subject should be no less than 2/3 of the frame and be in landscape format. Try to capture the personality of your subject. Be sure that the photo is sharp and in focus.
4. Submitted photographs become the property of the Ontario SPCA and cannot be returned. The photos may be published in Society publications. Winning photos may be published in local newspapers. Where possible a photo credit will accompany any published photo.
5. Prizes will be awarded for the best entries.

TO ENTER

Please photocopy the entry form (see right), attach it to the back of each photo, and send to:

ONTARIO SPCA PHOTO CONTEST
16586 Woodbine Avenue RR3
Newmarket, ON
L3Y 4W1

Digital photos may be sent via email to ospca@wyersdirect.com or on a CD by regular mail to the above address.

NAME: _____

ADDRESS: _____

CITY/TOWN: _____ PROV: _____

POSTAL CODE: _____ TEL: () _____

PHOTO DESCRIPTION: _____

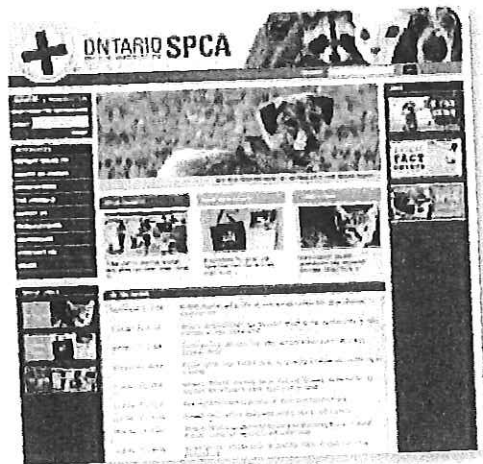
NAME OF ANIMAL(S): _____ TYPE OF ANIMAL(S): _____

SIGNATURE: _____

Deadline for submissions is July 15th, 2007

**Ontario SPCA launches new website ~
www.ontariospca.ca**

The Ontario SPCA is excited to announce the launch of its new website at www.ontariospca.ca. The comprehensive site features new and updated content, a fresh new design, beautiful photography, and a sleek new navigation system that makes it quick and easy to explore the site.



Some highlights of the website include:

- Resources for reporting animal cruelty, identifying animal abuse and neglect, and understanding animal cruelty laws in Ontario.
- An adoption section featuring a province-wide shelter directory, adoption tip sheets, adoption stories and behaviour and training fact sheets.
- A publication library offering brochures, fact sheets, and back issues of *Animals' Voice* and the popular e-newsletter, *Newshound*.
- Information on ways you can support the Ontario SPCA, including everything from donating your used stamps to options for planned giving.
- Other areas of the site include current and archived media releases, expanded event listings, an updated web store, employment and volunteer opportunities, and more!

We invite you to come and explore the site – and to make www.ontariospca.ca your online resource for animal welfare in Ontario.

**Communities show support during
Ontario SPCA Shelter Appreciation Week**

During *Ontario SPCA Shelter Appreciation Week*, November 5-11, the Ontario SPCA encouraged the public to show their support for their local shelter and the variety



Community members enjoy the Sudbury & District Branch's Open House on November 9.

of vital services they provide – services such as matching homeless animals with new homes; rescuing abused, neglected, injured and abandoned animals; providing emergency care to injured wildlife, and offering education and advice to the public about responsible pet guardianship, co-existing with wildlife and other topics.

The Ontario SPCA would like to thank everyone for their wonderful show of support – both during *Ontario SPCA Shelter Appreciation Week* and all year long. Every day you make a difference to animals through a wide range of activities, including making donations to help the Society provide protection and care to animals, reporting animal cruelty and neglect, vol-

You Benefit.



The Ontario SPCA Mosaik™ Mastercard® is the card you can build and re-build with the reward program, special features and rate plan that fit you best. It's yours to enjoy exclusively from BMO Bank of Montreal. Since Mosaik Mastercard is modular, you can change your options any time.

By choosing this card, you'll enjoy the flexibility that comes with building a card that is truly yours, plus you'll help support the Ontario SPCA everytime you use it to make a purchase.

Apply for the Ontario SPCA Mosaik MasterCard today.

Simply apply online at www.bmo.com/mosaik/ospca or call the Ontario SPCA at 1-888-668-7722 ext. 321 for more information

unteering for local shelters, choosing the adoption option, and spreading the word about the importance of treating all animals with compassion and respect.

Ontario SPCA thanks Town of Greater Napanee for its efforts to keep local branch open



(Photo from left to right) Sarah Chambers, Branch Advisory Committee; Leslie Lewis, Manager, Lennox & Addington Branch; Catherine MacNeill, Branch Advisory Committee and Provincial Board Member with Bob the dog; Pam Brooks, Branch Advisory Committee; Connie Mallory, Senior Inspector, Eastern Ontario, Ontario SPCA; Gary Hodson, Deputy Mayor, Town of Greater Napanee; Gordon Schermerhorn (front), Mayor, Town of Greater Napanee; Mike Draper, Acting CEO, Ontario SPCA; Leona Dombrowsky, MPP, Hastings-Frontenac-Lennox and Addington, and Minister of Agriculture, Food and Rural Affairs.

On November 4 representatives from the Ontario SPCA and the Town of Greater Napanee, as well as a number of dignitaries, came together at the municipality's former animal control facility to formally thank the municipality for its efforts to keep the Ontario SPCA Lennox & Addington Branch open.

Earlier this year the Ontario SPCA was set to close its doors in Napanee as large capital upgrades were needed at its former location. As a charitable organization those upgrades weren't feasible for the Society. But due to a tremendous outpouring of public support – more than 20,000 Ontarians signed petitions and thousands more wrote letters to government to prevent the closure – as well as the sale of the municipally-owned dog control facility to the Ontario SPCA at a nominal cost, the Ontario SPCA is able to continue to provide animal protection and care services in the community.

The Ontario SPCA is not yet able to fully move into the new facility as it requires retrofitting to meet the needs of a full-service animal shelter. In the interim, the Ontario SPCA will operate both the current and new facilities to help facilitate disease control – one of the biggest concerns with the current facility – and provide additional space to house animals.



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PROTECTING ANIMALS THROUGH GIFTS OF LIFE INSURANCE

How to use your life insurance as a charitable gift



Traditionally life insurance is used to protect loved ones. However, as children age or we become financially secure, the reasons for purchasing life insurance may not be as significant as they once were. Donating life insurance policies to charities is a wonderful and affordable way to leave a lasting legacy of compassion and care.

By donating a new or existing life insurance policy to The Ontario Society for the Prevention of Cruelty to Animals (the Ontario SPCA) you can help ensure abused, abandoned and neglected animals continue to receive protection, shelter and care for generations to come. At the same time you will generate a very generous contribution, typically larger than would be possible out of an individual income; and receive tax relief, often in the years of maximum earnings when it is most welcome.

The gift of an existing policy

If you find yourself with an existing policy that is no longer needed there are two options you may wish to consider to help animals.

- You can donate the life insurance policy by making the Ontario SPCA the owner and beneficiary. Setting up your policy in this way will allow you to receive a tax receipt for any cash value in the policy and for any premiums that you pay; or
- You can keep the policy in your name and change the beneficiary to the Ontario SPCA. By setting up the policy in this way your estate will receive a tax receipt upon your death, reducing final tax charges.

The gift of a new policy

Many donors decide it's preferable to purchase a new life insurance policy. Again, there are two options to consider when deciding how to help animals.

- You can make the Ontario SPCA the owner and beneficiary of the policy and receive a tax receipt for the premiums you pay every year. This option is beneficial if you have a high income and would like the benefit of reduced taxes; or
- You can be the owner of the policy and designate the Ontario SPCA as the beneficiary. This will mean that your estate will receive a tax receipt upon your death. This option is beneficial if you have a moderate income and would like to reduce estate income taxes.

Endowment funds

You may also choose to place the insurance proceeds into an endowment fund. The insurance proceeds are permanently invested and only the income is expended to help animals in need. Endowments assist the Ontario SPCA with long-range planning and ensure the Ontario SPCA will be there – always – to save and protect animals.

TAX TIPS ~ HOW YOUR GIFT GIVES BACK!

GIFT OF AN EXISTING POLICY

Example: If you had an existing \$100,000 life insurance policy costing \$75/month you could:

Designate the Ontario SPCA as the owner and beneficiary of the policy

Receive a \$900 donation receipt each year (for cash value in the policy and for any premiums that you pay) saving you approximately \$360 in taxes owing.

or

Stay the owner and designate the Ontario SPCA as the beneficiary

Your estate would receive a tax receipt of \$100,000 upon your death, saving your estate close to \$40,000 in taxes owing.

GIFT OF A NEW POLICY

Example: If you purchased a \$100,000 life insurance policy for a cost of \$75/month you could:

Designate the Ontario SPCA as the owner and beneficiary of the policy

After yearly tax savings your true net cost would be approximately \$45 per month.

or

Stay the owner and designate the Ontario SPCA as the beneficiary

Your estate would receive a tax receipt of \$100,000 upon your death, saving your estate close to \$40,000 in taxes owing.

HOW TO MAKE A GIFT OF LIFE INSURANCE

For a quotation or further information about how you can donate a life insurance policy and leave a lasting legacy

Please contact our Development Department at 1-888-668-7722 or donate@ospca.on.ca.

Ontario SPCA to open new animal shelter in northwestern Ontario

The Ontario SPCA and its Board of Directors are excited to announce that the Society has finalized and approved plans for a new branch facility in Kenora. The Society hopes the new shelter will be open by the end of the year.



Prior to early 2006, the Ontario SPCA operated branches in both Kenora and Dryden. Due to the loss of the municipal animal control contract in Dryden

it was no longer feasible for the organization to operate out of the city shelter. The Dryden and Kenora Branches were then amalgamated and have since been operating out of a facility in Kenora. Due to space inadequacies of the current location, animals are being cared for in foster homes. The current location is not adequate for the long-term animal care and protection needs of northwestern Ontario. Recognizing this short-coming, the Society has secured a rental property which will be retrofitted to provide appropriate animal housing and will be better able to meet the needs of the animals.

The Society is moving ahead with construction and the public will be notified when the new facility – which will be located at 605 Fourth Street in Keewatin – is ready to open its doors. "There is a definite need for this service in northwestern Ontario, and the Ontario SPCA is committed to ensuring the welfare of animals in these communities," says Mike Draper, Ontario SPCA Acting CEO. The Kenora-Dryden & District Branch is one of only two full-service animal welfare organizations in northwestern Ontario. The next closest animal welfare organization is the Thunder Bay Humane Society, which is over six hours away.

New legislation would protect animals and communities

Liberal MPP David Zimmer introduced a Private Members Bill in the Ontario Legislature in October to address the deplorable conditions animals are kept in at Ontario's roadside zoos – and alarming safety concerns involving zoo visitors, staff and surrounding communities. If passed, Bill 154, *The Regulation of Zoos Act*, would require all Ontario zoos to comply with professional animal welfare and public safety standards.

Roadside zoos typically house animals in poor, barren

conditions and offer little more to their animals than a food and water bowl and a shelter box – failing to provide enrichment programs to address each animal's complex social, psychological and physical needs. Investigations by professional zookeepers and veterinarians have found dangerous animals behind flimsy, low fences, and unlocked cages and gates. The past 12 years have seen a number of people injured, even killed in Ontario by captive exotic animals.

In Ontario there are no legislative requirements for "zoo" staff expertise and financing, or mandatory standards for animal housing, management and safety – allowing anyone to open a zoo. Furthermore, existing regulations are vague, unenforceable and only apply to native wildlife – leaving exotic zoo animals such as hippos, elephants, lions, kangaroos and primates unprotected.

The Ontario SPCA estimates that Ontario has over 50 zoos (the majority being roadside zoos), and over 20 large, private collections – far more than any other province. To take action in the Bill 154, Regulation of Zoos campaign, please see page 11.

Sudbury & District Branch honored at awards ceremony for being an exemplary employer

The Ontario SPCA Sudbury & District Branch received an Employer Stellar Award October 26 at a banquet hosted by Passport to Prosperity and the Workforce Partnerships Boards. The biannual awards are presented to Sudbury and Manitoulin Island employers who have consistently taken students into their workplace to provide them with experiential learning opportunities, and have demonstrated their commitment to preparing youth for the workplace by going above and beyond a school's expectation.



Al Bentley, Manager, Ontario SPCA Sudbury & District Branch & Anne Deschaine, School Board Trustee

Secondary school, Conseil scolaire catholique du Nouvel Ontario, nominated the Sudbury & District Branch



**ONTARIO
SPCA**
PROTECTING ANIMALS SINCE 1873

Wish List

- Canned cat & kitten food
- Canned dog food
- KMR kitten supplement
- Kids' swimming pools
- Oscillating fans
- Pedialyte
- Liquid vitamins for guinea pigs & rabbits
- Office supplies
- Dog toys & stuffed animals
- Leashes
- Pine or aspen shavings
- Fresh fruits and veggies for the rabbits
- Non-clumping litter
- "Yesterday's News" recycled paper litter
- Rabbit & guinea pig food pellets
- Powdered laundry soap & liquid bleach
- Canadian Tire money & HBC reward points
- Used printer cartridges (small only)
- Metal dog crates
- Prizes for special events
- Window glass cleaner
- Cancelled stamps
- Old linens & towels
- Cash donations are also much needed, and appreciated!

Your kind gift can make dreams come true!

For a list of Ontario SPCA shelters where you can make a donation, please visit www.ontariospca.ca or call 1-888-668-7722.

Even Dad can't scare away the closet monsters like Rufus.



Jenny was having trouble sleeping... she was terrified of the monsters in her closet. Thanks to Rufus and his uncanny monster slaying skills, Jenny and mom and dad are all sleeping peacefully again. Rufus is special, which is why he only gets food from **Global & Ryan's Pet Foods**, where every brand is made with all-natural, wholesome ingredients like real meats, fruits, vegetables, vitamins and minerals. It's food that keeps him healthy and feeling great... not to mention strong enough to fend off closet monsters. **Global & Ryan's**. For families whose pets come first.

You'll also rest easy knowing **Global & Ryan's** is committed to supporting local shelter organizations by helping homeless pets find families of their own to protect.

Find out about opening your own **Global & Ryan's** franchise by calling 1.866.463.4124 and help pets across Canada grow strong enough to slay monsters!



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for their continued intake of students involved in the cooperative education program since 1989, and their willingness to train and educate the youth of the school "allowing many young minds to explore the field of animal health care." The Employer Stellar Awards are meant to highlight employers considered to be role models for other businesses in the community.

Couchiching Heights Public School partners with Orillia Branch to help the animals

Couchiching Heights Public School teamed up with the Ontario SPCA Orillia Branch for *Action for Animals* – a fundraising event to support the shelter's animal protection and sheltering services. The event, celebrated October 16, kicked off the introduction of Character Education and Daily Physical Activity to the school's curriculum.



More than 70 students participated in the inaugural event by collecting pledges from family and friends totaling \$1,914.70. The school awarded 10 prizes randomly to participating students and each student received an *Action for Animals* pencil.

For more than six years the Couchiching Heights Public School has provided ongoing support to the Orillia Branch through various activities including fundraising events and donation drives.

This holiday season give a gift that makes the season brighter for animals



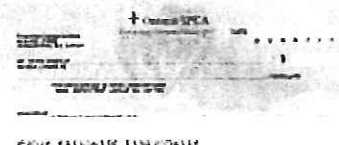
Spread some holiday joy to the animals by visiting the Ontario SPCA gift store and selecting merchandise for you, your friends or family members. We have a wonderful selection of *Friends for Life!* items including hooded and crew-neck sweatshirts, tote bags, dog bandanas and a 2007 calendar. Or purchase our new package of 16 beautifully photographed Christmas cards. To order shop online at www.ontariospca.ca, call 1-888-668-7722 ext. 302 or email amackenzie@ospca.on.ca.

You Can Help the Animals

Shop on the Wild Side!

Collect your cashier tapes from participating grocery stores (A&P, Ultra Food & Drug and Dominion) to help the Ontario SPCA rehabilitate injured wildlife and send to: Ontario SPCA Wildlife Rehabilitation Centre, 15979 Highway 12 East, RR 1, Port McNicoll, ON L0K 1R0.

Please note that the program ends January 2007 and the final date to submit tapes is December 21, 2006.



Support Animals with Every Purchase

Every time you order a supply of the Ontario SPCA Personal Cheques from Federated Cheque Services Inc., the Ontario SPCA will receive 10% of the purchase price! These highly visible, full-colour cheques declare your support of animal welfare and raise needed funds for the Society. Contact Federated Cheque Services Inc., toll free at 1-800-797-9896 or visit www.fedcheque.com.



Take it on the Road!

Order a set of Ontario SPCA graphic licence plates and show your support for Ontario's animals. For an order form, contact your local Ministry of Transportation office.

Save Both the Environment and the Animals

Now you can buy your replacement printer cartridges as well as recycle your empty ones – and for every one you purchase or recycle the Ontario SPCA receives a donation! Visit ontariospca.ca/3-more-world.shtml



Make Points for the Animals

Collect points for the animals when you shop at the Bay, hbc.com, Home Outfitters and Zellers. You can donate your reward points online at www.hbc rewards.com or at customer services in one of the stores. The Ontario SPCA Community Card Public ID Number is 1033271.

Please call 1-888-ONT-SPCA (668-7722) ext. 321 for more information on any of the above programs.

Friends for Life! ⁷⁰

Support the animals by purchasing Ontario SPCA merchandise. Great quality merchandise at fantastic prices – all bearing the message, "Friends for Life!"

There are lots of other items on our website, go to: www.ontariospca.ca/1-store.shtml or call Allister at 1-888-ONT-SPCA (668-7722) extension 302.



T-Shirt
\$12.99



Crew Neck Sweatshirt
\$26.95



Hooded Zip Front Sweatshirt
\$29.95



Tote Bag
\$11.50

Name: _____ Phone: _____

Address: _____

City: _____ Province: _____ Postal Code: _____

If paying by credit card, please check one: ☐ Mastercard ☐ Visa ☐ American Express

Account #: _____ Expiry Date: _____

Signature: _____

Mail form to:
Ontario SPCA Merchandise
16586 Woodbine Avenue RR3
Newmarket, ON L3Y 4W1

Personal information is for order fulfillment only and will not be used for any other purpose.

	Size	Quantity	Price per Item	Total
T-Shirt (navy or white)	M, L, XL, XXL		\$12.99	
Crew Neck Sweatshirt	L, XL, XXL		\$26.95	
Hooded Zip Front Sweatshirt	L, XL, XXL		\$29.95	
Tote Bag	N/A		\$11.50	
Dog Bandana	N/A		\$4.50	
Shipping & Handling Order up to and including \$50.00: \$6.75 Order over \$50.00 up to and including \$100.00: \$9.85 Order over \$100.00: \$16.50 Please allow 1-2 weeks for delivery.			Merchandise Total	
			Shipping & Handling	
			Sub-Total	
			PST (8%)	
			GST (6%)	
			TOTAL AMOUNT	

Cold weather dangers for animals

Every year, the Ontario SPCA investigates thousands of complaints about animals left unprotected from winter weather. Exposure to harsh conditions can cause serious illness or death to animals, particularly during periods of freezing rain and rapid temperature fluctuations. Canada's laws require that animals receive adequate shelter and care. Wilful failure to provide adequate shelter could lead to prosecution and a fine, jail sentence or prohibition from having custody of animals.

KEEP PETS WARM

- Keep cats indoors.
- Protect your dogs from frostbite or hypothermia by taking them outside for short periods during cold weather.
- Provide your short-coated dog or puppy an extra layer of warmth with a dog sweater or coat.
- Never shave your dog down to the skin in winter.
- When bathing your dog during winter months, ensure he is completely dry before taking him outside.

AVOID CAR HAZARDS

Cars present a variety of winter dangers for animals:

- Never leave your cat or dog alone in a car during cold weather. Cars hold in the cold, acting like refrigerators, which could cause your pet to freeze to death.
- Be aware of cats seeking warmth under vehicle hoods. Knock on the hood or sound the horn before starting the engine.
- Ethylene glycol – found in antifreeze and brake fluids – tastes sweet so animals may ingest it; a very small amount can be fatal. Emergency veterinary care is essential. Clean up any spills and dispose of the rags as hazardous waste. Be alert for antifreeze spills when out on walks.

PROTECT OUTDOOR DOGS

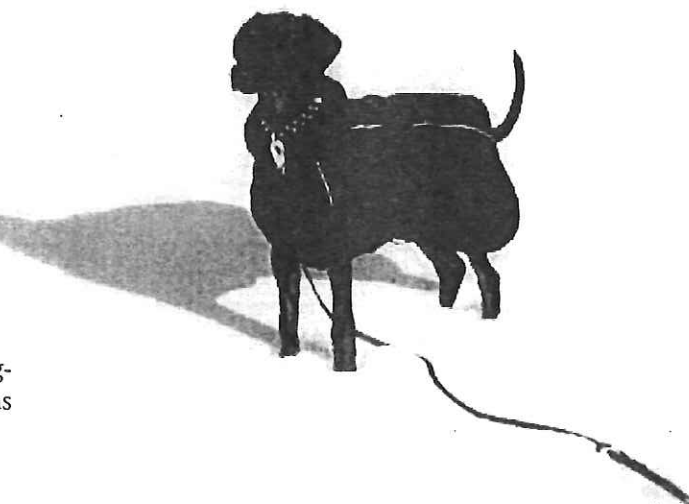
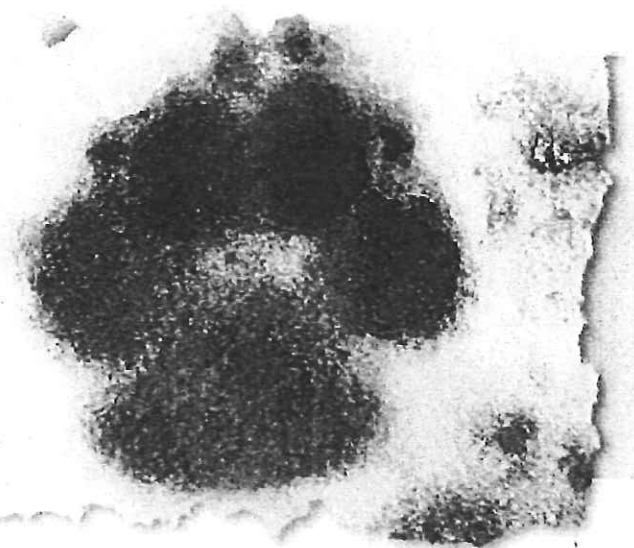
While the Ontario SPCA strongly recommends bringing your dog indoors, dogs that live outside require as a minimum:

- A dry, draft-free doghouse soundly built of weatherproof materials with the door facing away from prevailing winds.
- Doghouse should be elevated and insulated, with a door flap and bedding of straw or wood shavings.
- Check your pet's water frequently to ensure it's not frozen.
- Use a tip-resistant plastic or ceramic bowl.
- Heated and/or insulated bowls are also available that prevent water from freezing.

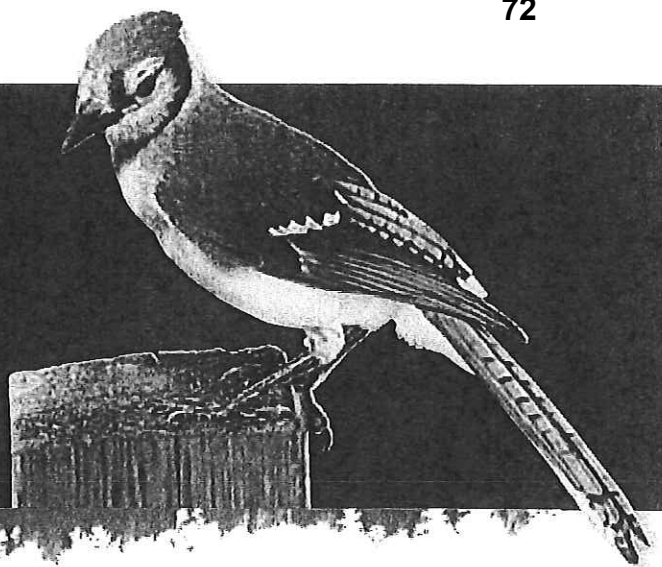
TAKE PET PRECAUTIONS

Salt and other chemicals used to melt snow and ice on roads and sidewalks can irritate and burn your pet's sensitive paws – and can cause injury if ingested.

- Use a damp towel to wipe your pet's paws and underside after being outside.
- Remove ice balls by placing your pet's feet in warm (not hot) water before drying them off with a towel. Consider using "booties" to protect your pet's paws.
- Don't let your dog off leash on ice or snow, especially during a snowstorm, as dogs can lose their scent and become lost.
- Ensure your pet always has a warm place to sleep away from drafts and off the floor.



Helping Ontario's wildlife through the winter



Ontario wildlife is most visible in the spring and summer months, but wild animals are active all year long. In the fall and winter while some animals are hibernating, there are many species of birds and mammals that are still active that you can enjoy seeing out in the snowy weather.

ONTARIO'S WINTER BIRDS

Although a great number of the birds we see in Ontario are migratory and leave the area for warmer climates in the winter, the province also has a rich variety of

resident birds that are visible all year round. In fact, some birds are much more visible to people during the winter as they come out of denser tree cover to search for food. Birds such as cardinals, who are rare visitors during the warmer seasons, will become much more frequent guests at a winter feeder.

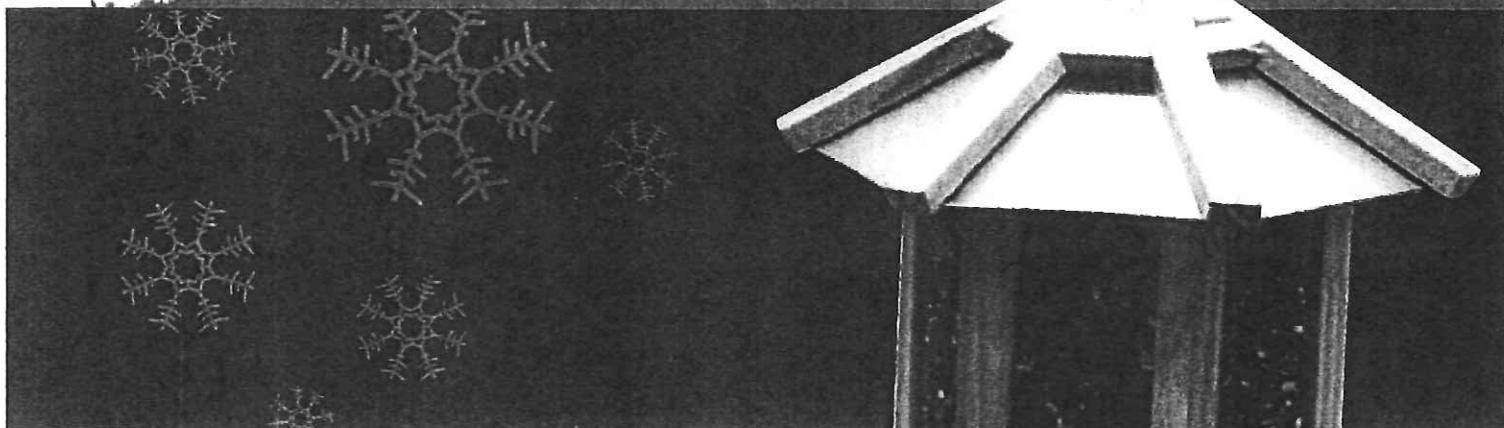
One of the easiest ways to attract animals to your area is to provide winter birds with a food source. Even if you live in an apartment you can place bird feeders on a balcony or in a common outdoor area that is visible from your windows.

Once you start a routine of feeding birds you should continue to do so all winter long.



When positioning a winter bird feeder it is important to select the location carefully. If feeders are placed too close to windows, birds may fly into the glass. Feeders should be placed less than half a metre from any window so that birds do not have the space to take flight in the direction of the window. You may also wish to hang something in your window, such as suncatchers, so that the birds do not mistake the transparent glass for a clear flight path.

Once you start a routine of feeding birds you should continue to do so all winter long. This might mean braving some cold and snowy weather to fill your bird feeder, but birds in your area will become dependent on the food source that you initially supply, so it is necessary to provide food on an ongoing basis. It is also important to either disinfect or replace bird feeders each year in order to protect birds from illness.



Birdseed can be purchased in various forms, including mixed bags and as single types of seeds. Different types of seed attract specific species of birds. For example, millet primarily attracts house sparrows, corn is enticing to grouse and pigeons, peanuts generally draw blue jays and chickadees to the feeder, and Niger seed is a favourite of small finches.



ety of species, they may take several years to become suitable to wildlife. Consequently, you may wish to build a structural home for wildlife, such as a brush pile from discarded Christmas trees, which may be occupied more quickly.

THERE ARE TWO BASIC WAYS TO CONSTRUCT A BRUSH PILE.

- To create a teepee brush pile arrange about eight untrimmed branches, 1.8 to 2.4 metres long, in a teepee fashion (over a tree stump or standing alone).
- To create a pallet brush pile build a base by stacking two to three layers of 1.8-metre long (15 centimetres in diameter) logs at right angles to each other, or by using several tree stumps or 30 centimetre wide rocks. Place Christmas trees, branch limbs, tree tops and twigs on top to complete the pile.

CREATING WINTER HABITAT FOR WILDLIFE

There are numerous Ontario mammals that remain active during the winter, including eastern cottontail rabbits, white-tail deer and squirrels. All of these animals need to find shelter during the cold weather, so constructing small areas that will provide them with protection from the elements will attract them to your property.

Wildlife homes can be either vegetative (grasses, trees, shrubs) or structural (brush piles, stones, nest boxes). While vegetative homes – such as standing, dead or dying trees – provide excellent natural homes for a vari-

When creating brush piles select an area with good drainage at the back corner or edge of a property. If available, place the brush pile close to existing shrubs, food sources, a forest edge or along a stream. Ideal piles are 1.2 to 2.4 metres tall and from three to six metres in diameter with ground-level pathways into the brush; internal spaces where animals can rest or perch safely off the ground; and have a thick cover that will allow winter snow to crust over and create warm inner chambers.

When you make a decision to attract wildlife, you cannot necessarily choose which animals will respond.

If you create brush piles, make sure that any wild animals who took up residence in them during the winter have vacated them prior to clearing them away in the spring! When attracting wildlife to your property, make sure that you have the cooperation of your neighbours and that the area is safe for the animals. As well, when you make a decision to attract wildlife, you cannot necessarily choose which animals will respond. For example, you may construct shelter hoping to attract rabbits, but raccoons may make use of the area instead. As fellow animal lovers we know each wild animal has its own beauty and we appreciate the intelligence and personality of all species.



The Ontario SPCA Tribute Fund

A unique gift

Celebrate a special occasion in someone's life, honour their achievement, or say "thank you" to a friend.

Express your sympathy or remember the loss of a loved one or pet.

Make a donation to the Ontario SPCA Tribute Fund. We will send a special card or certificate with your own personalized message highlighting your gift on their behalf.

Call today and we'll work with you to personalize your gift, or visit www.ontariospca.ca and click on "donate now."

1-888-ONT-SPCA (668-7722) extension 322.



Special Occasions
Achievements
Thank You's
Sympathy

Weddings
Favours
Appreciation

ONTARIO SPCA launches new website

www.ontariospca.ca



Make www.ontariospca.ca your animal welfare online resource!

The Ontario SPCA is excited to announce the launch of its new website at www.ontariospca.ca. The comprehensive site features new and updated content, a fresh new design, beautiful photography, and a sleek new navigation system that makes it quick and easy to explore the site.

Some highlights of the website include:

- Resources for reporting animal cruelty, identifying animal abuse and neglect, and understanding animal cruelty laws in Ontario.
- An adoption section featuring a shelter directory, adoption tip sheets, adoption stories and behaviour and training fact sheets.
- A publication library offering brochures, fact sheets, back issues of *Animals' Voice* and the popular e-newsletter, *Newshound*.
- Information on ways you can support the Ontario SPCA, including donating your used stamps and options for planned giving.
- Media releases, expanded event listings, an updated web store, employment and volunteer opportunities, and more!

We invite you to come and explore the site – and to make www.ontariospca.ca your online resource for animal welfare in Ontario.



SPAY & NEUTER

The responsible choice.
For COUNTLESS reasons.

For more information, please contact:
info@ospca.on.ca • www.ontariospca.ca • 1-888-ONT-SPCA (668-7722) or your veterinarian.

This is Exhibit "G" referred to in the
Affidavit of Jeffrey Bogaerts
sworn before me, this 31st day of July, 2014.



Commissioner for Taking Oaths .

**ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS
BY-LAW NUMBER NINE**

BE IT ENACTED as a By-Law relating generally to the conduct of the affairs of the Ontario Society for the Prevention of Cruelty to Animals, as follows:

**ARTICLE 1
INTERPRETATION**

1.1 Definitions – In this By-Law the following terms shall have the following meanings:

“**Act**” means the *Ontario Corporations Act*, R.S.O. 1990, c. C.38, the regulations enacted pursuant to it and any statutes and regulations that may be substituted for them, as amended from time to time;

“**Affiliated Local Society**” means a local society recognized as such by the Board pursuant to Article 13;

“**Annual General Meeting**” means an annual meeting of the Members of the nature described in Section 4.1;

“**Annual Organizational Meeting**” means the first meeting of the Board held following each Annual General Meeting;

“**Auditor**” means the auditor of the Society;

“**Board**” means the board of directors of the Society from time to time constituted;

“**By-Laws**” means this by-law and all schedules attached hereto and all other by-laws of the Society from time to time in force and effect;

“**CEO**” means the Chief Executive Officer of the Society;

“**CFO**” means the Chief Financial Officer of the Society;

“**Chair**” means the chair of the Board;

“**Class A Member**” means a Class A Member of the Society;

“**Class B Member**” means a Class B Member of the Society;

“**Class C Member**” means a Class C Member of the Society;

“**Committee**” means a committee or, where the context permits, a subcommittee of the Board;

“**Director**” means a director of the Society;

-2-

"First Vice-Chair" means the first vice-chair of the Society or where there is only one Vice-Chair, means that Vice-Chair;

"Letters Patent" means any letters patent (including supplementary letters patent and letters patent of continuance) that may be issued in respect of the Society from and after the date hereof;

"Member" means a Class A Member, a Class B Member or Class C Member or all such members, as the context requires;

"OSPCA Act" means the *Ontario Society for the Prevention of Cruelty to Animals Act*, R.S.O. 1990, c.O.36, the regulations enacted pursuant to it and any statutes and regulations that may be substituted for them, as amended from time to time;

"Representative" means a representative of a Class A Member as designated from time to time in the manner set out in Section 4.15;

"Second Vice-Chair" means the second vice-chair of the Society or where there is only one Vice-Chair, means that Vice-Chair;

"Secretary" means the secretary of the Society;

"Society" means the Ontario Society for the Prevention of Cruelty to Animals, a corporation incorporated without share capital under the OSPCA Act;

"Special Resolution" means a resolution passed by the Directors and confirmed with or without variation by at least two-thirds of the votes cast at a general meeting of the Members duly called for that purpose;

"Treasurer" means the treasurer of the Society; and

"Vice-Chair" means the First Vice-Chair or, the Second Vice Chair or either or both of them, as the context requires.

1.2 Interpretation - In this By-Law all references to the singular shall also be interpreted as referring to the plural and vice versa and words in one gender include all genders. The insertion of headings in this By-Law and the division into articles and sections are for convenience of reference only and shall not affect the interpretation of this By-Law. References to an Article or Section refer to the applicable article or section of this By-Law.

ARTICLE 2 GENERAL

2.1 Head Office – Until changed in accordance with the Act, the head office of the Society shall be at 16586 Woodbine Avenue, in the City of Newmarket in the Province of Ontario or at such place within the Province of Ontario as the Board may fix from time to time by resolution.

-3-

2.2 Financial Year – The financial year of the Society shall terminate on the 31st day of December in each year or on such other date as the Board may determine from time to time by resolution.

2.3 Books and Records – The Board shall see that all necessary books and records of the Society required by this By-Law or by any applicable statute or law are regularly and properly kept.

ARTICLE 3 MEMBERS

3.1 Membership – There shall be three classes of members of the Society: Class A Members, Class B Members and Class C Members.

3.2 Class A Members

- (a) Composition. Class A Members shall be composed of Affiliated Local Societies.
- (b) Voting Rights. Class A Members shall have full voting rights with each Class A Member being entitled to the number of votes set out below:

Those Class A Members who have paid annual dues between:	No. of Votes:
\$100 - \$499	2
\$500 - \$ 999	3
\$1,000 or more	4

- (c) Admission. Each Affiliated Local Society shall be a Class A Member.
- (d) Term. Subject to the provisions of Section 3.2(e), a corporation shall be a Class A Member for so long as it is an Affiliated Local Society. Notwithstanding the foregoing, a Class A Member who is in default in the payment of its annual dues shall have no rights to vote or to have Representatives vote or to exercise any other rights at any meeting of the Members until such time as the Class A Member is in good standing in respect of such payments.
- (e) Termination. A corporation shall cease to be a Class A Member upon the earliest of:
 - (i) its resignation as a Class A Member;
 - (ii) such Class A Member ceasing to be an Affiliated Local Society; or
 - (iii) such Class A Member being wound-up, dissolved or other ceasing to exist.
- (f) Dues. The Directors shall have the power to determine the annual dues payable by each Class A Member and the manner in which the dues shall be payable.

Such dues shall be levied equitably among all Class A Members based on each Class A Member's revenues.

- (g) Transferability. Membership is non-transferable.

3.3

Class B Members

- (a) Composition. Class B Members shall be composed of those individuals so admitted in accordance with the provisions hereof.
- (b) Voting Rights. Class B Members shall have no voting rights.
- (c) Admission. Admission as a Class B Member shall be automatic upon an individual submitting a completed membership form and requisite dues to the Society either through a branch office or the head office of the Society; provided that no individual shall be so admitted if he or she is a paid employee of the Society.
- (d) Term. Subject to the provisions of Section 3.3(e), membership shall be for a one year term; provided that such annual membership shall be automatically renewed on payment of the requisite annual dues.
- (e) Termination. An individual shall cease to be a Class B Member; upon the earliest of:
 - (i) becoming a paid employee of the Society;
 - (ii) his or her death or resignation as a Class B Member;
 - (iii) the expiration of his or her annual membership in circumstances where he or she failed to pay the requisite annual dues; and
 - (iv) upon the passage of a resolution of the Board approved by 75% of the Directors voting thereon removing him or her as a Class B Member; provided that:
 - (A) prior to approving any such resolution the Class B Member is offered an opportunity to place an objection to such resolution before the Board; and
 - (B) such removal is completed in accordance with any policy the Board then has in place regarding such matters, if any.
- (f) Dues. The Directors shall have the power to determine the annual dues payable by each Class B Member and the manner in which they shall be payable.
- (g) Transferability. Membership is non-transferable.

3.4 Class C Members

- (a) Composition. Class C Members shall be composed of those individuals who the Board admits in its discretion based on their prior meritorious contributions to the Society or its objects and those individuals who are the Directors from time to time, all of whom may be referred to as Honorary Members.
- (b) Voting Rights. Class C Members shall have no voting rights.
- (c) Admission. Admission of a Class C Member who is a Director shall be automatic. Other Class C Members may be admitted by the Board from time to time.
- (d) Term. For each Class C Member who is a Director, he or she shall be a Class C Member for so long as he or she is a Director. Membership for other Class C Members shall be for a term set by the Board.
- (e) Termination. An individual shall cease to be a Class C Member upon the earliest of:
 - (i) his or her death or resignation as a Class C Member;
 - (ii) in the case of a Class C Member who is not a Director:
 - (A) the expiration of his or her term; or
 - (B) the passage of a resolution of the Board approved by 75% of the Directors voting thereon removing him or her as a Class C Member; provided that:
 - (I) prior to approving any such resolution, the Class C Member is offered an opportunity to place an objection to such resolution before the Board; and
 - (II) such removal is completed in accordance with each policy the Board then has in place regarding such matters, if any;
 - (iii) in the case of a Class C Member who is a Director, upon such individual ceasing to be a Director.
- (f) Dues. No dues shall be paid by Class C Members.
- (g) Transferability. Membership is non-transferable.

ARTICLE 4 MEMBERS' MEETINGS

- 4.1 Annual General Meeting of Members** – At every Annual General Meeting of Members, in addition to any other business that may be transacted, the financial statements of the

Society and the report of the Auditor thereon shall be presented; a board of directors shall be elected; an auditor shall be appointed for the ensuing year; and, the remuneration of the Auditor shall be fixed or the Board shall be authorized to fix the remuneration of the Auditor.

4.2 General Meetings of Members – The Board or the Chair shall have the power to call, at any time, a general meeting of Members to consider any general or special business of the Society. In addition, the Board shall call a general meeting of Members on receipt of a requisition of not less than 10% of the Class A Members.

4.3 Place and Time of Meetings – Meetings of Members shall be held at the head office of the Society or at any place within the Province of Ontario as the Board may determine and on such day and at such time as the Board may appoint.

4.4 Notice

- (a) Subject to the provisions of Section 4.4(b) and (c), notice of the time and place of all Annual General Meetings of the Members shall be given not less than 21 days before the day on which the meeting is to be held and notice of the time and place of all other general meetings of the Members shall be given not less than 21 days before the date on which the meetings is to be held. In each case, notice shall be given to each Member of record who is entered in the books of the Society at the close of business on the day preceding the day on which such notice is given.
- (b) For so long as the objects of the Society are charitable, notice of each Annual General Meeting or any general meeting of the Members may be given by advertising such meeting. For greater certainty, where notice has been sent in this manner, it shall not be necessary for the Society to issue a further notice to the Members in the manner contemplated by Section 4.4(a).
- (c) Notice of each Annual General Meeting or any general meeting of the Members may also given by advertising such meeting in the Society's newsletter or magazine and provided that such newsletter or magazine is sent to all of the Members who would be entitled to receive notice pursuant to Section 4.4(a), such notice shall relieve the Society of its obligation to also deliver notice to the Members pursuant to Section 4.4(a) or 4.4(b).
- (d) Notice of a meeting of Members, no matter how provided, shall state the general nature of the business to be transacted at it with sufficient detail to permit a Class A Member to form a reasoned judgement thereon.
- (e) The Auditor is entitled to receive all notices and other communications relating to any meetings of Members that any Member is entitled to receive.
- (f) A statutory declaration of the Secretary that notice has been given pursuant to this By-Law shall be sufficient and conclusive evidence of the giving of such notice.

4.5 Error or Omission in Notice – No error or omission in giving notice of any meeting or any adjourned meeting of the Members shall invalidate such meeting or invalidate or make void any proceedings taken at such meeting.

4.6 Meetings Without Notice - Notwithstanding Section 4.4, a meeting of Members may be held at any time without notice if all Members entitled to vote thereat are present in person or through one or more Representatives, or if those not present, either before or after the meeting, waive notice or otherwise consent in writing or by facsimile or other means of recorded electronic communication addressed to the Secretary to such meeting being held, and at such meeting any business may be transacted which the Society, at a meeting of Members, may transact, provided that a quorum is present at such meeting. Notwithstanding the foregoing, a person in attendance at such a meeting only for the purpose of objecting to the proceedings without due notice shall not be considered to be in attendance at the meeting for the purposes of this Section 4.6.

4.7 Adjournments – Any meeting of the Members may be adjourned, pursuant to a duly passed resolution to that effect, to any time and from time to time and such business may be transacted at such adjourned meeting as might have been transacted at the original meeting from which such adjournment took place and such adjournment may be made provided a quorum is present. Notice of an adjourned meeting of the Members is not required if the time and place of the adjourned meeting is announced at the original meeting while a quorum is present.

4.8 Chairing Meetings - The Chair, or the First Vice-Chair, in the Chair's absence, or the Second Vice-Chair, if any, in the absence of both the Chair and the First Vice-Chair, shall be the chair at all meetings of the Members. If no such officer is present within 15 minutes from the time fixed for holding the meeting, the Representatives present shall choose another person to be the chair of the meeting.

4.9 Quorum – Quorum shall consist of 12 Class A Members represented by one or more Representatives.

4.10 Votes to Govern - Unless otherwise required by the Act, the OSPCA Act, the Letters Patent, the By-Laws or otherwise by law, at any meeting of Members, every question shall be determined by a majority of the votes of the Representatives duly cast on the question. In the case of an equality of votes, either upon a show of hands or upon a poll, the chair of the meeting shall not have a second or casting vote and the question shall be deemed to be decided in the negative.

4.11 Show of Hands - Unless a Representative demands a ballot, each motion shall be voted upon by a show of hands. Whenever a vote by show of hands shall have been taken upon a question, unless a vote by ballot is demanded, a declaration by the chair of the meeting that the vote upon the question has been carried or carried by a particular majority or not carried, an entry to that effect in the minutes of the meeting shall be sufficient evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against any resolution or other proceeding in respect of the said question, and the result of the vote so taken shall be the decision of the Members upon the said question.

4.12 Vote by Ballot - Prior to the chair of the meeting calling for a vote on a question, a Representative may demand a vote by ballot. A vote by ballot so demanded shall be taken in such manner as the chair of the meeting shall direct. A demand for a vote by ballot may be withdrawn at any time prior to the taking of the vote by ballot. The result of the vote by ballot shall be the decision of the Members upon the said question.

4.13 Persons Entitled to be Present - The only persons entitled to attend meetings of Members shall be the Members (which in the case of the Class A Members, shall be represented by Representatives), the CEO and the CFO (subject to the provisions of Sections 11.2(e) and (f)), the Auditor and others who are entitled or required under any provision of the Act, the OSPCA, the Letters Patent or the By-Laws to be present at the meeting. Any other persons may be admitted only on the invitation of the chair of the meeting or with the consent of the meeting. For greater certainty, only the Representatives will be entitled to vote at such meetings although all Representative and Class B and Class C Members will have the right to speak at each meeting of Members. Class B and Class C Members shall also have the right to receive all reports issued to the Class A Members in connection with matters to be dealt with at meetings of the Members. Others present at such meetings shall be able to speak with the consent of the meeting.

4.14 Rules of Order - Each meeting of Members shall be governed by such rules of order as have then most recently been adopted by the Board pursuant to Section 6.18, or if none have been adopted, such rules of order as are approved at such meeting; provided that, in the event of a conflict between such rules of order and one or more provisions of the Act, the OSPCA Act, the Letters Patent or the By-Laws, the provisions of the Act, the OSPCA Act, the Letters Patent or the By-Laws shall prevail.

4.15 Class A Member Representatives

- (a) Only the individuals designated by resolution of the board of directors of a Class A Member will be recognized as the representative of such Class A Member for the purposes of voting at meetings of the Members.
- (b) Each Class A Member shall deliver to the Secretary a certified resolution of its board setting out the names of its Representatives (including any alternates it wishes to name) and the number of votes each Representative is entitled to vote (or the manner in which such number is to be determined) and each such certified resolution shall constitute the designation of the Class A member for this purpose until such certified resolution is replaced by a further certified resolution delivered to the Secretary. For greater certainty, a Class A Member may deliver a certified resolution of its Board designating or changing the designation of its representatives at any time prior to the commencement of any general meeting of Members. Where the certified resolution does not specify how many votes shall be allocated among a Class A Member's Representatives or where less than all of the designated Representatives are in attendance at a meeting of the Members, subject to the provisions of Section 4.15(c), the votes which such Class A Member is entitled to vote at such meeting by virtue of Section 3.2(b) shall be exercised equally by those Representatives in attendance at the time registration for such meeting closes.

-9-

- (c) A Representative of a Class A Member need not be a member of that Class A Member but where none of the Representatives of the Class A Member at a meeting are members of the Class A Member, then notwithstanding the number of votes to which the Class A Member is entitled by virtue of Section 3.2(b), the maximum aggregate number of votes that may be voted on any resolution by all such Representatives shall be one.
- (d) A certified resolution may (but is not required) be in the form of Schedule A.
- (e) For greater certainty, wherever reference is made herein to the passage of a resolution of the Representatives, such resolution if duly passed, shall be deemed to constitute the passage of a resolution of the Class A Members; and where reference is made to the approval of a resolution of the Members or the Class A Members, such resolution shall be approved where it has been duly passed by the Representatives.

ARTICLE 5 DIRECTORS

5.1 Number of Directors – The affairs of the Society shall be managed by a Board comprised of 12 people: 10 of whom shall be Class A Directors and who shall be members of Class A Members and two of whom shall be Class B Directors and who shall be Class B Members.

5.2 Term

- (a) Each elected Director shall be elected to hold office for a term of two years. At the first Annual General Meeting following the enactment of this By-Law, half of the individuals elected as Class A Directors and half of the individuals elected as Class B Directors shall be elected to hold office for a term of one year; and half of the individuals elected as Class A Directors and half of the individuals elected as Class B Directors shall be elected to hold office for a term of two years; provided that, for greater certainty, each such term shall expire on the termination of the first or second, as the case may be, Annual General Meeting following his or her election. If the nominees cannot agree on which Directors will fall into each category, then the Members shall first elect the Directors to be elected for a two-year term. Those unsuccessful in such pursuit, may then stand for election for a one-year term with other duly nominated candidates for election.
- (b) Each individual elected at subsequent Annual General Meetings shall be elected for a term expiring at the close of the second Annual General Meeting following his or her election or until his or her successor is elected or appointed unless:
 - (i) any such individual was elected or appointed to complete the unexpired term of a former Director, in which case such individual shall be elected for the remainder of such term; or

-10-

- (ii) prior to the Annual General Meeting at which such individual is elected as a Director, the Board determines that in the interests of providing for a staggered board, the vacancy which he or she is being elected to fill shall be for a term expiring at the end of the first Annual General Meeting following his or her election.
- (c) If qualified, each individual who has completed a term of office as a Director shall be eligible for re-election; provided that no individual may serve as an elected Director for more than six consecutive years. For greater certainty, if the sixth Annual General Meeting following the date upon which an individual was elected as a Director is later than the sixth anniversary of such Director's election, the Director may continue his or her term of office until such Annual General Meeting. Following an absence from the Board of 11 months or more, an individual who had previously served as a Director for six consecutive years shall again be eligible to serve as a Director.

5.3 Qualifications – To be qualified to stand for election as a Director and to continue to serve as a Director each individual must:

- (a) be 18 years of age or older;
- (b) be of sound mind;
- (c) not be an undischarged bankrupt;
- (d) have been duly nominated;
- (e) not be, nor within the 12 months preceding his or her election, have been, a paid employee of or paid service provider to the Society and not be, nor within the 12 months preceding his or her election have been, related to a paid employee of or paid service provider to the Society;
- (f) not be a direct or indirect owner of nor be an employee of any firm or business providing services to the Society;
- (g) in the case of a Class A Director, be a member in good standing of an Affiliated Local Society and have been so for not less than 12 months prior to becoming a Director;
- (h) in the case of a Class B Director, be a Class B Member; and
- (i) not be related to another Director.

For the purposes of this Section, a person shall be deemed to be related to another person, if one of them is a child, stepchild, grandchild, parent, grandparent, brother, sister, aunt, uncle, nephew, niece, or first cousin of the other, or if one is married, living common-law, or is a member of the same household as the other. For greater certainty, a person who is employed by or who is paid

to render services to a branch of the Society is an employee of, or a paid service provider to, the Society.

5.4 Removal – Notwithstanding Section 5.2, a Director may be removed from his or her term of office before the expiration of his or her term by:

- (a) majority vote of the Board passed at a duly constituted meeting of the Board if the Board determines that the Director has been involved directly or indirectly in cruelty to animals or that the Director has contravened the Society's code of ethics, if any; or
- (b) a resolution passed by two-thirds of the Representatives at a duly constituted meeting of the Members; provided that at such meeting, the Representatives may elect any individual who meets the qualifications set out in Section 5.3 in the place of the Director who has been removed, for the remainder of the term of such removed Director.

In either case, the Director shall be provided with an opportunity to place an objection to such resolution before the Board, in the case of a vote referred to in Section 5.4(a), or the Representatives, in the case of a vote referred to in Section 5.4(b).

5.5 Vacation of Office – The office of a Director shall automatically be vacated when, if ever, such Director dies, resigns, becomes disqualified from being a Director under Section 5.3, misses three consecutive meetings of the Board in any 12 month period, is convicted of a crime or offence pertaining to the welfare or treatment of animals or is removed from office in accordance with Section 5.4. The resignation of a Director becomes effective at the time a written resignation is received by the Secretary or the Chair or at the time specified in the resignation, whichever is later.

5.6 Nominations - Directors shall be elected by the Members from among the candidates duly nominated therefor by:

- (a) the Nominating Committee; or
- (b) the Board in the circumstances contemplated by Section 5.7, a Class A Member, in the case of an individual to be nominated as a Class A Director or a Class B Member, in the case of an individual to be nominated as a Class B Director; or
- (c) provided that in respect of nominations made by Class A and Class B Members:
 - (i) such nominations shall be in writing and accompanied by the written consent of the nominee; and
 - (ii) such nominations shall be delivered to the Secretary at least 25 days before the Annual General Meeting at which the next election of Directors is to occur.

The Nominating Committee shall arrange for the list of all individuals duly nominated to be delivered to the Class A Members by any of the methods set out in Sections 4.4(a), (b) or (c) or by posting on the Society's website, in each case, at least 10 Business Days prior to the meeting at which such individuals are to be elected; provided that the posting of such list shall not preclude the Nominating Committee or the Board from nominating additional individuals after such list has been posted in the circumstances contemplated by Sections 5.7(a) and (b). In the event that the Board approves a slate of nominees, such slate shall be posted on the Society's website or otherwise disseminated in writing to the Class A Members prior to or at the Annual General Meeting.

5.7 Nominating by the Board – The Board shall have the power to nominate individuals to the Board in the following circumstances:

- (a) if on the 25th day preceding an Annual General Meeting there are fewer people nominated than there are positions to fill;
- (b) if at any time prior to the election of Directors at an Annual General Meeting, nominated candidates withdraw their nominations or are otherwise determined ineligible to stand for election, thereby creating a situation where there are less people nominated than there are positions to fill; or
- (c) if a vacancy occurs on the Board between annual meetings.

5.8 Vacancies – Subject to the rights of the Members set out in Section 5.4(b), if a quorum of the Directors is then in office, vacancies on the Board, howsoever caused, may be filled for the remainder of the term by the Directors, if they shall see fit to do so; otherwise, any such vacancy shall be filled by the Members at a special general meeting of the Members duly called for that purpose. If, as a result of any vacancy on the Board, there is not a quorum of Directors then in office, the remaining Directors shall forthwith call a special general meeting of Members to fill the vacancies. In either case, the vacancy shall be filled from among candidates who meet the requirements set out in Section 5.3.

5.9 Powers - The property, business and affairs of the Society shall be managed by the Board. The Board may, on behalf of the Society, exercise all the powers that the Society may lawfully exercise under the Act, the OSPCA Act, the Letters Patent or otherwise including the power to:

- (a) acquire and hold as a purchaser, donee, devisee or legatee, or in any other capacity, any interest in real estate;
- (b) accept, receive and hold gifts, bequests or subscriptions of personal estate;
- (c) grant, lease, bargain for, mortgage, sell, assign or otherwise dispose of any of its real or personal estate;
- (d) erect, construct, equip and maintain such buildings and works as it considers advisable for its purposes; and

-13-

- (e) do all such other matters and things as it considers advisable for carrying out its object.

As part of the usual duties of the Board, the Directors will specifically have the power to set and measure strategic policy, goals and objectives of the Society.

5.10 Remuneration – Directors shall not, directly or indirectly, receive any profit or remuneration for acting as such but shall be entitled to be compensated for reasonable expenses incurred by them in the performance of their duties in the course of transacting affairs on behalf of the Society.

ARTICLE 6 DIRECTORS' MEETINGS

6.1 Place of Meetings – Except as otherwise required by law, meetings of the Board shall be held either at the head office of the Society or at any place within the Province of Ontario as may be determined by the Board.

6.2 Meetings - The Board shall meet at least six times a year and may appoint a day or days in any month or months for regular meetings of the Board at a stated place and hour. A copy of any resolution of the Board fixing the place and time of such regular meetings shall be sent to each Director forthwith after being passed, but no other notice shall be required for any such regular meeting except where the Act, the OSPCA Act or the By-Laws requires a matter proposed to be dealt with at that meeting to be specified. In addition, a meeting of the Board may be convened by the Chair, the Secretary or any two Directors. The Directors may consider or transact any business, either special or general, at any meeting of the Board.

6.3 Notice – Subject to the provisions of Section 6.2, notice of any meeting of the Board shall be given to each Director not less than seven days before the meeting is to take place. Except where the Act, the OSPCA Act or the By-Laws requires it, a notice of a meeting of the Board need not specify the purpose of or the business to be transacted at the meeting. A statutory declaration of the Secretary that notice has been given pursuant to this By-Law shall be sufficient and conclusive evidence of the giving of such notice.

6.4 Error or Omission in Notice – No error or omission in giving notice of any meeting of the Board shall invalidate such meeting or invalidate or make void any proceedings taken at such meeting.

6.5 Meetings Without Notice - No formal notice of any meeting of the Board shall be necessary if all the members of the Board are present, or if those who are not present, either before or after the meeting, waive notice or otherwise signify their consent to the Secretary to such meeting being held in their absence, and at any such meeting, any business may be transacted which the Society, at a meeting of the Board, may transact, provided a quorum of the Board is present. No notice of an Annual Organizational Meeting shall be necessary in order for the meeting to be duly constituted, provided that a quorum of the Board is present.

6.6 Adjournments – Any meeting of the Board may be adjourned to any time and from time to time and such business may be transacted at such adjourned meeting as might have

been transacted at the original meeting from which such adjournment took place and such adjournment may be made provided a quorum is present. Notice of an adjourned meeting of the Board is not required if the time and place of the adjourned meeting is announced at the original meeting.

6.7 Quorum – A quorum for the transaction of business at any meeting of the Board shall consist of a majority of Directors then entitled to be in office pursuant to Section 5.1. No formal business shall be transacted at any meeting of the Board if at that time a quorum is not present.

6.8 No Quorum Present - In the event that there is no quorum of Directors within 30 minutes of the time appointed for a meeting of the Board, the names of those Directors who are present shall be recorded by the Secretary and informal discussions may be held. Any decisions made at such an informal meeting are to be tabled at the immediately succeeding meeting of the Board for approval and may not be acted upon until such approval is given. In the event that there ceases to be a quorum of Directors during a meeting, those Directors remaining may hold an informal discussion and, so long as two Directors continue to be present, may call a subsequent meeting of the Board in accordance with Section 6.2. Any decisions made after there ceased to be a quorum are to be tabled at the immediately succeeding meeting for approval and may not be acted upon until such approval is given.

6.9 Votes to Govern – Subject to the Act, the OSPCA Act, the Letters Patent and the By-Laws, each Director is authorized to exercise one vote on every motion at a meeting of the Board and every question shall be voted on and decided by a majority of the votes cast on the question. In the case of an equality of votes cast at a meeting of the Board, the chair of the meeting shall not be entitled to exercise a second or casting vote and the question shall be deemed to be decided in the negative.

6.10 Show of Hands - Unless a Director demands a ballot in accordance with Section 6.11, each motion presented at a meeting of the Board shall be voted upon by a show of hands. Upon a show of hands, each Director shall have one vote. Whenever a vote by show of hands shall have been taken upon a question, a declaration by the chair of the meeting that the vote upon the question has been carried or carried by a particular majority or not carried and an entry to that effect in the minutes of the meeting shall be sufficient evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against any resolution or other proceeding in respect of the said question, and the result of the vote so taken shall be the decision of the Board upon the said question.

6.11 Vote by Ballot - Prior to or after the chair of the meeting calling for a vote on a question, a Director may demand a vote by ballot. A vote by ballot so demanded shall be taken in such manner as the chair of the meeting shall direct. In the case of meetings by teleconference or other electronic means, the vote may be taken by facsimile transmission or another method of communication which produces a paper record. A demand for a vote by ballot may be withdrawn at any time prior to the taking of the vote by ballot. Upon a vote by ballot, each Director present in person shall have one vote and the result of the vote by ballot shall be the decision of the Board upon the said question.

6.12 Resolutions in Writing – Notwithstanding any other provision of this By-Law to the contrary, a resolution in writing signed by all of the Directors is as valid and effective as if it had been passed at a meeting of such Directors duly called, constituted and held for that purpose. Such resolution in writing may be signed in counterpart and satisfies all the requirements of this By-Law relating to meetings of the Directors.

6.13 Chairing Meetings - The Chair, or the First Vice-Chair, in the Chair's absence, or the Second Vice-Chair, if any, in the absence of both the Chair and the First Vice-Chair shall be the chair at all meetings of the Board. If no such officer is present within 15 minutes from the time fixed for holding the meeting, the Directors present shall choose one of their number to be chair of the meeting.

6.14 Meetings by Teleconference – If a majority of the Directors present at or participating in the meeting consent, a meeting of the Board may be held by such telephone, electronic or other communication facilities as permit all persons participating in the meeting to communicate with each other simultaneously and instantaneously. Any such consent shall be effective whether given before or after the meeting to which it relates. A quorum shall be established and votes shall be recorded by voice identification of each Director by a roll-call of Directors participating in the meeting.

6.15 Meeting by Other Electronic Means - In addition to the manner of a meeting provided for in Section 6.14, any one or more Directors, may meet by any other electronic means that permits each Director to communicate adequately with each other, provided that the Board has passed a resolution addressing the mechanics of holding such a meeting, including how security issues should be handled and the procedure for establishing a quorum and recording votes and provided further that a majority of the Directors have consented to meeting by electronic means. Any such consent shall be effective whether given before or after the meeting to which it relates and may be given with respect to all meetings of the Board or with respect to only a specific meeting of the Board. Each Director must have equal access to the electronic means of communication to be used.

6.16 Directors Deemed to be Present - A Director participating in any meeting of the Board by conference telephone facilities in accordance with Section 6.14 or by any other electronic means in accordance with Section 6.15 is deemed to be present at the meeting.

6.17 Persons Entitled to be Present – The only persons entitled to attend meetings of the Directors shall be the Directors, the CEO and the CFO (subject to the provisions of Sections 11.2(e) and (f)) and others who are entitled or required under any provision of the Act, the OSPCA Act, the Letters Patent or the By-Laws to be present at the meeting. Any other persons may be admitted only on the invitation of the chair of the meeting or with the consent of the meeting. For greater certainty, only the Directors and the CEO and the CFO will have the right to speak at such meetings although others present at such meetings in accordance with the Act, the OSPCA Act or the Letters Patent or the By-Laws shall be allowed to speak with the consent of the meeting.

6.18 Rules of Order – Each meeting of the Board shall be governed by *Robert's Rules of Order* or such other rules of order as have then most recently been adopted by the Board (the

"Rules of Order"); provided that, in the event of a conflict between such rules of order and one or more provisions of the Act, the OSPCA Act, the Letters Patent or the By-Laws, the provisions of the Act, the OSPCA Act, the Letters Patent or the By-Laws, as the case may be, shall prevail.

ARTICLE 7 COMMITTEES

7.1 General Definition - The Committees constituted by the Board shall be either:

- (a) Standing Committees, being those Committees whose duties will normally be continuous, and which shall include: an Executive Committee, a Nominating Committee and an Affiliate Relations Committee; or
- (b) Special Committees, being those Committees appointed with specific duties and responsibilities of a non-recurrent nature, the powers of which will expire with the completion of the task assigned.

7.2 Composition

- (a) The composition of the Executive Committee, the Nominating Committee and the Affiliate Relations Committee and designation of their chairs shall be as set out in Article 8, Article 9 and Article 10, respectively.
- (b) Except as otherwise herein provided, the chair, vice-chair and members of any Committee shall be appointed by resolution of the Board in conformity with any terms of reference approved therefor.
- (c) At least one member of each committee shall be a Director otherwise, except as expressly provided herein or in any terms of reference approved by the Board for a Committee, membership on a committee may be extended to those who are not Directors and even to those who are not Members.

7.3 Responsibilities

- (a) The responsibilities of the Executive Committee, the Nominating Committee and the Affiliate Relations Committee shall be as set out in Article 8, Article 9 and Article 10, respectively.
- (b) The responsibilities of all other Committees referred to in, or created pursuant to, Section 7.1 shall be as determined by the Board from time to time.

7.4 Disbanding - The Board shall have the power to disband any Committee which it creates with the exception of the Executive Committee, the Nominating Committee and the Affiliate Relations Committee.

7.5 Persons Entitled to be Present - The only persons entitled to attend meetings of a Committee shall be the members of such Committee, the CEO and the CFO (subject to the provisions of Sections 11.2(e) and (f)), the Directors and others who are entitled or required

-17-

under any provision of the Act, the OSPCA Act, the Letters Patent or the By-Laws to be present at the meeting. Any other persons may be admitted only on the invitation of the chair of the meeting or with the consent of the meeting. For greater certainty, only the members of the Committee will have the right to vote and speak at such meetings although others present at such meetings shall be allowed to speak with the consent of the meeting.

7.6 Term

- (a) Each individual appointed to a Committee shall be appointed to hold office until the first Annual General Meeting held after such individual is appointed to such Committee.
- (b) An individual who has completed his or her term as a member of a Committee may be re-appointed to such Committee so long as he or she is otherwise qualified.

7.7 Meetings - Unless otherwise provided for in this Article 7, or in the case of the Executive Committee, Article 8 or in the case of the Nominating Committee, Article 9, or in the case of the Affiliate Relations Committee, Article 10, the provisions of Article 6 relating to meetings of the Board shall apply to meetings of a Committee as though all references therein to the Board and the Directors were to such Committee and the members of such Committee, respectively, *mutatis mutandis*; provided that the rules of procedure adopted by the Board pursuant to Section 6.18 if any, shall be the rules applicable to meetings of all Committees.

7.8 Chair's Report - The chair of each Committee shall, submit a report of the proceedings of each meeting of the Committee of which he or she is chair at the regular meeting of the Board next following each such meeting and such report may take the form of minutes of the meeting of such Committee or a written report.

ARTICLE 8 EXECUTIVE COMMITTEE

8.1 Composition - The Executive Committee shall be comprised of the Chair, the Vice-Chairs, the Secretary and the Treasurer.

8.2 Powers - The Executive Committee shall have full power and authority to act for and on behalf of the Board between meetings of the Board, subject to any restrictions that the Board may impose on it.

8.3 Chair of Executive Committee Meetings - The person holding the office of the Chair shall be chair of the Executive Committee and the person holding the office of the First Vice-Chair shall be vice-chair of the Executive Committee.

ARTICLE 9 NOMINATING COMMITTEE

9.1 Composition of Nominating Committee - The Nominating Committee shall be comprised of the Chair and two or more other Directors selected by the Chair of the Nominating

Committee, in consultation with the Chair, the First Vice-Chair and the CEO. No more than two Members of the Nominating Committee shall be Officers of the Society (recognizing that the Chair shall hold one of such Officer's positions).

9.2 Responsibilities of the Nominating Committee – It shall be the responsibility of the Nominating Committee to:

- (a) seek out and identify individuals to place in nomination for election as Class A Directors and Class B Directors;
- (b) facilitate the process by which Members and the Board shall have the right to place names of individuals in nomination for election prior to each Annual General Meeting or at other times where the Board in its sole discretion requests it to do so; and
- (c) oversee the publication of the list of nominees for Class A Directors and Class B Directors.

In carrying out its duties, the Nominating Committee shall have due regard to the special skills or qualifications or experience required to be reflected in the Directors as well as the commitment of the individuals to animal welfare and the objects of the Society.

ARTICLE 10 AFFILIATE RELATIONS COMMITTEE

10.1 Composition - The Affiliate Relations Committee shall be comprised of two to four Directors selected by the Chair of the Affiliate Relations Committee, one of whom shall be the Chair.

10.2 Powers - The Affiliate Relations Committee shall:

- (a) review all applications of local societies wishing to be recognized as Affiliated Local Societies and, having regard to the criteria and processes set out in Article 13, make recommendations to the Board thereon;
- (b) review complaints and allegations of impropriety received by the Board or the Society against Affiliated Local Societies where the Board or the CEO determines such complaints or allegations are material enough to potentially lead to a recommendation of the Committee to revoke the affiliated status of the local society including in circumstances where:
 - (i) it has failed to pay its annual dues;
 - (ii) it has ceased to be registered as a charitable organization with the Canada Revenue Agency;
 - (iii) it has ceased to have as one of its objects the welfare of or the prevention of cruelty to animals;

-19-

- (iv) it has failed to comply with the undertakings made in its application for affiliated status or in any subsequent undertaking given to the Society or deemed to be provided under Section 13.4; or
- (v) it has taken any actions that might bring the reputation of the Society into disrepute;
- (c) make recommendations to the Board on the de-recognition or revocation of the status of Affiliated Local Societies in compliance with the processes set out in Section 13.3.

ARTICLE 11 OFFICERS

11.1 **Officers** – The officers of the Society shall be comprised of:

- (a) a Chair who shall be the chair and the president of the Society and who shall be a Director;
- (b) up to two Vice-Chairs who shall both be Directors; provided that if there are two, one shall be designated by the title “First Vice-Chair” and the other shall be designated by the title “Second Vice-Chair”;
- (c) a Secretary who shall be a Director;
- (d) a Treasurer who shall be a Director;
- (e) a Chief Executive Officer who shall not be a Director; and
- (f) a Chief Financial Officer who shall not be a Director.

A person may hold more than one office as long as he or she is qualified to hold each such office.

11.2 **Duties of Officers**

- (a) Chair – The Chair, when present, shall preside at all meetings of the Members and the Board and the Executive Committee and shall sign all contracts, documents or instruments in writing which require his or her signature and shall possess and may exercise such powers and shall perform such other duties as may from time to time be assigned to him or her by resolution of the Directors. The Chair shall be an ex-officio member of all Committees.
- (b) Vice-Chair – The Vice-Chair where there is only one Vice-Chair or the First Vice-Chair where there are two shall be vested with and may exercise all of the powers and perform all of the duties of the Chair where the Chair is absent or unable or unwilling to act. He or she shall also perform other duties as are determined by the Board from time to time. The Second Vice-Chair, if any, shall

be vested with and may exercise all of the powers and perform all of the duties of the Chair where the Chair and the First Vice-Chair are both absent or unable or unwilling to act. He or she shall also perform other duties as are determined by the Board from time to time.

- (c) Secretary – The Secretary shall oversee the safe keeping of the records of the Society and shall distribute copies of minutes of the meetings of the Board, its Committees and the Members as required. The Secretary shall issue all notices required to be provided by the Secretary hereunder or under the Act or the OSPCA Act.
- (d) Treasurer – The Treasurer shall oversee the proper keeping of all accounting records as required by the Act and the OSPCA Act and ensure that appropriate financial controls and processes are in place and shall report to the Board on the financial position of the Society. The Treasurer shall present to the Annual General Meeting the financial statements of the Society as audited by an Auditor. The Treasurer shall also regularly report to the Board the financial position of the Society present a quarterly statement of receipts and expenses to the Board. In co-operation with the Chief Executive Officer, the Treasurer shall submit to the Board a budget for each ensuing year.
- (e) CEO – The CEO shall be charged with the general management and supervision of the affairs and operation of the Society. The CEO shall attend all meetings of the Members, the Board and the Committees except where the Chair of the meeting determines that it is inappropriate for the CEO to attend due to the nature of the matter being discussed. The CEO may be an employee of the Society. In addition, where the Board has authorized the CEO to do so, the CEO shall have the authority to employ and discharge agents and inspectors.
- (f) CFO – The CFO shall be charged with the management and supervision of the financial affairs of the Society. The CFO shall attend all meetings of the Members, the Board and the Committees except where the Chair of the meeting determines that it is inappropriate for the CFO to attend due to the nature of the matter being discussed. The CFO may be an employee of the Society.

11.3 Delegation of Duties – If any officer of the Society is unable to carry out his or her duties, or for any other reason that the Chair may deem sufficient, the Chair may delegate all or any of the powers of any such officer to any other officer or to any Director for the time being.

11.4 Term of Office – All officers shall hold office until the Annual General Meeting following his or her appointment as an officer. An individual who has completed his or her term as an officer may be re-appointed to such office, if he or she is otherwise qualified.

11.5 Removal - Notwithstanding Section 11.4, the Directors may, by resolution passed by a majority of the votes cast at a Board meeting of which notice specifying the intention to pass such resolution has been given, remove any individual as an officer before the expiration of such individual's term of office.

11.6 Vacancies – Notwithstanding Section 11.4, the office of an officer shall automatically be vacated upon:

- (a) that officer's resignation, which resignation shall be effective at the time the written resignation is received by the Secretary or the Chair or at the time specified in the resignation, whichever is later;
- (b) that officer being removed by the Board pursuant to Section 11.5;
- (c) that officer ceasing to be a Director, where the officer is required to be a Director; or
- (d) that officer's death.

If an office becomes vacant in any of the circumstances described in this Section 11.6, the Board may appoint a qualified person to fill such vacancy for the remainder of the term.

11.7 Remuneration – If an officer is an employee of the Society, he or she shall be paid such remuneration for services provided to the Society as the Board may from time to time determine.

11.8 Senior Employees – The CEO shall be authorized from time to time to designate a title or titles to one or more senior employees of the Society or to others who, as part of their employment, render services to the Society provided that:

- (a) no such individual shall be or shall be deemed to be an officer of the Society for the purposes of the By-Laws, the Letters Patent, the Act or the OSPCA Act; and
- (b) such individuals shall be granted titles consistent with those set out on the Society's organizational chart, as most recently approved by the Board.

11.9 Agents and Attorneys - The Society, by or under the authority of the Board, shall have power from time to time to appoint agents or attorneys for the Society in or outside Canada with such powers (including the power to sub-delegate) of management, administration or otherwise as may be thought fit.

ARTICLE 12 DECLARATION OF INTEREST

12.1 Definitions - For the purposes of this Article 12:

- (a) two persons are partners if they have lived together for at least one year and have a close personal relationship that is of primary importance in both persons' lives; and
- (b) two persons are relatives if they are related by blood, marriage or adoption.

12.2 Interest in a Contract or Transaction - A Director who has an interest, directly or indirectly, in any contract, transaction, proposed contract or proposed transaction under consideration by the Board, or a Director who has knowledge that his or her partner or a relative has an interest, directly or indirectly, in any contract, transaction, proposed contract or proposed transaction under consideration by the Board shall:

- (a) declare to the Board the nature and extent of the interest as soon as possible and not later than the meeting at which the matter is to be considered;
- (b) refrain from taking part in any discussion or vote related to the matter; and
- (c) withdraw from the meeting when the matter is being discussed if required to do so by a majority of Directors present at the meeting, or if the Director in his or her discretion wishes to do so.

12.3 Effect of Disclosure - A Director who has declared his or her interest in a contract or transaction or a proposed contract or transaction and who has not voted in respect thereof, shall not be accountable to the Society, or its creditors, for any profit realized from the contract and the contract is not voidable by reason only of such Director holding that office or of the fiduciary relationship established thereby.

12.4 Failure to Declare - Where the Board is of the opinion that a conflict of interest exists that has not been declared, the Board may declare, by a resolution carried by two-thirds of the Directors present at the meeting, that a conflict of interest exists and in each such case the provisions of Section 12.2(b) and (c) shall apply as if the Director had declared the interest.

12.5 Business Dealings with the Society - Directors shall inform the Secretary annually of direct or indirect business dealings with the Society. Such information shall be available to other Directors upon request.

ARTICLE 13 TERMS OF AFFILIATION

13.1 Intent – This Article 13 sets out:

- (a) the terms and conditions to be met by corporations (sometimes referred to herein as “**local societies**”) seeking to obtain or maintain affiliation with the Society so that they may function as societies having as their object the welfare of or the prevention of cruelty to animals in compliance with Section 10 of the OSPCA Act, and
- (b) the procedure to be followed by the Society in reviewing and approving applications of such corporations for designation as Affiliated Local Societies and for revoking such designation.

13.2 Applications for Affiliation

- (a) Any corporation which is registered as a charitable organization with the Canada Revenue Agency having for its object the welfare of or the prevention of cruelty to animals may apply for affiliation with the Society by transmitting to the Chair a certified true copy of a resolution of its board of directors authorizing its president or another officer to seek affiliation with the Society and, in that regard:
 - (i) agreeing to comply with the By-Laws and policies of the Society as they apply to Affiliated Local Societies and, if this is not already the case, to amend its own by-laws and policies to make them consistent with those of the Society;
 - (ii) agreeing to comply with all laws of Ontario and Canada having to do with the welfare of or the prevention of cruelty to animals and the operation of animal shelters;
 - (iii) agreeing to pay the annual dues applicable to Class A Members on the terms prescribed by the Board and to provide therewith and from time to time thereafter as requested by the Board, as supporting documentation, an audited financial statement of all revenues and expenditures of such local society relating to its immediately preceding fiscal year;
 - (iv) agreeing to create and maintain accurate records of all aspects of its activities on forms prescribed by the Society, in particular those related to cruelty investigations, shelter operation and charitable donations; and
 - (v) agreeing to negotiate with the Society and neighbouring Affiliated Local Societies such modification to the area served by the applicant as may be necessary in the public interest.
- (b) In a letter transmitting the above resolution to the Chair, the president of the local society shall describe in terms of urban or rural municipalities or counties of Ontario where possible, the area it proposes to serve and, if relevant, the status of any negotiations with the Society and neighbouring Affiliated Local Societies to resolve gaps or overlaps.
- (c) In the same letter, the president of the local society shall supply evidence that the application for affiliation is supported by a majority of the members of the local society. Where there is doubt, the Society may require the applicant to consult its members in a general meeting before the application is further processed.
- (d) In the same letter, the president of the local society shall also provide data on the number and types of animals received by the local society in the most recent calendar year and their disposition. It shall also be indicated, in relation to animal care, whether the local society operates a local animal shelter or whether it wishes to:

-24-

- (i) operate its own local shelter;
 - (ii) join neighbouring local societies in the establishment of a regional shelter operated jointly by its users or by the Society under contract; or
 - (iii) contract with the Society for the management of its shelter and any related municipal pound/animal control contracts.
- (e) Finally, as attachments to the same letter, the president of the local society shall provide copies of the local society's:
- (i) charter of incorporation;
 - (ii) current by-laws and any policies governing its activities; and
 - (iii) a list of the names, addresses, telephone and fax numbers of its current officers and directors.

13.3 Procedures

- (a) The Affiliate Relations Committee shall, at the request of the Chair:
- (i) review and report to the Board on any application of a local society for affiliation with the Society; and
 - (ii) review and report to the Board on any complaint that has been referred to it pursuant to Section 10.2.

In doing so, the shall review all information it considers necessary in order to determine such matter.

- (b) Where information provided to the Affiliate Relations Committee is insufficient for the Committee to make a recommendation, the Committee may request additional information be provided to it.
- (c) Before making a recommendation to the Board that the status of an Affiliated Local Society be de-recognized or that any other penalties be imposed and before making a recommendation to the Board that it not grant affiliate status to a local society, the Affiliate Relations Committee shall provide the subject local society with an opportunity to make written submissions to the Affiliate Relations Committee on the matter.
- (d) The recommendation of the Affiliate Relations Committee shall be transmitted in writing to the subject local society by the Chair, within 14 days of the issuance of the report of the Affiliate Relations Committee.
- (e) Before revoking the status of an Affiliate Local Society or invoking any other penalties, or before resolving not to grant affiliate status to a local society, the

-25-

Board shall provide the local society with an opportunity to make submissions to it on the matter.

- (f) The decision of the Board to revoke the status of an Affiliated Local Society or invoke any other penalties, or not to grant affiliate status to a local society, shall be transmitted to such local society by the Chair, within 14 days thereof.
- (g) For greater certainty:
 - (i) the Board shall be free to accept or reject the recommendations of the Affiliate Relations Committee in whole or in part and to invoke other penalties (in addition to or instead of those proposed by the Affiliate Relations Committee); and
 - (ii) no Director shall participate in the decision of the Board regarding the revocation of the status of an Affiliated Local Society or the invocation of other penalties on an Affiliated Local Society or the granting of affiliate status to a local society, where that Director participated in the recommendation thereon put before the Board by the Affiliate Relations Committee.

13.4 Ongoing Requirements – Each local society recognized as an Affiliated Local Society on the day that this By-Law comes into force and effect shall be deemed to have made the undertakings set out in Section 13.2. At the request of the Chair of the Society, from time to time, an existing Affiliated Local Society shall deliver to the Society any or all of the resolutions, agreements and/or other materials referred to above, current to the date of such request.

13.5 Boundaries –

- (a) From time to time the Society may request an Affiliated Local Society to advise it of the geographic area it serves. No Affiliated Local Society may change the area it serves without the written authorization of the Society. The Society shall have the right to make adjustments in boundaries to prevent overlapping or uncovered territory. The Board may develop a policy which addresses animal welfare and territorial jurisdiction.
- (b) Prompt alleviation of suffering of animals at any time and place being the object of the Society and its Affiliated Local Societies, undue attention shall not be paid to territorial jurisdiction if there are known to be circumstances calling for action, nor is an Affiliated Local Society, the territory of which has been entered by the Society or by another Affiliated Local Society, to take offence, remembering that all are working for the same cause. When time permits, prior notice shall be given or agreement reached where responsibility or jurisdiction is in doubt. If agreement cannot be reached, the decision of the Chair or the CEO shall prevail.
- (c) When an inspector with the provincial authority is needed, but one in the direct employ of the Society is not available, the Secretary, Chair or the CEO may arrange to second a qualified inspector from an Affiliated Local Society and the

Society shall reimburse the Affiliated Local Society for the services of the inspector at a rate to be determined, from time to time, by the Board. While the Chair and/or CEO are not empowered to give orders to an inspector of an Affiliated Local Society without that Affiliated Local Society's prior consent, all Affiliated Local Societies are enjoined to co-operate to the full in these arrangements in order that the cause for which the Society and all Affiliated Local Society are working may benefit from united action and the pooling of resources.

ARTICLE 14 INSPECTORS AND AGENTS

14.1 General Policy

In this Article 14, the following terms shall have the means ascribed to them:

- (a) **"inspector"** means a full-time employee of the Society or an Affiliated Local Society so designated pursuant to Section 14.2;
- (b) **"agent"** means an employee or volunteer of the Society or an Affiliated Local Society so designated pursuant to Section 14.2; and
- (c) **"Chief Inspector"** means the individual appointed pursuant to Section 14.2(a) provided that if the position is vacant or if the person so appointed is unable to act, references in this article to Chief Inspector shall be deemed to be references to the CEO.

14.2 Appointments, Suspensions and Cancellations

- (a) The Board shall approve the appointment of the Chief Inspector, who shall be responsible for the investigations program of the Society. The Chief Inspector shall report to the CEO.
- (b) The following shall apply to the appointments of inspectors and agents:
 - (i) The Board hereby charges the Chief Inspector with the responsibility of identifying inspectors and agents for appointment by the Board.
 - (ii) Where a candidate for appointment as an inspector or agent has passed all the examinations and requirements determined to be necessary by the Chief Inspector and has been shown to be suitable for appointment, the Chief Inspector may recommend his or her appointment to the Board and upon such recommendation being accepted by the Board, the Chief Inspector may issue an identity card, appoint the inspector or agent, and the agent or inspector is thereby appointed (initially on a probationary basis if so determined by the Board);
 - (iii) In addition, on the recommendation of the Chief Inspector the Board may appoint an individual who has not passed all the examinations and

-27-

requirements determined to be necessary by the Chief Inspector but is otherwise suitable as an acting agent or and acting inspector for a period of up to 12 months where it is necessary for the discharge of the Society's responsibilities;

- (iv) Notwithstanding the foregoing, where the Chief Inspector determines it is necessary to immediately appoint an inspector or an agent and time does not permit the appointment to be approved by the Board, the Chief Inspector may appoint a person who he or she deems to be suitable on a temporary basis provided that if such appointment is not approved by the Board at its next meeting, the appointed shall be terminated.
 - (v) Neither the Chief Inspector nor the Board is obligated to appoint any person as an agent or an inspector.
 - (vi) The appointment card, badge and materials provided to an inspector or agent are and remain the property of the Society and shall be returned upon request of the Chief Inspector or the CEO.
- (c) The Chief Inspector may from time to time set the process and qualifications needed for appointment as an agent or inspector; provided that such processes shall not be inconsistent with the provisions of the OSPCA Act, any other applicable law, the By-Laws or any other policies of the Board. This includes requiring the applicant to attend and pass an examination or examinations, to show proof of good character and to produce a criminal reference check (police certificate) and references.
- (d) Each agent and inspector shall be required to:
- (i) conduct himself or herself in accordance with the OSPCA Act, all other applicable laws, the By-Laws, policies of the Board and the Standing Orders;
 - (ii) perform his or her services in the best interests of the Society;
 - (iii) in the case of an inspector, be an employee of the Society or an Affiliated Local Society; and
 - (iv) have the support of the Society or the Affiliated Local Society with which he or she is employed or is a volunteer.
- (e) An inspector or agent shall not:
- (i) make use of an identity card, badge, uniform or other evidence of appointment to gain improper advantage or benefit;

- (ii) take or receive any personal gratuity, fee or remuneration (other than wages and expenses paid by the Society or an Affiliated Local Society) for services rendered as an inspector or agent;
- (iii) conduct him or herself in any way likely to discredit the Society or an Affiliated Local Society; or
- (iv) participate in a partisan political activity in his or her capacity as an agent or investigator.

14.3 Suspensions and Revocations --

- (a) The Chief Inspector shall investigate any allegation he or she receives or any circumstances of which he or she becomes aware that suggests that an agent or inspector has:
 - (i) failed, or is failing, to comply with one or more of his or her obligations set out in Section 14.2(d);
 - (ii) misconducted himself or herself, including by breaching any of the provisions of Section 14.2(e); or
 - (iii) failed to disclose information, or has misled the Society in relation to information that was provided for the person's appointment.
- (b) Where the Chief Inspector determines that it is appropriate, he or she may retain a third party to investigate the matter. The agent or inspector that is the subject of such investigation shall cooperate fully with the investigation and shall be given an opportunity to make written or oral submissions.
- (c) Where the Chief Inspector determines that the continued status of the individual as an agent or an inspector during the period of investigation would jeopardize the reputation of the Society or the safety of the public, he or she may suspend the status of such individual as an agent or an inspector during the period of investigation. While suspended, a person does not have the power or authority of an agent or inspector. Any suspension shall be in writing and shall state the reasons for the suspension and the rights of the suspended agent or investigator to address the investigators and the Board prior to a recommendation or determination being made as to the revocation of his or her appointment.
- (d) If at the conclusion of the investigation, the Chief Inspector determines that there is no reasonable basis to conclude that inspector or the agent:
 - (i) has failed, or is failing, to comply with one or more of his or her obligations set out in Section 14.2(d);
 - (ii) has misconducted himself or herself, including by breaching any of the provisions of Section 14.2(e); or

-29-

- (iii) has failed to disclose information, or has misled the Society in relation to information that was provided for the person's appointment;

the matters shall be reported to the agent or investigator and the Board and the matter shall be at an end. If the agent or the inspector's status had been suspended, it shall be restored.

- (e) If at the conclusion of the investigation, the Chief Inspector determines that there is a reasonable basis upon which to conclude that the agent or inspector:
 - (i) has failed, or is failing, to comply with one or more of his or her obligations set out in Section 14.2(d);
 - (ii) has misconducted himself or herself, including by breaching any of the provisions of Section 14.2(e); or
 - (iii) failed to disclose information, or has misled the Society in relation to information that was provided for the person's appointment.

the matter shall be referred to the Board for determination. The Board shall hear the allegations, the recommendations of the Chief Inspector and the position of the agent or the inspector, all in accordance with any policies thereon established by the Board from time to time. The Board may continue, issue or lift any suspensions, revoke the appointment or set terms for continued status of the agent or inspector, all as it determines appropriate. The decision of the Board shall be final.

14.4 Standing Orders – The Chief Inspector may issue Standing Orders from time to time. All such Standing Orders shall be in compliance with the OSPCA Act, the Letters Patent, the By-Laws and any policies and procedures of the Board and be approved by either the Board or the CEO. Standing Orders are the standing policies and procedures that direct and guide all agents and inspectors in the proper performance of their duties.

14.5 Native Canadian Band Councils - An Affiliated Local Society so designated by the Society may enter into agreements with Native Canadian Band Councils, or other government agencies, to appoint their employees as agents of the Society.

ARTICLE 15 FOR THE PROTECTION OF DIRECTORS AND OFFICERS

15.1 Limitation of Liability - Except as otherwise provided in the Act, no Director or officer of the Society shall be liable for the acts, receipts, neglects or defaults of any other Director, officer, employee or agent or for joining in any receipt or act for conformity or for any loss, damage or expense happening to the Society through the insufficiency or deficiency of title to any property acquired by the Society or for or on behalf of the Society or for the insufficiency or deficiency of any security in or upon which any of the monies of or belonging to the Society shall be placed out or invested or for any loss or damage arising from the bankruptcy, insolvency or tortious act of any person including any person with whom any monies, securities or effects

shall be lodged or deposited or for any loss, conversion, misapplication or misappropriation of or any damage resulting from any dealings with any monies, securities or other assets belonging to the Society or for any loss, damage or misfortune occasioned by any error of judgment or oversight on such person's part or otherwise in the execution of the duties of the Director's or officer's respective office or trust or in relation thereto unless the same shall happen by or through the Director's or officer's own wilful act or wilful neglect or wilful default.

15.2 Indemnity - Every Director and officer of the Society and his or her heirs, executors and administrators, and estate and effects, respectively, shall from time to time and at all times, be indemnified and saved harmless out of the funds of the Society from and against:

- (a) all costs, charges and expenses whatsoever which said Director or officer sustains or incurs in or about any action, suit or proceeding that is brought, commenced or prosecuted against such Director or officer in respect of any act, deed, matter or thing whatsoever made, done or permitted by such Director or officer in or about the execution of the duty of such Director's or officer's office; and
- (b) all other costs, charges and expenses which such Director or officer sustains or incurs in or about or in relation to the affairs thereof;

except such costs, charges or expenses as are occasioned by such Director's or officer's wilful act, neglect, default, dishonesty or otherwise acting in bad faith.

15.3 Insurance - Subject to the Act and all other relevant legislation, the Society may purchase and maintain insurance for the Directors and officers of the Society against any liability incurred by any Director or officer, in the capacity as a Director or officer of the Society, except where the liability relates to the person's failure to act honestly and in good faith with a view to the best interests of the Society. The cost of such insurance shall be paid for out of the funds of the Society.

15.4 Expenses Paid in Advance - Expenses incurred in defending a civil or criminal action, suit or proceeding may be paid by the Society in advance of the final disposition of the action, suit, or proceeding as authorized by the Board in the specific case upon receipt of an undertaking by or on behalf of the Director, officer, employee or agent to repay such amount unless it shall ultimately be determined that he or she is entitled to be indemnified by the Society.

15.5 Other Remedies Available - The indemnification herein provided shall not be deemed exclusive of any other rights to which a person seeking indemnification may be entitled under the Letters Patent or the By-Laws or any agreement, vote of the Members or disinterested Directors or otherwise, both as to action in his or her official capacity and as to action in another capacity while holding any office with the Society and shall continue as to an individual who has ceased to be a Director, officer, employee or agent and shall inure to the benefit of the heirs, executors and administrators of such a person.

ARTICLE 16
EXECUTION OF DOCUMENTS, BANKING AND BORROWING

16.1 Signatories – Deeds, transfers, assignments, contracts, obligations, certificates and other documents (collectively, “**instruments**”), may be signed on behalf of the Society by any two Directors or officers of the Society, and all instruments so signed shall be binding upon the Society without any further authorization or formality. In addition, the Board may from time to time direct by resolution the manner in which and the person or persons by whom any particular instrument or class of instruments may or shall be signed. Any signing officer may affix the corporate seal thereto.

16.2 Facsimile Signatures - The signature of any individual authorized to sign on behalf of the Society may, if specifically authorized by resolution of the Board, be written, printed, stamped, engraved, lithographed or otherwise mechanically reproduced. Anything so signed shall be as valid as if it had been signed manually, even if that individual has ceased to hold office when anything so signed is issued or delivered, until revoked by resolution of the Board.

16.3 Banking - The banking business of the Society shall be transacted with such banks, trust companies or other firms or corporations as may, from time to time, be designated by or under the authority of the Board. Such banking business or any part thereof shall be transacted under such agreements, instructions and delegations of powers as the Board may, from time to time, prescribe or authorize.

16.4 Borrowing – Subject to the limitations set out in the Letters Patent, if any, the Board may from time to time:

- (a) borrow money upon the credit of the Society;
- (b) limit or increase the amount to be borrowed;
- (c) issue debentures or other securities of the Society;
- (d) pledge or sell such debentures or other securities for such sums and at such prices as may be deemed expedient;
- (e) secure any such debentures, or other securities, or any other present or future borrowing or liability of the Society, by mortgage, hypothec, charge or pledge of all or any currently owned or subsequently acquired real and personal, movable and immovable, property of the Society, and the undertaking and rights of the Society; and
- (f) delegate to such one or more of the Directors or officers of the Society as may be designated by the Directors all or any of the powers conferred by this Section 16.4 to such extent and in such manner as the Board shall determine at the time of each delegation.

16.5 Board Delegation – From time to time, the Board may authorize any Director or officer of the Society to make arrangements with reference to the monies borrowed or to be borrowed as aforesaid and as to the terms and conditions of the loan thereof, and as to the security to be given therefor, with power to vary or modify such arrangements, terms and conditions and to give such additional security for any monies borrowed or remaining due by the Society as the Board may authorize, and generally to manage, transact and settle the borrowing of money by the Society.

ARTICLE 17 NOTICE

17.1 Notice – Whenever notice is required to be given under the Act or this By-Law, notice shall be deemed to have been sufficiently given if sent in writing to the last known address of the addressee recorded on the books of the Society and delivered in person, sent by prepaid first class mail or sent by any electronic means of sending messages to any person who has consented in writing to receive notice by such method, including electronic mail or facsimile transmission, which produces a paper record. Notice shall not be sent by mail if there is a general interruption of postal services in the place in which or to which it is mailed. Each notice so sent shall be deemed to have been received on the business day it was delivered or sent by electronic means or on the third business day after it was mailed.

17.2 Undelivered Notices – If any notice given to a Member pursuant to Section 17.1 is returned on two consecutive occasions because such Member cannot be found, the Society shall not be required to give any further notice to such Member until such Member informs the Society in writing of the Member's address.

17.3 Signatures – The signature on any notice or other communication or document to be sent to the Society may be written, printed, stamped, engraved, lithographed or otherwise mechanically reproduced.

17.4 Omission of Notice Does Not Invalidate Actions – All actions taken at a meeting in respect of which a notice has been sent shall be valid even if:

- (a) by accident, notice was not sent to any person;
- (b) notice was not received by any person; or
- (c) there was an error in a notice that did not affect the substance of that notice.

17.5 Computation of Time – In computing the date when notice must be given under any provision requiring a specific number of days' notice of any meeting or other event, the date of giving the notice shall be excluded and the date of the meeting or other event shall be included.

17.6 Waiver of Notice – Any Member, Director, officer or Auditor may waive any notice required to be given under any provision of the Act, the Letters Patent, the By-Laws or otherwise and such waiver, whether given before or after the meeting or other event of which notice is required to be given, shall cure any default in giving such notice.

-33-

ARTICLE 18 AUDITOR

18.1 Auditor - Subject to the provisions of the Act, at the first general meeting of Members and at each Annual General Meeting thereafter, one or more Auditors shall be appointed to audit the financial statements of the Society for report to the Members at each Annual General Meeting and, to hold office until the next Annual General Meeting. If the Voting Members fail to do so, the Auditor in office shall continue in office until a successor is appointed. The Board may fill any casual vacancy in the office of Auditor but, while a vacancy continues, the surviving or continuing Auditor, if any, may act. A person other than a retiring Auditor is not capable of being appointed Auditor at such a meeting unless the notice requirements of the Act have been met. An Auditor may not be an officer, director or employee of the Society.

ARTICLE 19 BY-LAWS

19.1 Repeal of Former By-Law - Upon this By-Law coming into force and effect, all prior By-Laws shall thereby be repealed.

19.2 Effect of Repeal of By-Laws - The repeal of any By-Law in whole or part shall not in any way affect the validity of any act done or right, privilege, obligation or liability acquired or incurred thereunder prior to such repeal. All Directors, officers and other persons acting under any By-Law repealed in whole or part shall continue to act as if elected or appointed under the provisions of this By-Law.

19.3 Enactment - This By-Law No. Nine shall come into force and effect on the date upon which it has been approved by a majority vote of the Members voting thereon.

PASSED by the Board on the 10th day of May, 2008.

Chair

Secretary

CONFIRMED by the Members on the 10th day May, 2008.

Secretary

SCHEDULE A

SAMPLE CERTIFIED RESOLUTION REPRESENTATIVE APPOINTMENT –

RESOLUTION OF THE BOARD OF DIRECTORS OF [NAME OF AFFILIATED LOCAL SOCIETY]

APPOINTMENT OF REPRESENTATIVE(S)

RESOLVED that the following individuals are appointed to serve as representatives at the meeting of the Ontario Society for the Prevention of Cruelty to Animals (the “**Society**”) to be held on or about the [] day of [], 20[], and at any and all adjournments thereof (the “**Meeting**”), and, subject to the provisions of Section 4.15 of By-law Number Nine of the Society to cast the number of votes indicated.

Name and Address of Representative(s)	Number of Votes to Cast	Whether the named person is a member of the Local Society (yes/no)
Total		N/A

Where any named individual does not attend the Meeting, the following individuals, if they are present at the Meeting may, in the order designated, take the place of any one or more individuals set out above.

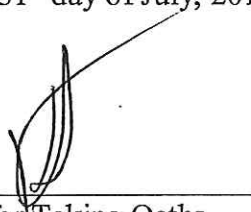
Order	Name and Address	Whether the named person is a member of the Local Society (yes/no)
1.		
2.		
3.		

The undersigned, the [name of position] of the [name of Affiliated Local Society] hereby certifies that the foregoing resolution was duly approved by the board of directors of the [name of Affiliated Local Society] on the [] day of [], 20[], and that such resolution is in full force and effect and has not been subsequently amended or revoked.

DATED the [] day of [], 20[].

By: _____
Name:
Title:

This is Exhibit "H" referred to in the
Affidavit of Jeffrey Bogaerts
sworn before me, this 31st day of July, 2014.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right, positioned above a horizontal line.

Commissioner for Taking Oaths

For all animals

ANNUAL REPORT
2005



ONTARIO SPCA
PROTECTING ANIMALS SINCE 1873

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS



Contents

- 2 A Message From the Chair
- 3 Our Mission
- 4 Branches & Affiliates
- 5 Investigations
- 7 Animal Care, Adoption & Community Outreach
- 8 Wildlife Services
- 9 Financial Statements



A Message from the Chair



Linda Morgan, Chair

I cannot imagine a world without animals. I cannot imagine my life without my companion animals. I cannot imagine a walk in the bush without seeing birds, squirrels, rabbits, and when I am really lucky, the occasional moose. I dream of a world in which we have learned to coexist with animals and abuse of animals is unacceptable.

It has been an honour to be involved with the Ontario SPCA — this organization is truly the voice for animals in Ontario and offers the only real protection animals in Ontario have against cruelty. Yet, the Ontario SPCA faces challenges every day in the quest to ensure animals are protected from cruelty. With no government funding of mandated animal protection services, the Ontario SPCA and its Affiliates must rely heavily on donor support. Thankfully, many generous donors have made it possible for us to provide protection for animals.

Despite the generosity of donors, stable funding of animal protection services is essential. Seeking this funding for the Ontario SPCA and its Affiliates is a priority. By working together, I believe we can obtain this funding. By working together, I also believe we can create an Ontario where a dream of coexisting with animals and making animal abuse unacceptable can come true.

I would like to extend my sincere gratitude to the Board of Directors for their hard work and dedication during this past term of office. Thanks to all staff, volunteers and donors without whom animals would have no voice. To our Affiliates, I thank you for your commitment to moving the Society forward so that animals from all parts of the province are protected.

I look forward to the journey on which we are about to embark this year for the sake of all animals. I invite all of you to join in this journey.

Sincerely,

A handwritten signature in cursive script that reads "Linda Morgan". The signature is written in dark ink on a light background.

Our Mission

To facilitate and provide for province-wide leadership on matters relating to the prevention of cruelty to animals and the promotion of animal welfare.

Our Vision

The Ontario SPCA is seen as the recognized authority on animal welfare issues, and making a measurable difference for animals.

The Ontario SPCA is an integral part of each community, promoting mutually beneficial human-animal interactions, and is viewed as a desirable organization for volunteerism and support.

The future for Ontario that the Ontario SPCA is working to help create:

- All Ontarians respect and appreciate animals;
- Ontario has no homeless animals and no animal abuse.

Our Goal

The Society's goal is to be a strong, unified and collaborative organization dedicated to the cultivation of a compassionate Ontario for all animals.



Ontario SPCA Board of Directors

(All elected June 2006)

Patricia Barr Muskoka
Jean Belfour Orillia
Michael Chaddock Director-at-Large
Bonnie Deekon Cambridge
Beth Groombridge Leeds & Grenville
Lindsey Hall Director-at-Large
Andrea Harrison Scarborough
Dr. William Holley Peterborough
Garnet Lasby Hamilton/Burlington
John McDermott Midland
Suzanne McDougall York Region
Kim Milan Director-at-Large
Joane Milne Toronto
John Morscher Guelph
Linda Morgan Sudbury
Carl Noble Bruce Grey
Florence Odding Fort Erie
Colette Rewegan Victoria County
Michaela Sandhu North York
Wayne Sullivan Kitchener-Waterloo
Barbara Tait Etobicoke
Linda Weir Director-at-Large

Executive Committee

Michael Chaddock Chair (June 2005-March 2006)
Bonnie Deekon Director-at-Large
Garnet Lasby Treasurer
Linda Morgan Chair (March 2006-June 2006)
Kim Milan Director-at-Large
John Morscher Vice Chair
Florence Odding Director-at-Large
Barbara Tait Corporate Secretary

Senior Management

Judy Marshall Chief Executive Officer
Christine Arnett Director of Marketing & Communications
Deborah Bussey Director of Finance & Administration
Mike Draper Director of Investigations
Susan Stewart Director of Development
Lisa Veit Director of Humane Care & Wildlife Services

Marion Vernon Memorial Animal Clinic (Barrie)
 Ontario SPCA Wildlife Rehabilitation Centre (Midland)
 Ontario SPCA Animal Centre (Whitchurch-Stouffville)
 Provincial Office (Whitchurch-Stouffville)

Barrie Brant County (Brantford) Bruce-Grey
 (Hanover) Dryden & District Huron County
 (Goderich) Kenora Kent County (Chatham)
 Leeds & Grenville (Brockville) Lennox & Addington
 (Napanee) Midland & District Muskoka (Bracebridge)
 North York Orangeville & District Orillia Oxford
 County (Woodstock) Parry Sound Peel (Brampton)
 Perth County (Stratford) Prescott-Russell Renfrew
 (Petawawa) Scarborough Stormont, Dundas &
 Glengarry (Cornwall) Sudbury & District
 Temiskaming (New Liskeard) York Region
 (Whitchurch-Stouffville)

Alliston & District Humane Society Arnprior &
 District Humane Society Cambridge & District
 Humane Society Etobicoke Humane Society
 Fort Erie SPCA Gananoque & District Humane
 Society Guelph Humane Society Hamilton/Burlington
 SPCA Humane Society of Durham Region (Oshawa)
 Kingston Humane Society Kitchener-Waterloo
 Humane Society Lanark Animal Welfare Society
 Lincoln County Humane Society (St. Catharines)
 London Humane Society Niagara Falls Humane
 Society North Bay & District Humane Society
 Northumberland Humane Society Oakville Humane
 Society Ottawa Humane Society Peterborough
 Humane Society Quinte Humane Society (Belleville)
 Sarnia & District Humane Society Sault Ste. Marie
 Humane Society Simcoe & District Humane Society
 Thunder Bay & District Humane Society Timmins
 & District Humane Society Toronto Humane Society
 Upper Credit Humane Society (Erin) Victoria County
 Humane Society (Lindsay) Welland & District Humane
 Society Windsor/Essex County Humane Society

Investigations

Persevering in the Legal System

2005 was a busy year in court as the record number of charges laid in 2004 went to trial, requiring Ontario SPCA Inspectors and Agents to spend more time in the courts than in any year previous. These efforts resulted in several jail sentences – which are not easily achieved for animal cruelty cases, and some significant fines.



A Misener puppy still in a cage

Among the legal wins, the Ontario SPCA achieved a conviction for two of the most prolific puppy mill offenders in Ontario. Ralph and Rose Misener, previously of Vaughan, Ontario, were found guilty August 18, 2005 in the Ontario Court of Justice in Newmarket on four *Criminal Code of Canada* charges of failing to provide suitable and adequate care and causing unnecessary suffering to dogs. The charges followed the rescue of 42 dogs from their custody on April 7, 2003. The Miseners have been involved in numerous Ontario SPCA investigations and animal cruelty convictions since 1964, involving close to 800 dogs either surrendered or removed.

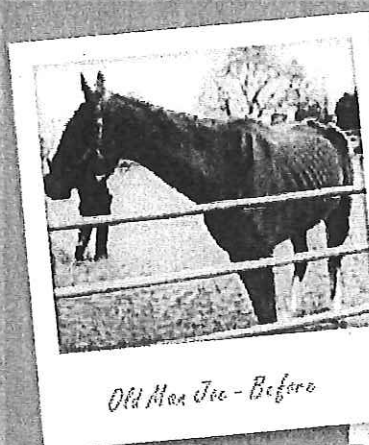
On October 24, 2005 Ralph Misener was sentenced to six months in jail, and his wife, Rose Misener, was sentenced to a six-month conditional jail term – essentially house arrest – on each count for a total of 12 months. Both Miseners received three years probation and a two-year prohibition order during which they cannot have custody or control of any animals, directly or indirectly, nor reside at an address where there are animals. The Ontario SPCA has residence and property inspection rights. No fine or restitution was levied. All probation and prohibition order sentences are to be run concurrently with any existing sentences the couple is serving.

In passing sentencing Justice Simon Armstrong stated that while

the *Criminal Code* provides a maximum two-year prohibition from having custody or control of animals, "If I had the jurisdiction I would have no hesitancy to instate a longer prohibition." Justice Armstrong also stated that if he were able to impose a longer ban on owning an animal he "would have no hesitation to ban for life in this case."

Offering the Best Trained Investigators

Investigator training and standards continued to advance as the Ontario SPCA again offered over 42 days of continued training to investigations staff across Ontario. The comprehensive training program includes provincial and criminal offences, farm animal welfare, investigation techniques, and the execution of search warrants. Through the Ontario SPCA's commitment to continually growing the knowledge and professionalism of its investigators, the Society now offers more training for Ontario's animal cruelty investigators than any other province in Canada.



Old Man Joe - Before

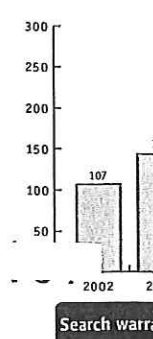
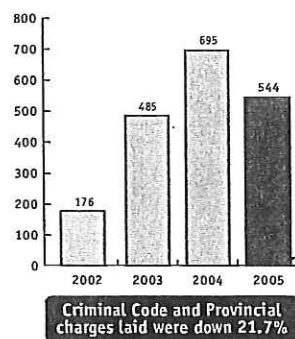
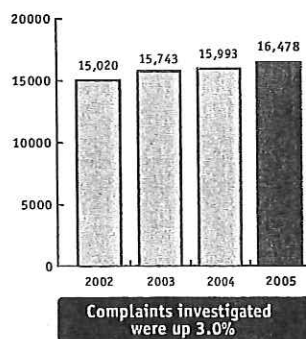
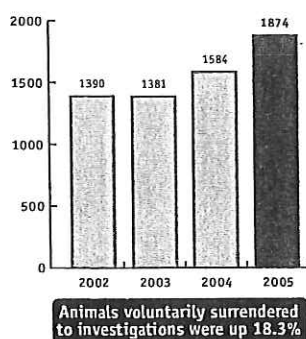


Old Man Joe - After

Protecting Horses Across Ontario

2005 saw the largest number of horse neglect investigations, with over 150 horses removed from neglectful owners across Ontario. This included a major case where 31 abandoned horses were removed from a Bramalea farm with significant assistance of the LongRun Thoroughbred Adoption Society. While homes

Investigations Statistics in 2005



were found for the horses, medical treatment, care and rehabilitation for these horses reached over \$15,000. Arrest warrants for the owners, who are believed to be in China, are still outstanding.

Improving Animal Protection in Local Communities
Municipalities in Ontario, with the support of the Ontario SPCA and affiliated humane societies, continued to enact local by-laws to improve animal protection in their communities, including:

- A pet store by-law in the Town of Orangeville, setting strict standards for housing, care and prohibiting the sale of sick animals.
- An animal care by-law in the City of Orillia, increasing the standards for animals kept outside and making it an offence to leave an animal in a hot car without adequate ventilation.

Providing Emergency Relief

Ontario SPCA Inspectors flew to the Kashechewan First Nation community on two separate occasions to bring nearly 1,400 kg of desperately needed food to more than 80 hungry dogs and puppies left behind after a contaminated water crisis forced the evacuation of the community's residents. The relief effort was made possible through the assistance of the World Society for the Protection of Animals and the International Fund for Animal Welfare.

Advocating for Stronger Animal Cruelty Laws

Federal inadequacies

Bill C-50 again failed to pass in the House of Commons – making it the fifth such bill that has failed to update Canada's woefully outdated animal cruelty legislation which was written in 1892. *Bill C-50* would have: removed the current two years maximum ban on owning animals and allowed for a lifetime ban; raised the penalty for intentional cruelty to a maximum of five years imprisonment (up from the current six-month-

penalty); and given judges the authority to raise the fine for summary convictions to \$10,000 (from the current maximum fine of \$2,000). The cap on fines for indictable offences would have been removed entirely and cruelty offences would have no longer been classified as property offences. Additionally, the legislation would have allowed judges to order anyone found guilty of animal cruelty to pay restitution to the animal welfare organization that cared for the animal.

Provincial shortfalls

Despite efforts to incite the provincial government to improve our animal protection laws, Ontario continues to have the weakest provincial animal welfare law in Canada. Ontario is still without a penalty for neglecting an animal, it continues to allow neglected animals to be returned to the abuser, and it does not allow inspection of commercial facilities such as pet stores. While Ontario fails to strengthen its laws, other provinces are improving on theirs. For example, revisions to the *Alberta Animal Protection Act* in 2005 made that province's animal welfare law the strongest in the country.



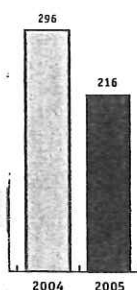
Kashechewan supply plane



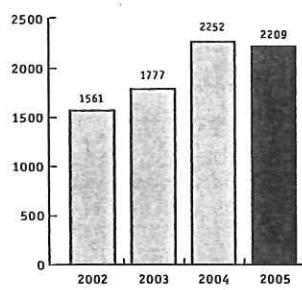
Delly, former Kashechewan resident



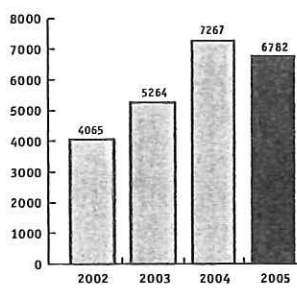
Rescued dog receives care at the Ontario SPCA



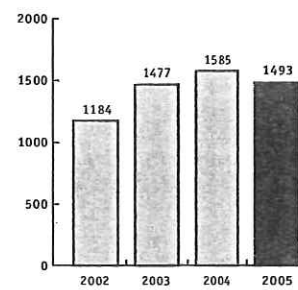
ts were down 27%



Orders issued were down 1.9%



Removed and abandoned animals taken in were down 6.7%



Farm animal complaints were down 5.8%

Animal Care, Adoption & Community Outreach



Wizard was adopted from the Ontario SPCA Leam & Addington Branch



Darwin was adopted from the Ontario SPCA York Region Branch

Promoting Adoption as the First Option

The Ontario SPCA continued its efforts to find homes for the thousands of animals that enter its shelters every year. Through the media, events, and publications the message of "Make Adoption Your First Option" was spread across the province. To highlight the strong bonds that have been formed between adopters and the shelter animals they have taken into their hearts and homes, the Ontario SPCA continued its Great Pets - Great People adoption stories on its website and in its magazine.

Animal adoption was also advocated through the Friends for Life! campaign, which enjoyed its second year of success in 2005. As part of the campaign, an adoption memento and valuable coupons from sponsors Global & Ryan's Pet Foods and Westmont Hospitality Group were given out with every adoption from an Ontario SPCA Branch.

These efforts assisted in 8,190 animals receiving a second chance in new, loving homes - 5,102 cats, 2,841 dogs, and 747 small domestic animals, such as rabbits and guinea pigs, were adopted out from Ontario SPCA branches in 2005! Throughout the year, the Ontario SPCA also continued to receive various exotic pets, such as lizards, parrots, and pot-bellied pigs, which were adopted into new homes.

Preparing for Breed-Specific Legislation in Ontario

The fall of 2005 marked the beginning of breed-specific legislation in Ontario, essentially, the prohibition of "pit bull" dogs. In September, the Ontario SPCA provided its branch management and animal care staff with a comprehensive training program to prepare them for the new responsibilities that they would be undertaking due to the Bill 127, *Public Safety Related to Dog Importation Amendment Act, 2005*, (Ontario Act). Among these responsibilities is ensuring that dogs coming into the shelter

who are affected by the legislation and who are deemed suitable for adoption are adopted into appropriate homes. The Ontario SPCA has also offered assistance to dog owners affected by the legislation with regards to their responsibilities and how to best care for their pets under the requirements of the new law such as selecting the most humane type of muzzle.

Celebrating Our Shelters

Ontario SPCA Shelter Appreciation Week was celebrated from November 6 - 12, 2005, to recognize the important contributions of animal shelters across the province.

The Ontario SPCA helps the citizens of communities across the province by providing a variety of vital services including: matching homeless animals with new homes; rescuing abused, neglected, injured and abandoned animals; offering education about responsible pet guardianship and other topics; helping reunite lost pets with their human families; and, through the Family Violence Assistance Program, providing temporary housing to the pets of victims fleeing abusive home environments. The Ontario SPCA also rescues and provides care to sick, injured and orphaned wildlife, and provides advice to the public about co-existing with wildlife.

During Shelter Appreciation Week the public was encouraged to celebrate their local shelter by:

- Making a donation to assist with the care of the many animals in need that the shelter helps every day.
- Reporting animal cruelty and neglect.
- Spreading the word about the importance of responsible pet guardianship, including spaying/neutering and pet identification - a tag, ideally combined with a microchip.
- Volunteering their time to assist at the shelter or at one of the shelter's special events.
- Choosing their next pet from among the many wonderful animals being cared for at the shelter.

Wildlife Services

Caring for Wildlife

The Ontario SPCA Wildlife Rehabilitation Centre, located in Midland, provides care and treatment to sick, injured and orphaned wildlife in an effort to rehabilitate animals and return them to their natural environment.

In 2005, the Centre admitted 1,205 animals, comprising over 100 species of mammals, birds, and reptiles. The 23 species of mammals that were admitted included a female Hoary bat with two babies attached to her, opossums, porcupines, and river otters. Among the 92 species of birds admitted, were 26 great grey owls which are included as a species of 'special concern' on the Species at Risk in Ontario list, a pileated woodpecker, a trumpeter swan, a sandhill crane, and a black Brant goose. The Centre also admitted five species of reptiles – an eastern milk snake, Blanding's turtle, snapping turtle, map turtle and Midland painted turtle.

Enhancing Services

Upgrades to the Centre's outdoor waterfowl enclosure were completed in 2005. An expansion of the enclosure and the addition of a secondary pool now allow the Centre to rehabilitate greater number of waterfowl.

Each year Ontario SPCA Branch and Affiliate staff from across the province are provided with wildlife training workshops to ensure they are prepared to manage emergency wildlife care. In 2005, 100 staff members participated in introductory and intermediate wildlife training workshops. The introductory level workshop covered topics such as assisting the public in dealing with wildlife conflicts, providing short-term care to wild animals in shelter environments, and health and safety in relation to zoonotic diseases that can be transmitted by wild animals to humans. The intermediate workshops included more advanced, hands-on, training in areas such as conducting physical exams and handling wildlife.

Working Together

To effectively manage wildlife care and policy issues surrounding wildlife, the Ontario SPCA works cooperatively with various stakeholder groups. In 2005, the Ontario SPCA provided consultation to the Ontario Ministry of Natural Resources (MNR) regarding their process to change the guidelines for custodian authorization for wildlife rehabilitation. As a wildlife rehabilitator in the province must receive authorization from the MNR before offering rehabilitation services, the increasing expertise and knowledge gained by the Ontario SPCA



will continue to work with the Ministry. The Ontario SPCA is also a member of an advisory team which provides comment to the MNR on other various wildlife rehabilitation issues and policies.

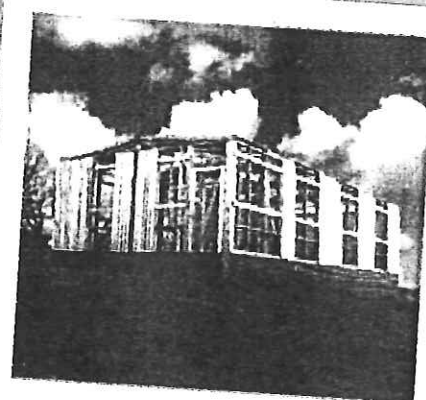
Celebrating Wildlife

In April, the Ontario SPCA joined the millions of Canadians who participate annually in National Wildlife Week (NWW) – celebrated each year during the week surrounding April 10, the birthday of Jack Miner, one of the founders of Canada's conservation movement. Proclaimed in 1947 by an act of Parliament, NWW is a celebration of Canada's natural heritage and an opportunity to take an active role in conservation.

The Ontario SPCA kicked-off NWW with an event at its Provincial Office that included a wildlife-themed puppet show for kids, bird box construction, and a guided hike of the property with a conservationist. Participants also had the opportunity to learn about the Ontario SPCA's wildlife initiatives and work.



An opossum receives care at the Centre



The outdoor waterfowl enclosure

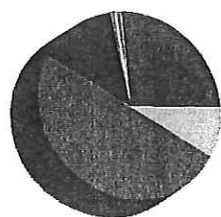
Financial Statements

Consolidated Balance Sheet as at December 31, 2005

	2005	2004
Current Assets		
Cash & Short-term Investments	\$ 6,538,715	\$ 2,513,536
Accounts Receivables	409,415	649,093
Inventory	39,072	102,271
Prepaid Expenses	68,408	14,764
	7,055,610	3,279,664
Capital Assets	10,032,404	10,206,710
Total Assets	17,088,014	13,486,374
Liabilities		
Accounts Payable & Accrued Liabilities	\$ 669,959	\$ 971,266
Bank Loan	1,494,016	1,665,377
Deferred Revenue	39,108	185,621
Current Portion of Long-Term Debt	11,429	16,764
	2,214,512	2,839,028
Long-Term Debt	10,836	22,511
	2,225,348	2,861,539
Fund Balances		
Invested in Capital Assets	8,516,123	8,502,058
Externally Restricted	466,806	382,725
Internally Restricted - Legacies		668,242
Unrestricted	5,879,737	1,071,810
	14,862,666	10,624,835
Total Liabilities & Fund Balances	17,088,014	13,486,374

How You Support Us...

Donations, Fundraising and Grants

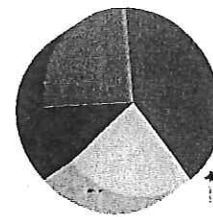


- Donations 25%
- PAC Monthly Giving 9%
- Legacies 50%
- Branch Fundraising 14%
- Capital/Major Gifts 1%
- Other 1%

\$12,031,498

How You Support Us...

Other Revenue



- Adop
- Muni
- Other
- Gove

Consolidated Statement of Revenues, Expenses & Changes in Fund Balance

2005

2004

Revenues

Donations & Fundraising	\$ 5,882,423	\$ 5,828,634
Provincial Grants	1,268,609	1,154,760
Shelter & Veterinary	1,810,609	1,844,828
Municipal Contract Fees	1,071,471	1,026,604
Other	324,082	575,589
Interest and Other Investment Income	121,784	34,808
	10,478,978	10,465,223

Expenses

Animal Care & Protection	8,865,922	8,653,799
Fundraising	1,758,549	1,818,639
General	807,267	731,838
Communication & Education Services	336,142	243,032
Amortization	304,504	311,499
Bank Charges & Interest	208,229	201,157
	12,280,613	11,959,964

Net Expenses

(1,801,635) (1,494,741)

Legacy Revenue

6,039,466 1,668,242

Fund Balances - Beginning of Year

10,624,835 10,451,334

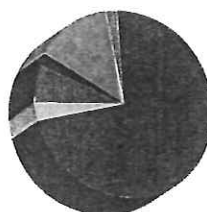
Fund Balances - End of Year**14,862,666 10,624,835**

For a complete set of financial statements, call 1-888-ONT-SPCA.

Your Dollars at Work...

\$4,486,946

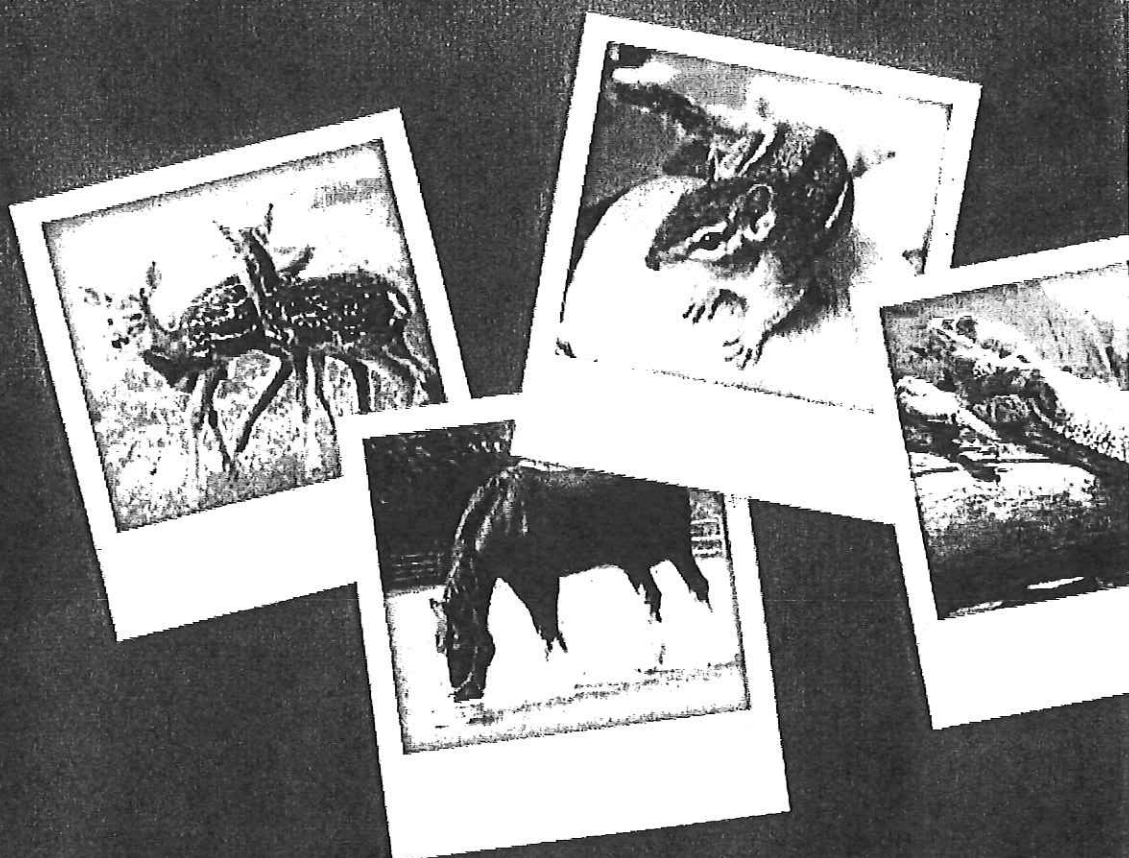
Shelter/Vet	40%
Municipal Fees	24%
Provincial Grants	10%
Other	26%



\$12,280,613

Animal Care/Investigations	72%
Public Awareness/Humane Education	3%
General Administration	7%
Bank Charges/Interest	2%
Fundraising*	14%
Amortization	2%

* Cost per dollar raised \$0.15



**ONTARIO
SPCA**
PROTECTING ANIMALS SINCE 1873

16586 Woodbine Ave RR #3
Newmarket, Ontario L3Y 4W1
1-888-ONT-SPCA (668-7722)
info@ospca.on.ca www.ospca.on.ca

Charitable Registration #88969 1044 RR0002

ANNUAL REPORT 2006

Friends for Life!



ONTARIO
SPCA

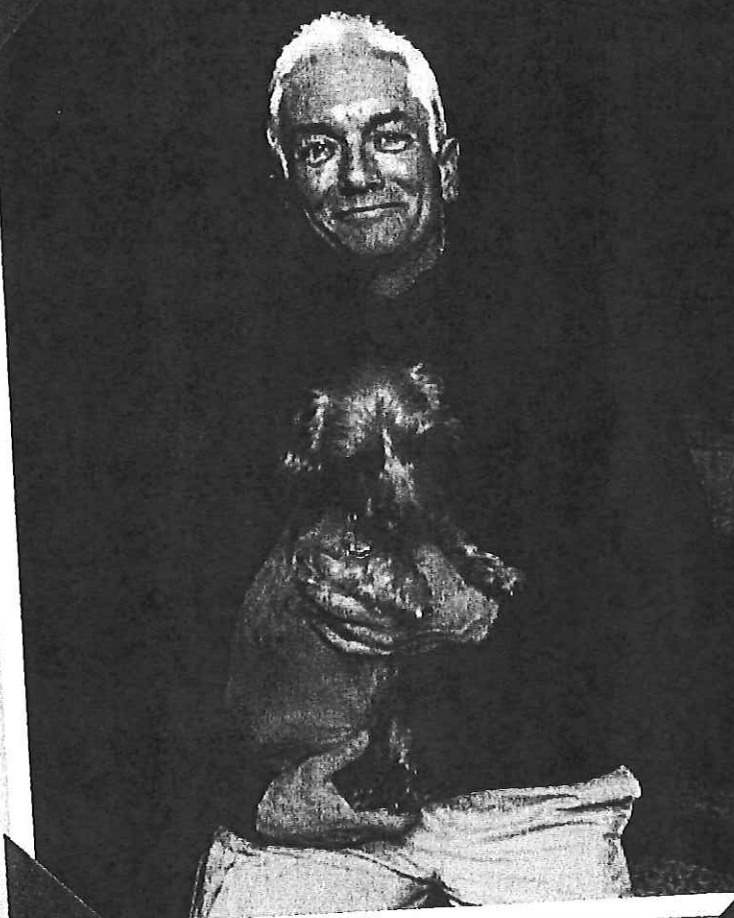
PROTECTING ANIMALS SINCE 1873



Contents

- 2 Message from the Chair
- 3 Our Mission
- 4 Branches & Affiliates
- 5 Investigations
- 7 Animal Care, Adoption & Community Outreach
- 8 Wildlife Services
- 9 Financial Statements

The Ontario Society for the Prevention of Cruelty to Animals (Ontario SPCA), founded in 1871, is the oldest and largest animal welfare organization in Canada. It has over 50 branches and affiliated humane societies, relying primarily on volunteers to provide animal care, adoption, public education, advocacy, and public education. The Ontario SPCA is recognized by the Ontario government as the official animal welfare organization in the province, making the Ontario SPCA unique among animal welfare organizations in the province. The Ontario SPCA is a member of the World Society for the Protection of Animals, and is affiliated with the Royal Society for the Prevention of Cruelty to Animals.



Jim Sykes, Chair

Message from the Chair

I would like to begin by thanking our many committed supporters, volunteers, and employees for enabling our work on behalf of the animals. 2006 was a year of new vision, new leadership, and also the beginning of a more inclusive, open and transparent Ontario Society for the Prevention of Cruelty to Animals.

Our new vision of *"one voice for animal welfare in Ontario"* resonates well with both our directly-operated Branches and our independent SPCA and Humane Society members. Our challenge will be in demonstrating that we can deliver on the vision. The Ontario Trillium Foundation has recently approved a grant to allow us to further improve our volunteer leadership capacity in the many communities we serve. While the focus of the project will be on strengthening our Branch Advisory Committees, many of our affiliated local Societies will benefit from this project as well.

The governance review process, which was funded by the Ontario Ministry of Community Safety and Correctional Services and conducted by Grant Thornton Consultants, was completed in March of 2007, and we will begin to share and implement its short- and long-term recommendations immediately.

The recruitment of new senior staff leadership for the Society has taken a great deal of the Board's energy and focus. Interest in the position

has been high, with some very talented candidates vying for this challenging position. The Board's initial work in identifying the key challenges facing the organization in the next few years and matching them with Chief Executive Officer skills was a great foundation for the strategic planning work that will be undertaken as we move ahead. By the time this report reaches you our new CEO will be in place!

Moving forward, only our opportunities seem endless! Community interest in Animal Welfare has never been higher! Our new website offers us a state of the art platform to begin sharing our messages with an ever-increasing number of web-literate supporters! Our new Branch facilities in Midland, while resulting from one of the most tragic fires in our history, will serve as a model for new shelters in smaller communities across the province! As we work together, community to community, solving problems and identifying groundbreaking new approaches, we also learn about each other. Trust is beginning. We are moving forward!

Jim Sykes
Chair, Ontario SPCA Board of Directors

Our Mission

To facilitate and provide for province-wide leadership on matters relating to the prevention of cruelty to animals and the promotion of animal welfare.

Our Vision

The Ontario SPCA is seen as the recognized authority on animal welfare issues and making a measureable difference for animals.

The Ontario SPCA is an integral part of each community, promoting mutually beneficial human-animal interactions, and is viewed as a desirable organization for volunteerism and support.

The future for Ontario that the Ontario SPCA is working to help create:

- All Ontarians respect and appreciate animals;
- Ontario has no homeless animals and no animal abuse.



Our Goal

The Society's goal is to be a strong, unified and collaborative organization dedicated to the cultivation of a compassionate Ontario for all animals.



Ontario SPCA Board of Directors

Arthur King	Fort Erie SPCA
Debra Kinsella	Thunder Bay & District Humane Society
Catherine MacNeill	Director-at-Large
Lynn Michaud	Timmins & District Humane Society
Joan Milne	Toronto Humane Society
Linda Morgan	Sudbury & District Branch
Colette Rewegan	Victoria County Humane Society
Bruce Roney	Ottawa Humane Society
John Roushorne	Windsor-Essex County Humane Society
Kevin Strooband	Lincoln County Humane Society
Jim Sykes	Hamilton/Burlington SPCA
Barbara Tait	Etobicoke Humane Society
Leanne Tucker	Director-at-Large

Executive Committee

Catherine MacNeill	Director-at-Large
Lynn Michaud	Secretary
Linda Morgan	Immediate Past Chair
Colette Rewegan	Treasurer
Bruce Roney	Vice Chair
Kevin Strooband	Lincoln County Humane Society
Jim Sykes	Chair
Leanne Tucker	Second Vice Chair

Senior Management

Mike Draper	A/Chief Executive Officer
Christine Arnett	Director of Marketing & Communications
Hugh Coghill	A/Director of Investigations
Lori Ewart	Manager of Human Resources
Craig Mabey	Director of Development
Keri Semenko	A/Director of Animal Sheltering & Wildlife Services
Robbie Singh	Controller

Ontario SPCA

Marion Vernon Memorial Animal Clinic (Barrie)
 Ontario SPCA Wildlife Rehabilitation Centre (Midland)
 Ontario SPCA Animal Centre (Whitchurch-Stouffville)
 Provincial Office (Whitchurch-Stouffville)

Branches

Barrie • Brant County (Brantford) • Bruce-Grey (Hanover)
 • Dryden & District • Huronia & District (Goderich) • Kenora
 (Keewatin) • Kent County (Chatham) • Leeds & Grenville
 (Brockville) • Lennox & Addington (Napanee) • Midland & District
 • Muskoka (Bracebridge) • North York • Orangeville & District •
 Orillia • Oxford County (Woodstock) • Parry Sound • Perth County
 (Stratford) • Renfrew (Petawawa) • Scarborough • Stormont,
 Dundas & Glengarry (Cornwall) • Sudbury & District • Temiskam-
 ing (New Liskeard) • York Region (Whitchurch-Stouffville)

Affiliates

Alliston & District Humane Society (Beeton) • Arnprior &
 District Humane Society • Cambridge & District Humane Society
 • Durham Region Humane Society (Oshawa) • Etobicoke Humane
 Society • Fort Erie SPCA • Gananoque & District Humane Society
 • Guelph Humane Society • Hamilton/Burlington SPCA • Kingston
 Humane Society • Kitchener-Waterloo Humane Society • Lanark
 Animal Welfare Society (Smiths Falls) • Lincoln County Humane
 Society (St. Catharines) • London Humane Society • Niagara Falls
 Humane Society • North Bay & District Humane Society
 • Northumberland Humane Society (Port Hope) • Oakville
 Humane Society • Ottawa Humane Society • Peterborough
 Humane Society • Quinte Humane Society (Belleville) • Sarnia &
 District Humane Society • Sault Ste. Marie Humane Society
 • Simcoe & District Humane Society • Thunder Bay & District
 Humane Society • Timmins & District Humane Society • Toronto
 Humane Society • Upper Credit Humane Society (Erin) • Victoria
 County Humane Society (Lindsay) • Welland & District Humane
 Society • Windsor/Essex County Humane Society

Investigations

Providing a High-Calibre Investigations Team

Ontario is fortunate to have the most highly-trained animal welfare Inspectorate in the country. Through its commitment to continually grow the knowledge and professionalism of its investigators, the Ontario SPCA offered more than 40 days of training to Agents and Inspectors in 2006. The comprehensive training program included provincial and criminal offences, farm animal welfare, investigation techniques, and the execution of search warrants.

The obvious benefit of having such a well-trained Inspectorate is that the Society is able to effectively deal with animal welfare issues through a variety of tools, such as: educating members of the public about proper standards of animal care; working with veterinarians, police and various government ministries to deal with cases of animal abuse and neglect; working with crown attorneys to successfully prosecute serious animal abusers; and offering assistance and guidance to other animal welfare agencies. All of these tools were put to effective use in 2006.

Seeking Justice for Animals: Highlight of 2006 Cases

Each year Ontario SPCA investigators face a new crop of saddening and incomprehensible animal cruelty cases. Some cases of note in 2006 are:

- An Inspector from the Perth County Branch dealt with a horrific case of cat torture after a photo development shop alerted her to some very disturbing photos that had been submitted for processing. The accused received the maximum jail sentence of six months – a very rare sentence to achieve. This case was even more difficult for the Inspector to deal with because of the graphic images caught on film. The same Inspector also dealt with one of the largest livestock removals when she took custody of 187 pigs, also in the Perth area.
- The Western Regional Inspector removed 87 animals from an Elgin County property, including 17 ponies, eight donkeys, 25 ferrets, 12 budgies, two finches, one pheasant, 16 quails, four cockatiels and two doves. The owner faces 19 animal cruelty charges under the *Criminal Code of Canada*. The large number of animals involved in this case required the coordinated effort of Investigators from surrounding communities.
- The Western Regional Inspector also assisted Agents of the London Humane Society in dealing with a "wildlife sanctuary." Ultimately, 18 animals were removed under the authority of the *Ontario SPCA Act* and 11 animal cruelty charges under the *Criminal Code* were laid. Animals removed from the facility included an African lion cub that was being kept in a small enclosure within the owner's residence. This case continued into 2007 with more animals taken into custody, and as a result the Ontario SPCA is in the position of having to find suitable homes for a number of wild animals. In addition to working with investigators from the London Humane Society, the scope of this case also involved veterinarians and the Ministry of Natural Resources.
- Officers from the Victoria County Humane Society removed 44 animals, including thirty-six dogs, four cats, two cockatiels, one turtle and one lizard, from a property in the City of Kawartha Lakes.
- In Sudbury, the Senior Inspector removed a large number of horses that remained in our custody for a long period of time. This was a long-lasting case that required a great deal of Society resources but resulted in a conviction.
- In a case of 33 abandoned horses that began in 2005, a Scarborough couple who had assumed responsibility for their relative's horses pleaded guilty to an animal cruelty charge in September, 2006. The horses were without access to food or water. One, an emaciated mare about 16 years old, was found dead. Another adult mare, trapped in a fence, had to be euthanized by a veterinarian that afternoon after attempts to save the horse failed. The 31 remaining horses were in a fragile condition.

The Scarborough couple was sentenced to 240 hours of community service, and both are to be on probation for two years. Following their probation, a two-year prohibition against owning any animal or bird will take effect. Charges have been laid by the Ontario Provincial Police against the owners of the horses, Joseph Chang and Mee-Yung Chung, and arrest warrants have been issued should they return to Canada.

Happily, the surviving horses have all recovered and found new homes.



Investigations Statistics in 2006



Advocating for Ontario's "Roadside Zoo" Animals

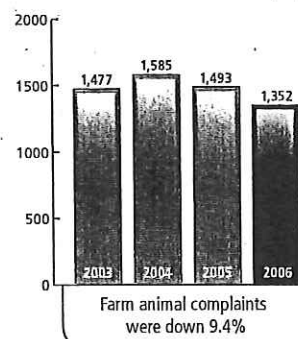
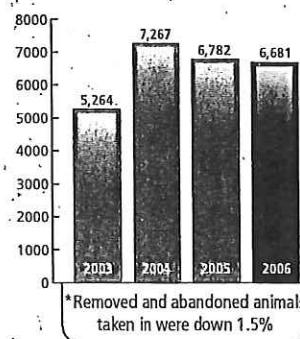
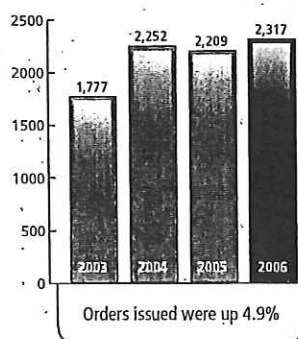
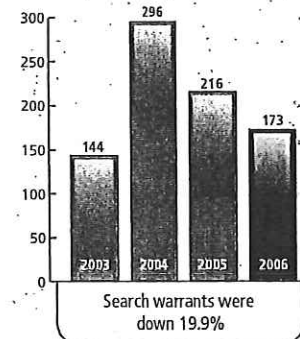
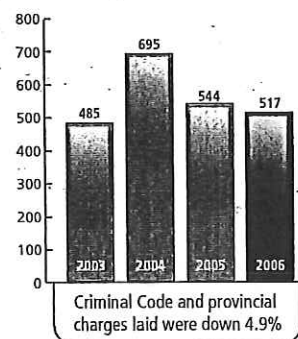
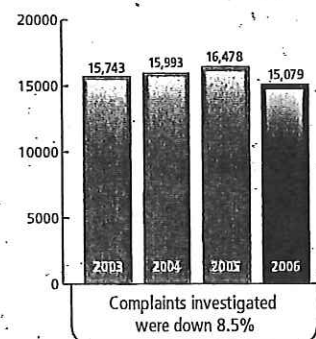
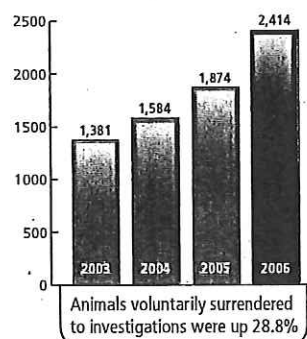
The Ontario SPCA estimates that Ontario has over 50 zoos, and over 20 large, private collections – far more than any other province – but no legislative requirements for staff expertise and financing, or mandatory standard for animal housing, management and safety. While there are some limited protections and licensing requirements for animals native to Ontario, there is no legislation protecting exotic zoo animals such as hippos, elephants, lions, kangaroos and primates.

In the fall of 2006 the Ontario SPCA partnered with other animal welfare organizations in support of Member of Provincial Parliament David Zimmer's Private Members Bill – *The Regulation of Zoos Act* – which he introduced into the Ontario Legislature on October 23, 2006 to address gaps in zoo legislation. The Ontario SPCA worked diligently to get the "roadside zoo" message out to as many Ontarians as possible, and will continue to bring this issue to the attention of the public and government in 2007 with the goal of convincing the government to implement legislation to protect all zoo animals.

Including Animals in Emergency Preparedness Plans

After a long period of lobbying the provincial government about including animals in emergency preparedness plans, the Ontario SPCA was encouraged by the amendment of the *Emergency Measures Act* in 2006 to allow the government to order the evacuation of animals during an emergency situation, such as a flood or tornado.

The Ontario SPCA also contributed to two emergency preparedness guides produced by Emergency Management Ontario (EMO). The first guide was created as part of the new Girl Guides of Canada Emergency Preparedness Challenge, which includes a component about emergency preparedness for pets. The second guide was produced for people with disabilities/special needs, and includes information about planning for service animals during emergency situations. The Ontario SPCA is very proud to have been a part of both of these initiatives.



*Removed numbers do not include two very large removals – one involving over 3,000 mice and the other just under 2,000 poultry. In both cases the animals were later surrendered to the Society.

Animal Care, Adoption & Community Outreach



Charlie was adopted from the York Region Branch

Providing Second Chances

In an ongoing effort to find new homes for the thousands of abandoned, abused, neglected and surrendered animals taken into its shelters across the province each year, the Ontario SPCA continued to promote "adoption as the first option" through its *Friends for Life!* campaign. As part of the campaign, which celebrated its third successful year in 2006, adopters received valuable coupons from Global & Ryan's Pet Foods, Nutram Pet Products and Westmont Hospitality Group, as well as three months of free pet insurance from Petplan Insurance.

Through the *Friends for Life!* campaign and the dedicated efforts of Ontario SPCA adoption staff, new homes were found for 6,687* animals – 1,192 dogs, 4,122 cats and 653 small animals, such as rabbits and guinea pigs.

*This number does not include adoption statistics from the Barrie and Orangeville Branches due to data retrieval complications at time of publishing.

Starting Over After Tragedy Strikes

On August 3, 2006 the Ontario SPCA Midland & District Branch faced a heartbreaking tragedy when the shelter was destroyed in a fire caused by a lightning strike. Due to the incredible efforts of firefighters and Ontario SPCA staff and volunteers, over 30 animals were saved from the fire. But, sadly, approximately 30 animals were lost in the tragedy. While the Society will forever mourn the animals who perished in the fire, a new shelter will be built and a memorial sculpture will be erected on the property in their honour.

The Ontario SPCA would like to extend a heartfelt "thank you" to everyone who provided assistance, including firefighters from Tay Township, Severn Township and the Town of Midland for battling the blaze and providing comfort and oxygen to the animals; the OPP Midland Detachment for keeping onlookers safe from the fire; the staff of Heritage Animal Hospital for providing medical care and much TLC to

animals suffering from burns and/or smoke inhalation; the people who adopted the surviving animals; and the public for their overwhelming support and generosity to help with the care of the survivors and our rebuilding efforts.

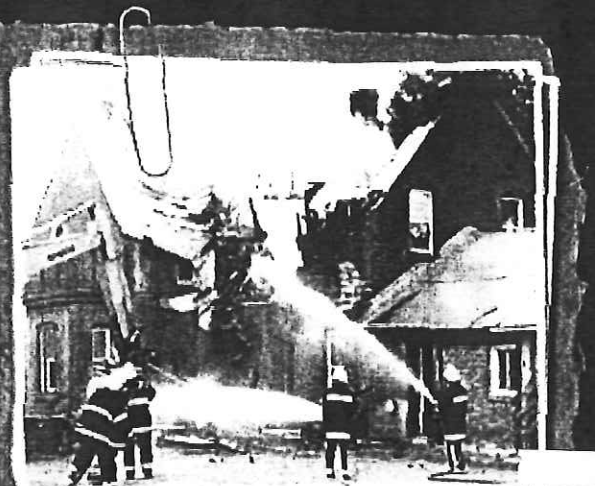
Inaugural Friends for Life! Walk-a-thon a Great Success!

2006 marked the first province-wide *Friends for Life!* Walk-a-thon – an initiative to help raise awareness and support for the animal protection and care services that the Ontario SPCA provides to all animals in Ontario. Over 1,100 participants helped raise \$140,000 in support of the Society's animal life-saving work. Previously, individual branches hosted walk-a-thons under various names and at different times of the year; but by marketing the *Friends for Life!* Walk-a-thon under one name and having the majority of branches celebrate their walks on the same day, the Society was able to maximize the promotion of this amazing event through increased sponsorship and media coverage.

Celebrating Branch Staff

Ontario SPCA frontline shelter staff experience the worst and the best of animal welfare. The worst is seeing first-hand the abused and neglected animals brought to our shelters. The best is caring for the animals – from giving them their first bath, or first real meal, to being there for them after a life-saving surgery – and being able to say "goodbye" when they have found their forever homes.

These tremendous contributions were celebrated during *Shelter Appreciation Week*, which was held from November 5 – 11. During *Shelter Appreciation Week* the Ontario SPCA recognized its shelter staff internally, and also encouraged the public to show support for the important role of their local animal shelter. Across the province, animal shelters work tirelessly to provide services such as matching homeless animals with new homes; rescuing abused, neglected, injured and abandoned animals; offering education about responsible pet guardianship and other topics; helping reunite lost pets with their human families; providing emergency care to injured wildlife; and offering advice to the public about co-existing with wildlife.



Midland Branch fire

Wildlife Services

Rescue & Rehabilitation

Outreach & Training



Rescued fox kit



Baby raccoons at the Midland Wildlife Rehabilitation Centre

National Wildlife Week

Valued Team Member

2006 Rescue Highlights

- A mother raccoon who had been hit by a car on the highway was brought to the Wildlife Rehabilitation Centre on March 11. She was treated and ready for release, but on the night of April 16 she gave birth to two healthy babies. This delayed her release since it would have been too stressful for her to find a den and food with her newborns, in addition to being highly susceptible to other predators. The mom and babies were housed at the Centre until the babies reached an appropriate age to be released. On July 8, the trio was successfully released back into their natural environment.

- In April, a passerby from the Peterborough area found a mother fox lying dead on the side of the road - apparently hit by a car - and her four live kits by the den, which was in a ditch off to the side of the road. The fox kits were transported to the Wildlife Rehabilitation Centre for care. Sadly, one of the fox kits died soon after being admitted to the Centre, but the other three did very well being raised in the Centre's outdoor enclosure through the summer. On August 11, the three young foxes were returned to the original site of rescue, but were released one kilometre into the bush, away from the highway.

Consolidated Statement of Revenues, Expenses & Changes in Fund Balance

2006

2005

Revenues

10,567,562

10,478,978

Expenses

13,099,998

12,280,613

Net Expenses

Fund Balances - Beginning of Year

Fund Balances - End of Year

15,563,251

14,862,666

For a complete set of financial statements, call 1-888-ONT-SPCA (668-7722).

\$4,226,160

Support Us...
 53%
 37%
 9%
 1%

Your Dollars at Work...

\$13,099,998



Animal Care/Preventative	72%
Public Awareness/Community Education	33%
General Administration	9%
Bank Charges/Interest	1%
Fundraising	13%
Amortization	2%

No.

Financial Statements

Consolidated Balance Sheet as at December 31, 2006

2006

2005

Current Assets

8,224,938

7,055,610

Capital Assets

9,786,421

10,032,404

Total Assets

18,011,359

17,088,014

Liabilities

2,443,668

2,214,512

2,448,108

2,225,348

Fund Balances

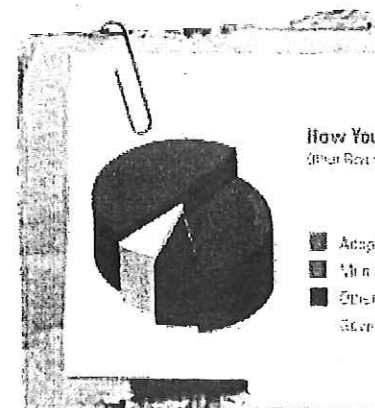
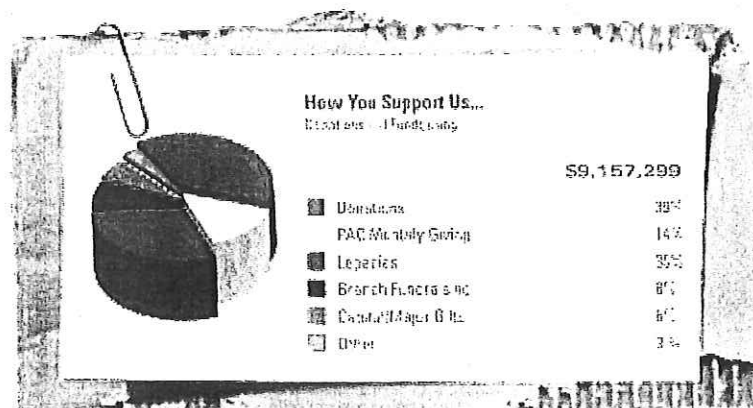
15,563,251

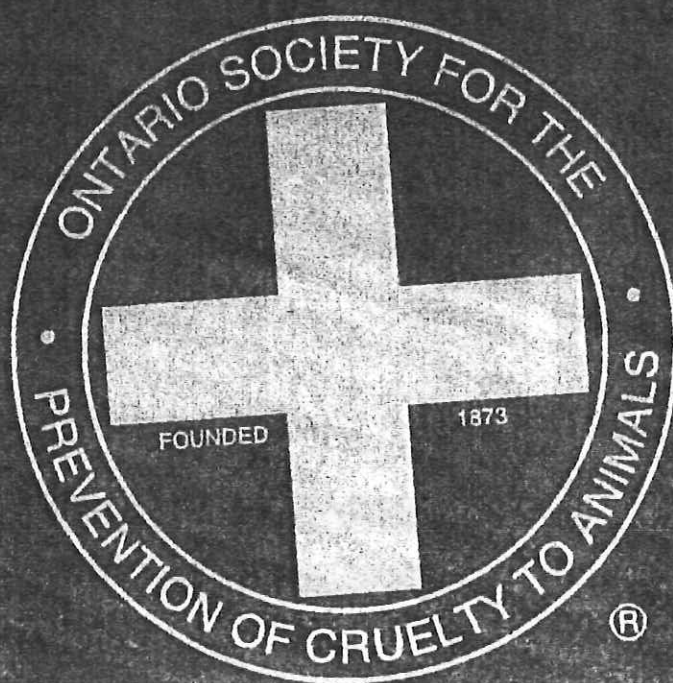
14,862,666

Total Liabilities & Fund Balances

18,011,359

17,088,014





16586 Woodbine Ave. R/F #3
Newmarket, Ontario L3Y 4W1
1-888-ONE-SPCA (668-7722)
info@ospca.on.ca www.ontariospca.ca

CHARITABLE REGISTRATION #88969 1044 RR0002

ONTARIO SPCA ANNUAL REPORT 2007

OUR MISSION

The Ontario SPCA's mission is to facilitate and provide for province-wide leadership on matters relating to the prevention of cruelty to animals and the promotion of animal welfare.

OUR VISION

The Ontario SPCA is seen as the recognized authority on animal welfare issues and making a measurable difference for animals. The Ontario SPCA is an integral part of each community, promoting mutually beneficial human-animal interactions, and is viewed as a desirable organization for volunteerism and support.

The future for Ontario that the Ontario SPCA is working to help create:

- All Ontarians respect and appreciate animals
- Ontario has no homeless animals and no animal abuse

OUR GOAL

The Society's goal is to be a strong, unified and collaborative organization dedicated to the cultivation of a compassionate Ontario for all animals.

BRANCH & AFFILIATE SOCIETIES FORM LIFESAVING TEAM

One voice for animal welfare in Ontario

For over 130 years the Ontario SPCA has led the province in animal welfare. Today, the Ontario SPCA's network of more than 50 Branch and Affiliate Societies make it one of the largest, most responsive animal welfare organizations in the country – providing shelter, care and protection to tens of thousands of animals each year.

Under provincial law, the Ontario SPCA holds the authority for the investigation and enforcement of animal cruelty legislation in Ontario. This authority may be delegated by the Ontario SPCA to its Branch and Affiliate Societies in local communities, but it is the Ontario SPCA that is ultimately held accountable to the government and public in the conduct of its legislated authority, and the conduct of local Agents and Inspectors.

The Ontario SPCA's unique relationship with its Branch and Affiliate Societies is critical to its lifesaving work. Branches, formed by the Ontario SPCA, are administered by the Ontario SPCA Provincial Office in Newmarket. Affiliate Societies, which include Humane Societies and SPCAs, operate more independently from the Ontario SPCA and are administered at the local level by their own individual Board of Directors. To maintain an Affiliate status, the organization must ensure that their policies, bylaws and goals are reflective of the Ontario SPCA and pay an annual membership fee.

By affiliating with the Ontario SPCA, Affiliate Societies gain animal cruelty investigative powers in their local communities, and the benefits of belonging to a province-wide network which brings animal welfare organizations together for the purposes of learning from each other, sharing best practices, and working in partnership to help more animals.



Photo: Marie Ostrom



Photos: Ottawa Humane Society

Affiliates also gain access to many of the programs and services of the provincial organization. The Investigations Department of the Provincial Office provides training, guidance, leadership, support and oversight to all Agents and Inspectors across the province. In addition, the Provincial Office provides Branches and Affiliates with animal care and wildlife education opportunities; administrative and financial support; legal services; public relations, marketing and fundraising assistance; information and resource sharing; and leadership on community and provincial animal welfare issues and shelter operations.

Branch and Affiliate Societies are funded by the communities they serve. As charitable organizations (and non-government agencies), they rely on the generosity of their supporters, including individuals, associations and businesses. Donations made to the Ontario SPCA Provincial Office are used to support and strengthen the activities and initiatives of the entire network of Branches and Affiliates.

By uniting as "One voice for animal welfare in Ontario," the Ontario SPCA and its Branch and Affiliate Societies are able to accomplish many lifesaving feats that would otherwise be impossible to accomplish. The future for animal protection is bright as we continue to find new ways of working together and sharing our strengths!

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

139

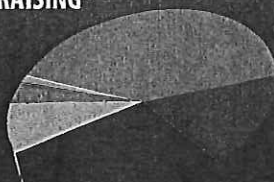
Consolidated balance sheet as of December 31, 2007

	2007	2006
Assets		
Current		
Cash	\$ 996,702	\$ 1,397,178
Short-term investments	2,952,180	1,841,040
Accounts receivables	810,158	1,052,416
Inventory	19,462	33,719
Prepaid expenses	38,083	90,490
	4,816,585	4,414,843
Marketable securities	4,465,215	3,810,096
Capital assets	9,793,903	9,786,421
	\$ 19,075,703	\$ 18,011,360
Liabilities		
Current		
Accounts payable and accrued liabilities	\$ 1,640,174	\$ 1,071,679
Bank loan	1,182,872	1,322,657
Deferred revenue	150,333	42,936
Current portion of long-term debt	-	6,396
	2,973,379	2,443,668
Long-term debt	-	4,440
	2,973,379	2,448,108
Fund balances		
Invested in capital assets	8,611,031	8,452,928
Externally restricted	1,370,923	1,124,260
Unrestricted	6,120,370	5,986,063
	16,102,324	15,563,251
	\$ 19,075,703	\$ 18,011,359

HOW YOU SUPPORT US - DONATIONS & FUNDRAISING*

\$9,026,076

<input type="checkbox"/> Donations	41%
<input type="checkbox"/> PAC Monthly	16%
<input type="checkbox"/> Legacies	29%
<input type="checkbox"/> Branch Funding	9%
<input type="checkbox"/> Capital/Major Gifts	4%
<input type="checkbox"/> Other	1%



* INCLUDES LEGACIES

HOW YOU SUPPORT US IN OTHER WAYS

\$4,735,157

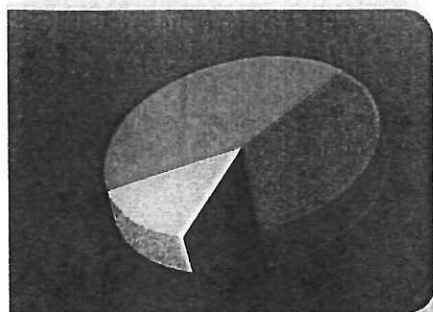
<input type="checkbox"/> Adoption/Shelter/Vet	42%
<input type="checkbox"/> Municipal Fees	35%
<input type="checkbox"/> Other	9%
<input type="checkbox"/> Government Grants	14%

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Consolidated statement of revenues and expenses and changes in fund balances year ended December 31, 2007

	2007	2006
Revenues		
Donations and fundraising	\$ 6,389,417	\$ 6,341,402
Provincial grants	653,482	285,755
Shelter and veterinary	2,032,182	2,017,556
Municipal contract fees	1,639,557	1,562,519
Other	145,533	200,439
Interest and other investment income	264,403	159,891
	\$ 11,124,574	\$ 10,567,562
Expenses		
Animal care and Investigations	\$ 9,461,542	\$ 9,495,605
Fundraising	1,916,767	1,680,183
General	1,584,934	1,063,159
Communication and education services	322,375	361,315
Amortization	327,475	299,236
Interest and bank charges	183,851	200,500
	\$ 13,796,944	\$ 13,099,998
(Deficiency) excess of revenues over expenses before legacies and extraordinary gain	(2,672,370)	(2,532,436)
Legacies	2,636,659	2,815,897
Extraordinary gain	-	417,124
(Deficiency) excess of revenues over expenses for the year	\$ (35,711)	\$ 700,585
Fund balances, beginning of year	15,563,251	14,862,666
Adjustment for change in accounting policy	574,784	-
Fund balances, end of year	\$ 16,102,324	\$ 15,563,251

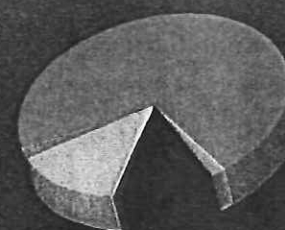
For a complete set of audited financial statements, call 905-898-7122.



YOUR DOLLARS AT WORK

\$13,796,944

<input type="checkbox"/> Animal Care/Investigations	70%
<input type="checkbox"/> Public Awareness/Humane Education	2%
<input type="checkbox"/> General Administration	11%
<input type="checkbox"/> Bank Charges/Interest	1%
<input type="checkbox"/> Fundraising	14%
<input type="checkbox"/> Amortization	2%



OUR LIFESAVING TEAM

Thank you to all the wonderful staff, volunteers and supporters across the province. While we don't have room to list every name, each individual is an equally important part of our lifesaving team to rescue thousands of animals in need of our protection and care. By working together with a spirit of cooperation and compassion, we achieve great victories for animals of all species and build a more humane world for us all.

LEADING OUR LIFESAVING TEAM

ONTARIO SPCA BOARD OF DIRECTORS

Wanda Bailey, Treasurer
Arthur King
Catherine MacNeill
Ward McAlister

Lynn Michaud, Secretary
Linda Morgan, Immediate Past Chair
Colette Rewegan
Bruce Roney, 1st Vice Chair

John Roushorne
Kevin Strooband
Jim Sykes, Chair

SENIOR MANAGEMENT

Kate MacDonald, Chief Executive Officer
Tom Stephenson, Chief Financial Officer
Hugh Coghill, Chief Inspector

Christa Chadwick, Director of Animal Care
Craig Mabee, Director of Marketing & Development

LEADING OUR COMMUNITY EFFORTS

Ontario SPCA Branch and Affiliate Directory

 **BRANCH** |  **AFFILIATE**

 **Alliston & District Humane Society**
P.O. Box 378
Beeton, ON L0G 1A0
705-458-9038
www.allistonhumane.com


 **Arnprior & District Humane Society**
490 Didak Drive, P.O. Box 45
Arnprior, ON K7S 3H2
613-623-0916
www.arnpriorhumanesociety.ca


 **Barrie Branch**
91 Patterson Road
Barrie, ON L4N 3V9
705-728-7311
www.barrie.ontariospca.ca

 **Brant County Branch**
539 Mohawk Street, P.O. Box 163
Brantford, ON N3T 5M8
519-756-6620
www.brantfordspca.com

 **Bruce-Grey Branch**
427 10th Street, Suite 8
Hanover, ON N4N 1P8
519-364-0400
www.ospcabrucegrey.ca

 **Cambridge & District Humane Society**
1650 Dunbar Road
Cambridge, ON N1R 8J5
519-623-7722
www.sPCA.cambridgeweb.net

 **Humane Society of Durham Region**
199 Waterloo Street, Unit 2
Oshawa, ON L1H 3W9
905-433-2022
www.humanedurham.com

 **Etobicoke Humane Society**
1500 Royal York Road, Suite E, 2nd Floor
Etobicoke, ON M9P 3B6
416-249-6100
www.etobicokehumanesociety.com


 **Fort Erie SPCA**
410 Jarvis Street
Fort Erie, ON L2A 2T1
905-871-2461
www.forteriespca.org

 **Gananoque & District Humane Society**
9 King Street East
Gananoque, ON K7G 1E7
613-382-1512
humanesociety@bellnet.ca

 **Guelph Humane Society**
500 Wellington Street West
P.O. Box 684
Guelph, ON N1H 6L3
519-824-3091
www.guelph-humane.on.ca

 **Hamilton/Burlington SPCA**
245 Dartnall Road
Hamilton, ON L8W 3V9
905-574-7722
www.hbSPCA.com

 **Huron & District Branch**
48 East Street
Goderich, ON N7A 1N3
519-440-0250
www.huronspca.ca

 **Kenora/Dryden Branch**
P.O. Box 1148
Keewatin, ON P0X 1C0
1-877-548-2194

 **Kent County Branch**
405 Park Avenue East
Chatham, ON N7M 3W4
519-354-1713
www.daccess.com/~osPCA

- Kingston Humane Society**
1 Binnington Court
Kingston, ON K7M 8M9
613-546-1291
www.kingstonhumanesociety.ca
- Kitchener-Waterloo Humane Society**
250 Riverbend Drive
Kitchener, ON N2B 2E9
519-745-5615
www.kwhumane.com
- Lanark Animal Welfare Society**
P.O. Box 156
Smiths Falls, ON K7A 4T1
613-283-9308
www.lanarkanimals.ca
- Leeds & Grenville Branch**
800 Centennial Road, RR 4
Brockville, Ontario K6V 5T4
613-345-5520
www.ripnet.com/sites/spca
- Lennox & Addington Branch**
156 Richmond Boulevard East
Greater Napanee, ON K7R 3Z7
613-354-2492
www.geocities.com/napaneeanimalshelter
- Lincoln County Humane Society**
160 Fourth Avenue, RR 3
St. Catharines, ON L2R 6P9
905-682-0767
www.lchs.ca
- London Humane Society**
624 Clarke Road
London, ON N5V 3K5
519-451-0630
www.londonhumanesociety.ca
- Midland & District Branch**
15979 Highway 12 East, RR 1
Port McNicoll, ON L0K 1R0
705-534-4459
www.midland.ontariospca.ca
- Muskoka Branch**
4 Ferrier Road, P.O. Box 2804
Bracebridge, ON P1L 1W5
705-645-6225
www.muskoka.ontariospca.ca
- Niagara Falls Humane Society**
6025 Chippawa Parkway
Niagara Falls, ON L2E 6X8
905-356-4404
www.niagarafallshumanesociety.com
- North Bay & District Humane Society**
2060 Main Street West, P.O. Box 1383
North Bay, ON P1B 8K5
705-474-1251
www.northbayhumanesociety.ca
- Northumberland Humane Society**
371 Ward Street
Port Hope, ON L1A 4A4
905-885-4131
www.northumberlandhumanesociety.com
- Oakville & District Humane Society**
445 Cornwall Road
Oakville, ON L6J 7S8
905-845-1551
www.oakvillehumane.ca
- Orangeville & District Branch**
650 Riddell Road
Orangeville, ON L9W 5G5
519-942-3140
www.orangevillespca.ca
- Orillia Branch**
467 West Street North
Orillia, ON L3V 5G1
705-325-1304
www.orillia.ontariospca.ca
- Ottawa Humane Society**
101 Champagne Avenue
Ottawa, ON K1S 4P3
613-725-3166
www.ottawahumane.ca
- Oxford County Branch**
485023 Sweaburg Road, RR 1
Woodstock, ON N4S 7V6
519-456-5988
www.oxfordspca.on.ca
- Parry Sound Branch**
www.parrysound.ontariospca.ca
- Perth County Branch**
345 Douro Street
Stratford, ON N5A 3S8
519-273-6600
www.ospcaperth.com
- Peterborough Humane Society**
385 Lansdowne Street East
Peterborough, ON K9L 2A3
705-745-4722
www.peterboroughhumanesociety.ca
- Quinte Humane Society**
527 Avonlough Road
Belleville, ON K8N 4Z2
613-968-4673
www.quintehumanesociety.com
- Renfrew County Branch**
387 Paquette Road, P.O. Box 322
Petawawa, ON K8H 3J1
613-588-4508
www.webhart.net/ospca
- Sarnia & District SPCA**
131 Exmouth Street
Sarnia, ON N7T 7W8
519-344-7064
www.sarniahumanesociety.com
- Sault Ste. Marie Humane Society**
962 Second Line East
Sault Ste. Marie, ON P6B 4K4
705-949-3573
<http://hosting.soonet.ca/humanesociety>
- Scarborough/North York Branch**
P.O. Box 143
Toronto, ON M3A 2J8
1-888-668-7722 ext. 328 (non emergencies)
www.geocities.com/ospcagta
- Simcoe & District Humane Society**
24 Grigg Drive, P.O. Box 193
Simcoe, ON N3Y 4L1
519-428-9161
www.s-dhs.ca
- Stormont, Dundas and Glengarry Branch**
550 Boundary Road, P.O. Box 52
Cornwall, ON K6H 5R5
613-936-0072
www.ospcacornwall.ca
- Sudbury & District Branch**
760 Notre Dame Avenue
Sudbury, ON P3A 2T4
705-566-9582
www.sudbury.ontariospca.ca
- Temiskaming Branch**
P.O. Box 2474
New Liskeard, ON P0J 1P0
705-647-5288
www.temiskaming.ontariospca.ca
- Thunder Bay & District Humane Society**
1535 Rosslyn Road
Thunder Bay, ON P7E 6W2
807-475-8803
www.tbayhumane.ca
- Timmins & District Humane Society**
620 Mahoney Drive
Timmins, ON P4N 7C3
705-264-1816
www.timminshumanesociety.ca
- Toronto Humane Society**
11 River Street
Toronto, ON M5A 4C2
416-392-2273
www.torontohumanesociety.com
- Upper Credit Humane Society**
5383 Wellington Road #24
Erin, ON N0B 1T0
519-833-2287
www.uppercredit.com
- Victoria County Humane Society**
111 McLaughlin Road
Lindsay, ON K9V 6K5
705-878-4618
www.petfinder.com/shelters/victoriacountyhs.html
- Welland & District Humane Society**
60 Provincial Street
Welland, ON L3B 5W7
905-735-1552
www.wellandhumanesociety.org
- Windsor/Essex County Humane Society**
1375 Provincial Road
Windsor, ON N8W 5V8
519-966-5751
www.windsorhumane.org
- York Region Branch**
16586 Woodbine Avenue, RR 3
Newmarket, ON L3Y 4W1
905-898-7122 ext. 306
www.yorkregionospca.com
- Marion Vernon Memorial Animal Clinic**
91A Patterson Road
Barrie, ON L4N 3V9
705-734-9883
ospcavet@ospca.on.ca
- Ontario SPCA Provincial Office**
16586 Woodbine Avenue, RR 3
Newmarket, ON L3Y 4W1
1-888-668-7722
www.ontariospca.ca
- Wildlife Rehabilitation Centre**
15979 Highway 12 East, RR 1
Port McNicoll, ON L0K 1R0
705-534-4350
www.ontariospca.ca/4-wildlife-rehab.shtml

ONTARIO SPCA Report to Communities



Some of the landmark successes we've achieved over the past year include:

- Ushering in the toughest animal protection laws in the country. > page 24
- Opening the first high-volume spay/neuter facility of its kind in Ontario. > page 11
- Stewarding a \$5 million capital grant from the Ontario government. > page 26

The past year was a time of momentous achievement for the Ontario SPCA. Since beginning our three-year strategic plan in 2008, we've been steadily "Building a Legacy of Success" that is transforming animal welfare in Ontario. The enthusiasm our achievements inspire arises from the possibilities it presents for all of us to make greater gains on behalf of animals.

Recently, the Ontario SPCA and its Communities formed a renewed commitment to working together and sharing resources to create one voice for animal welfare in Ontario. With the leadership and support of the Honourable Rick Bartolucci, Minister of Community Safety and Correctional Services and his staff, the Ontario SPCA has benefited from the largest single grant in the organization's history; \$5 million provided for improved infrastructure, technology and service to the North. Again, a first in the organization, we distributed the funds across the province through an allocation process that welcomed funding applications from both our Branches and Affiliates. With the leadership of our Ministry and many collegial agencies, Bill 50, the first comprehensive changes to the Ontario SPCA Act since 1919, was introduced in April 2008 and, just one year later in March 2009, the revised Ontario SPCA Act was proclaimed as law.

Integral to our success is the Ontario SPCA family of Communities that together provide protection and care to tens of thousands of animals each year. The fall of 2008 brought the first provincial animal welfare conference in many years. It was well received and an exceptional opportunity to connect! Working together, Ontario SPCA Communities have established a number of innovations and service models now actively being shared across the province, including a high-volume spay/neuter service in our York Region Branch, the development of the province-wide rollout of the Meet Your Match™ adoption program lead by our Affiliate, the Hamilton/Burlington SPCA, the development of an animal transfer system from our Affiliate the Timmins & District Humane Society, and a number of Community capital campaigns, including the Windsor/Essex County Humane Society, Humane Society of Kawartha Lakes, and Ottawa Humane Society to name just a few. To date our journey has been a dynamic and rewarding challenge.

Join our lifesaving efforts, and help make 2009 another year of extraordinary progress for our animal friends!

Jim Sykes
Chair, Board of Directors

Kate MacDonald
Chief Executive Officer

OUR MISSION

The Ontario SPCA's mission is to facilitate and provide for province-wide leadership on matters relating to the prevention of cruelty to animals and the promotion of animal welfare.

OUR VISION

The Ontario SPCA is seen as the recognized authority on animal welfare issues and making a measurable difference for animals. The Ontario SPCA is an integral part of each community, promoting mutually beneficial human-animal interactions, and is viewed as a desirable organization for volunteerism and support.

The Society is working to:

- Bring an end to pet overpopulation and the abuse, neglect and abandonment of animals.
- Promote respect and appreciation for animals.

OUR GOAL

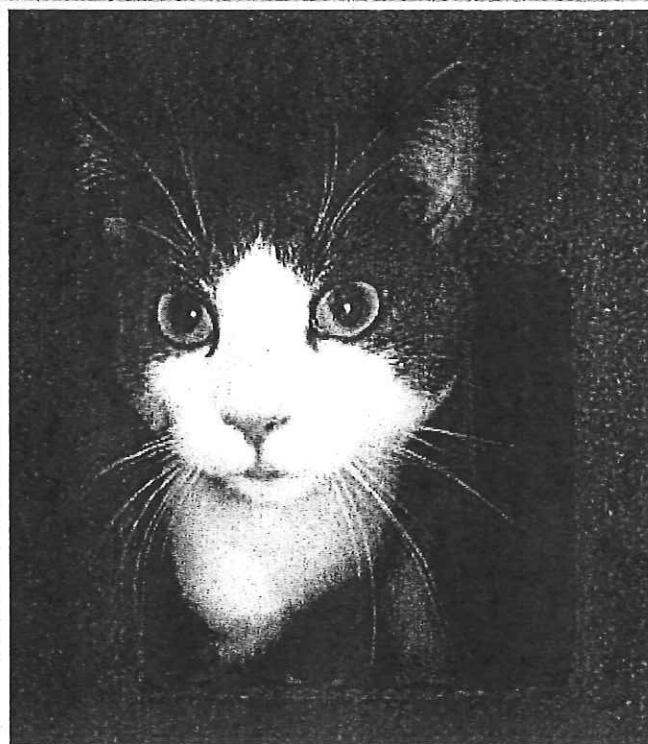
The Society's goal is to be a strong, unified and collaborative organization dedicated to the cultivation of a compassionate Ontario for all animals.

Animal care attendant Heather plays with some of the 15 kittens and cats abandoned at the doorstep of the Ontario SPCA York Region Branch adoption centre in August 2008.

Pet overpopulation, particularly for cats, makes this a sad and frequent occurrence at Community SPCAs and Humane Societies across Ontario.

FixYourPet.ca. It's the kindest thing you can do!
Turn to page 11 to learn more.

"Survivor"



REMY'S new owner believes their meeting was destiny.

It was a fellow Home Hardware employee that discovered Remy caught under his truck and brought him to the Gananoque Humane Society. It is suspected that Remy was injured, perhaps hit by a car, and sought refuge in the undercarriage of the vehicle.

The community donated to help with Remy's surgery, and today he is a frisky three-legged kitty who loves exploring and being with mom.

"Deserving of love"



Photo: Stouffville Sun-Tribune, Bill Roberts

Increased investigations training follows landmark legislative year

Canada and Ontario have made landmark legislative changes in the past year. In April 2008, the Criminal Code of Canada was updated to make animal cruelty a more serious offence with much stronger penalties, and on March 1, 2009 the revised Ontario SPCA Act was proclaimed, putting into force Canada's toughest animal protection laws. Alongside these greater powers to protect animals comes greater responsibility.

2008: A Year in Numbers

Complaints investigated: 14,850

Orders issued: 2,561

Warrants executed: 191

Criminal Code and Provincial charges laid: 135

Animals taken in as a result of investigations: 7,646

To ensure Ontario SPCA investigators enforce the new legislation responsibly and effectively, the Ontario SPCA created a 2009 supplemental training manual, *Respect for People and Property*. The manual provides a clause-by-clause description and explanation of the changes in each section of the revised Ontario SPCA Act. Training sessions conducted by our Senior Inspectors provided additional instruction, and reinforced our guiding principle, "Education before enforcement." Investigator training has also doubled in 2009 from two to four weeks - including a full week of livestock training - to provide greater continuing education opportunities for all field officers.

Education remains the greatest part of our role as investigators, and it is always the first course of action at the onset of an investigation prior to taking legal steps. Successful Ontario SPCA efforts to gain voluntary compliance - including offering information, support and a helping hand -

resulted in under 150 Criminal Code and provincial charges being laid in 2008, despite more than 14,000 animal cruelty complaints reported.

The Ontario SPCA will continue to be a leader in future amendments to animal welfare legislation to ensure that ongoing positive changes occur, and that our network of Community SPCAs and Humane Societies continue to speak as one strong and united voice for animal welfare across the province.



The revised Ontario SPCA Act:

- Establishes new provincial offences against animal cruelty.
- Gives judges greater flexibility to impose stiffer penalties, including jail time, fines up to \$60,000 and a potential lifetime ban on owning an animal.
- Provides for inspection powers.
- Expands the standards of care to be applicable to all animals.
- Requires veterinarians to report suspected animal abuse.
- Makes it an offence to train animals to fight other animals.
- Makes it an offence to harm a law enforcement animal.

Animal welfare and animal rights – what's the difference?

Since 1873, the Ontario SPCA has provided humane leadership in animal care, protection, and education. Through our network of Community adoption centres, animal cruelty investigators, and innovative programs, we serve and protect animals by providing quality animal care, a safe haven and a second chance – with the ultimate goal of ending pet overpopulation, cruelty and neglect.

"Animal welfare," as defined by the Canadian Veterinary Medical Association, is a human responsibility that encompasses all aspects of animal wellbeing, including proper housing, management, nutrition, disease prevention, responsible care, humane handling, and, where necessary, humane euthanasia. As an animal welfare organization, we believe that humans can interact with animals in entertainment, industry, sport and recreation, but that the interaction should include provisions for the proper care and humane management of all animals involved. We use scientific and legal arguments to promote and advocate for the protection of animals from cruelty.

"Animal rights" is a philosophical view that seeks to end the exploitation of animals and animal use industries, including the slaughter of animals for consumption, animal research and animals used in entertainment. Animal rights groups typically avoid working with organizations involved in these practices, and may employ confrontational methods to promote change.

We work cooperatively and collaboratively with pet owners, farmers, landowners, producers, veterinarians, and breeders on issues that affect animals, and we actively work with municipal and provincial governments to ensure animals are provided with every possible protection under the law.



2008: A Year in Numbers

Cats adopted: 5,079

Dogs adopted: 2,295

Other animals adopted: 982

Wildlife admitted: 1,074

Note: Includes Ontario SPCA Branches only.



The Ontario SPCA is proud of being Ontario's largest animal welfare organization, and one of the most responsive animal welfare organizations in Canada. Partnerships, based on professionalism, openness and understanding foster a spirit of goodwill and trust that helps us achieve changes that may otherwise not be possible.

COMMUNITY WISH LISTS COME TRUE

Ontario SPCA Building a Legacy of Success

A multitude of wishes are being granted at SPCA Communities throughout 2009 thanks to a \$5 million Infrastructure Renewal Grant awarded by the Ontario Ministry of Community Safety and Correctional Services.

Derived from surplus funds in 2007, the one-time capital grant is resulting in improved animal care standards, enhanced service delivery in our Northern communities, better health and safety of staff and volunteers, and a more proactive approach to help solve pet overpopulation in Ontario. Many of the projects are capital improvements, creating local job opportunities.

Here are some of the amazing wishes coming true!

EMERGENCY PREPAREDNESS TRAILER

Northern Ontario Communities >

An emergency response trailer fully outfitted for investigations activities in remote areas to enable a quick response to disasters and emergency relief efforts.

BETTER CARE & COMMUNICATIONS

Thunder Bay & District Humane Society >

Adoption centre upgrades, additional training and added staff to provide better in-shelter animal care, and an adoption database to network adoptable northwestern animals.

SECOND CHANCE DOG TRANSFER PROGRAM

Timmins & District Humane Society >

Purchase of a vehicle, and funding to employ staff to run a dog transfer program to move dogs from Northern Ontario to the south to increase adoptions and save more lives.

STRENGTHENED ANIMAL PROTECTION

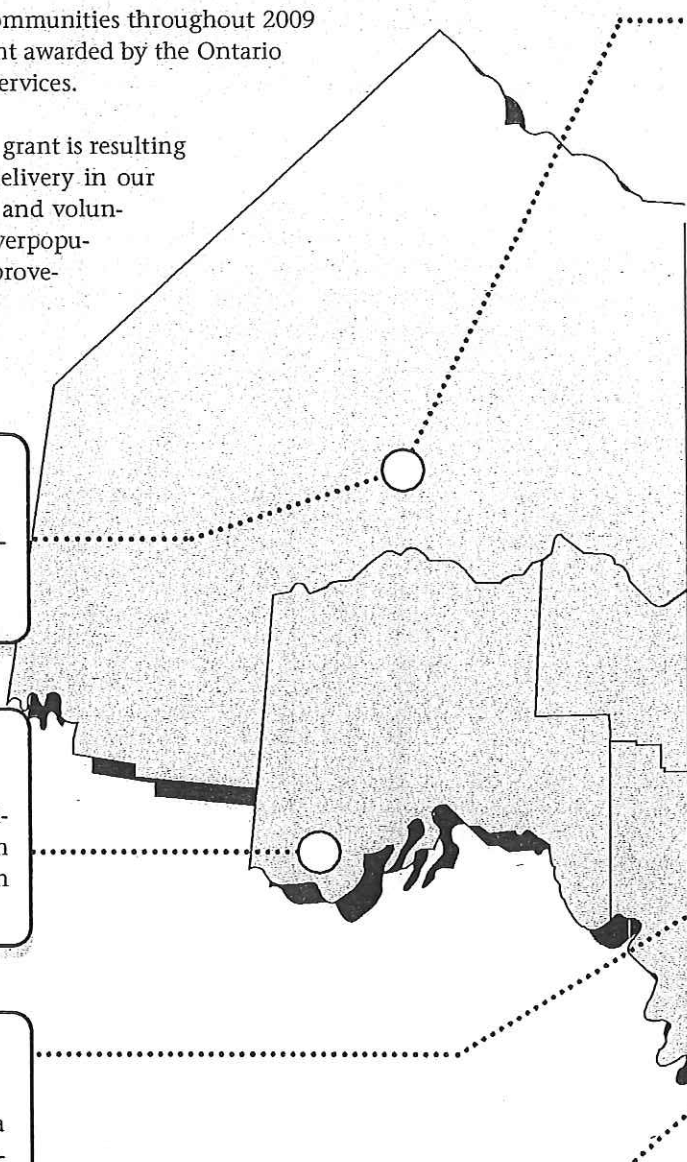
Sault Ste. Marie Humane Society >

Additional investigations staff, plus the purchase of a new vehicle and personal safety equipment to build and strengthen investigations activities and resources in the area.

HELP END THE HEARTACHE SHELTER EXPANSION

Windsor/Essex County Humane Society >

Expansion of the existing shelter by more than 40 percent to accommodate the large population of cats in the community that are in need of shelter and a home.



INVESTIGATOR SAFETY SUPPORT

Northern Ontario Communities >

New vehicles to replace aging trucks and the distribution of satellite phones to improve service delivery in remote areas and ensure officer safety.

ADOPTION CENTRE SIZE DOUBLES

Humane Society of Kawartha Lakes >

Adoption centre doubling in size to increase the number of animals cared for, and to relieve some of the pressure caused from stray cat overpopulation in the area.

IMPROVED CARE & SERVICES

Sudbury & District Branch >

Repairs and upgrades to the adoption centre, a new investigations vehicle, and new staff to teach a humane education program and increase community outreach efforts.

NEW FACILITY AND ADDITION OF DOGS

Gananoque & District Humane Society >

Purchase of a new facility to allow the Society to expand its services, increase intake capacity to accommodate dogs, and create a healthier environment for cats, staff volunteers, and visitors.

BREAKING GROUND TO BUILD A NEW HOME

Ottawa Humane Society >

Purchase of land to assist the Humane Society in relocating to a new, more modern home. In addition to the provincial government's grant, Transport, Infrastructure and Communities Minister John Baird announced the federal government's pledge to provide \$1.8 million to assist with construction.

HIGH-VOLUME SPAY/NEUTER SERVICES

Ontario SPCA Centre Veterinary Hospital Spay/Neuter Services >

Renovations to create a high-volume spay/neuter facility to service the public, animal rescue groups, SPCA Communities and municipal animal services departments.



"The Ontario SPCA's spay/neuter public education campaign will help heighten public awareness of the need to act responsibly when it comes to caring for our pets," says Community Safety and Correctional Services Minister Rick Bartolucci. "We must do what we can to reduce the number of unwanted pets that end up fending for themselves, becoming ill, injured or dying on Ontario's streets."

Ontario SPCA and Ontario government learn from Hurricane Katrina

Heartbreaking and lifesaving lessons were learned during Hurricane Katrina. Lack of coordination, resources, trained responders, and an emergency evacuation plan involving animals led to thousands of owners being forced to abandon their pets or remain behind to face rising floodwaters.

In the storm's aftermath, government officials, animal welfare organizations and emergency groups in Ontario and across North America recognized the traumatic outcome and began the comprehensive process of putting disaster plans into place to protect both people and pets.

LIFESAVING COLLABORATION FORMED

In 2006 the Ontario SPCA contributed to an amendment to the Emergency Management and Civil Protection Act, which allows governments to issue an evacuation order that may include animals.

Since then, the Ontario SPCA has become an integral member of the Provincial Animal Working Group on Animals in an Emergency (PAW). Ontario SPCA Emergency Response Liaison, Senior Inspector Connie Mallory, and Eastern Regional Manager Tanya Firmage, work closely with Emergency Management Ontario (EMO), the Ministry of Community Safety and Correctional Services (MCSCS), and other provincial ministries and non-government organizations to develop a coordinated approach to protect animals during a disaster.

THE ONTARIO SPCA'S LEADERSHIP ROLE

When disaster strikes, the Ontario SPCA is the first point of contact for EMO, and the provincial government's official liaison to assist municipalities requiring a needs assessment involving animals. In addition to providing field support and coordination for animal-related emergency information and issues, the Ontario SPCA:

- Works with municipalities on planning, needs identification, resources and local issues,
- Ensures animal-related considerations are a part of strategic planning at the provincial level,
- Raises awareness of emergency preparedness among animal owners and animal care providers, and
- Coordinates and activates evacuations and emergency response teams in the event of a disaster.

PAW VOLUNTEERS ON STANDBY

The development of skilled volunteer emergency response teams is critical to the province's emergency management plan. To date, more than 200 animal related professionals, including veterinarians and veterinary technicians, plus Ontario Public Service staff and Municipal Law Enforcement Officers, have signed up to be emergency responders. During the next stage of volunteer recruitment, PAW will be seeking community members to be trained in emergency response planning, logistics, sheltering, operations and rescue.



Senior Inspector Connie Mallory with her adopted dog Annie.

CONNIE MALLORY

Ontario SPCA Emergency Response Liaison

Q: WHAT MAKES YOU PASSIONATE ABOUT EMERGENCY RESPONSE?

After viewing video after video of Katrina victims, it was clear that animals are affected in disasters as well as human beings. Left to fend for themselves,

so many stranded animals suffered. For survivors, concern over animals left behind added to their trauma. It deeply touched my heart. I work to ensure animals are included in provincial, municipal and individual emergency preparedness plans to prevent a similar tragedy.

Q: IN WHAT CIRCUMSTANCES DOES THE ONTARIO SPCA INITIATE AN EMERGENCY RESPONSE?

The evacuation of animals from puppy mills and animal hoarding situations frequently requires an emergency response. We also become involved when people and their animals need to be evacuated from life-threatening situations.

Q: WHEN HAS THE ONTARIO SPCA ACTIVATED AN EMERGENCY EVACUATION?

A prime example occurred on April 25, 2006 when the Ontario SPCA deployed staff to the First Nations Community of Kashechewan to rescue over 100 animals left behind after floodwaters forced the emergency evacuation of the community's residents. This successful mission involved the Ontario SPCA, Indian and Northern Affairs Canada, and the Ministry of Natural Resources among other groups.

The Ontario SPCA also came to the community's rescue one year earlier to bring desperately needed food to more than 80 hungry dogs and puppies left behind after a contaminated water crisis forced the evacuation of the community's residents.

Q: WHERE CAN I LEARN MORE ABOUT PLANNING AHEAD TO PROTECT MY FAMILY AND PETS?

Visit www.emergencymanagementontario.ca or www.ontariospca.ca.



A Kashechewan dog says thanks to Ontario SPCA staff.



Kashechewan dog Dolly gives her rescuers a smile.

ARE YOU PREPARED TO PROTECT YOUR PET?

There are currently no legislated provisions providing for the shelter of evacuated animals. This is something we would like to see changed in the future, but for now it means that extra preparedness is essential to determine how you will travel and house your pets in the first 72 hours of an emergency. Your 72-hour pet kit should include:

- ✓ Copies of veterinary records, license and proof of ownership
- ✓ Emergency contact list
- ✓ Familiar items to make pets feel comfortable
- ✓ First aid kit, muzzle and flashlight
- ✓ Instructions for diet or medications
- ✓ Medications
- ✓ Leash and collar or harness for each animal
- ✓ Litter, litter pan, litter scoop and plastic bags
- ✓ Food, necessary dietary supplements, water and no-spill food and water dishes
- ✓ Spoon and manual can opener (for canned food)
- ✓ Up-to-date ID tag with your phone number and the name/phone number of your veterinarian
- ✓ Collapsible crate and extra bedding material
- ✓ Appropriate exercise equipment for your ferret, hamster, gerbil, guinea pig etc.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

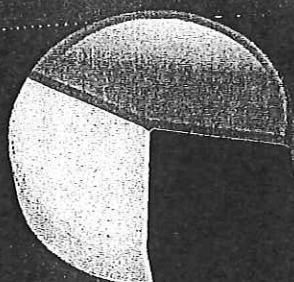
BALANCE SHEET AS OF DECEMBER 31, 2008

	2008	2007
Assets		
Current		
Cash	\$ 977,640	\$ 996,702
Short-term investments	6,561,964	2,952,180
Accounts receivables	400,431	810,158
Inventory	18,738	19,462
Prepaid expenses	51,308	38,083
	8,010,081	4,816,585
Marketable Securities	4,631,109	4,465,215
Capital assets	10,706,196	9,793,903
	\$ 23,347,386	\$ 19,075,703
Liabilities		
Current		
Accounts payable and accrued liabilities	\$ 2,412,309	\$ 1,640,174
Bank loan	1,038,719	1,182,872
Deferred revenue	2,806,093	150,333
	\$ 6,257,121	\$ 2,973,379
Net assets		
Invested in capital assets	\$ 9,667,477	\$ 8,611,031
Externally restricted	631,702	1,370,923
Unrestricted	6,791,086	6,120,370
	17,090,265	16,102,324
	\$ 23,347,386	\$ 19,075,703

For a complete set of audited financial statements, call 905-898-7122 or 1-888-668-7722.

HOW YOU SUPPORT US - DONATIONS AND FUNDRAISING \$10,391,429

<input type="checkbox"/> Donations	45%
<input type="checkbox"/> Branch donations	22%
<input type="checkbox"/> Legacies	33%



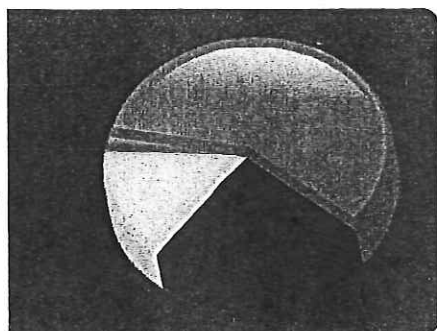
HOW YOU SUPPORT US \$17,771,725

<input type="checkbox"/> Donations and legacies	58%
<input type="checkbox"/> Animal care revenue	24%
<input type="checkbox"/> Government grants	16%
<input type="checkbox"/> Other grants and revenue	2%

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

STATEMENT OF REVENUES AND EXPENSES AND CHANGES IN FUND BALANCES YEAR ENDING DECEMBER 31, 2008

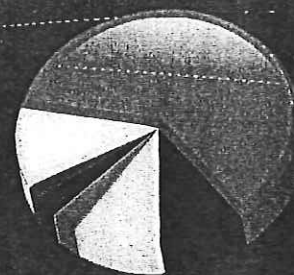
	2008	2007
Revenues		
Donations and fundraising	\$ 6,959,152	\$ 6,389,417
Provincial grants	627,493	567,816
Provincial grant-capital	2,245,810	-
Shelter and veterinary	2,165,194	2,032,182
Municipal contract fees	2,047,860	1,639,557
Other	293,939	231,199
Interest and investment (loss) gain	(539,253)	264,403
	\$ 13,800,195	\$ 11,124,574
Expenses		
Animal care and protection	\$ 9,886,185	\$ 9,461,542
Fundraising	1,668,737	1,916,767
General management and administration	1,665,999	1,584,934
Communication and education services	513,378	322,375
Amortization	404,742	327,475
Interest and bank charges	254,379	183,851
	\$ 14,393,420	\$ 13,796,944
Distributions		
Grants to Ontario SPCA Affiliates	1,851,111	-
Excess (deficiency) of revenues over expenses and distributions before legacies	(2,444,336)	(2,672,370)
Legacies	3,432,277	2,636,659
Excess (deficiency) of revenues over expenses and distributions for the year	\$ 987,941	\$ (35,711)
Fund balance, beginning of year	16,102,324	15,563,251
Adjustment for change in accounting policy	-	574,784
Fund balance, end of year	\$ 17,090,265	\$ 16,102,324



YOUR DOLLARS AT WORK

\$16,244,531

Animal care and protection	61%
Fundraising	10%
General management and administration	10%
Public awareness and humane education	3%
Amortization	3%
Interest and bank charges	2%
Distributions to affiliate organizations	11%



ONTARIO SPCA Community Directory

OUR LIFESAVING TEAM

The Ontario SPCA needs your help to continue our efforts to protect and care for abused, neglected and orphaned animals in Ontario. Thanks to people like you who are committed to making this world a better place, we make a significant difference in the lives of both animals and people. We extend our deepest gratitude to our donors, volunteers, staff and friends for their lifesaving support!

LEADING OUR LIFESAVING TEAM

ONTARIO SPCA BOARD OF DIRECTORS

Brad Algar
Wanda Bailey
Jean Belfour
Johanne Golder

Arthur King
Catherine MacNeill
Ward McAlister
Linda Morgan

Bruce Roney
John Roushorne
Kevin Strooband
Jim Sykes

KEEP CONNECTED TO OUR COMMUNITIES



SIGN UP! Visit www.ontariospca.ca and click on our "sign up" button in the upper left corner to sniff out great Ontario SPCA Community news, activities, adoptable animals, and tips and tricks in our quarterly free e-newsletter. All stories are purr and wag worthy!

LEADING OUR COMMUNITY EFFORTS



BRANCH



AFFILIATE

 **Alliston & District Humane Society**
P.O. Box 378
Beeton, ON L0G 1A0
705-458-9038
www.allistonhumane.com

 **Arnprior & District Humane Society**
490 Didak Drive
Arnprior, ON K7S 0C3
613-623-0916
www.arnpriorhumanesociety.ca


 **Barrie Branch**
91 Patterson Road
Barrie, ON L4N 3V9
705-728-7311
www.barrie.ontariospca.ca

 **Brant County**
539 Mohawk Street, P.O. Box 163
Brantford, ON N3T 5M8
519-756-6620
www.brantfordspca.com

 **Bruce-Grey Branch***
427 10th Street, Suite 8
Hanover, ON N4N 1P8
519-364-0400
www.brucegrey.ontariospca.ca

 **Cambridge & District Humane Society**
1650 Dunbar Road
Cambridge, ON N1R 8J5
519-623-7722
www.spcacambridgeweb.net

 **Humane Society of Durham Region**
79 Taunton Road West, Unit 1
Oshawa, ON L1G 7B4 (temporary location)
905-433-2022
www.humanedurham.com

 **Etobicoke Humane Society**
1500 Royal York Road, Suite B, 2nd Floor
Etobicoke, ON M9P 3B6
416-249-6100
www.etobicokehumanesociety.com

 **Fort Erie SPCA**
410 Jarvis Street
Fort Erie, ON L2A 2T1
905-871-2461
www.forteriespca.org

 **Gananoque & District Humane Society**
85 Highway 32, RR 1
Gananoque, ON K7G 2V3
613-382-1512
www.ganhumanesociety.ca

 **Guelph Humane Society**
500 Wellington Street West
P.O. Box 684
Guelph, ON N1H 6L3
519-824-3091
www.guelph-humane.on.ca

 **Hamilton/Burlington SPCA**
245 Dartnall Road
Hamilton, ON L8W 3V9
905-574-7722
www.hbspca.com

 **Huron County Branch**
48 East Street
Goderich, ON N7A 1N3
519-440-0250
www.huroncounty.ontariospca.ca

 **Humane Society of Kawartha Lakes**
111 McLaughlin Road
Lindsay, ON K9V 6K5
705-878-4618
www.hskl.ca

 **Kenora/Dryden Branch***
P.O. Box 1148
Kenora, ON P0X 1C0
807-548-2194
www.kenoradryden.ontariospca.ca

- Kent Branch**
405 Park Avenue East
Chatham, ON N7M 3W4
519-354-1713
www.kent.ontariospca.ca
- Kingston Humane Society**
1 Binnington Court
Kingston, ON K7M 8M9
613-546-1291
www.kingstonhumanesociety.ca
- Kitchener-Waterloo Humane Society**
250 Riverbend Drive
Kitchener, ON N2B 2E9
519-745-5615
www.kwhumane.com
- Lanark Animal Welfare Society**
P.O. Box 156
Smiths Falls, ON K7A 4T1
613-283-9308
www.lanarkanimals.ca
- Leeds & Grenville Branch**
800 Centennial Road, RR 4
Brockville, Ontario K6V 5T4
613-345-5520
www.leedsgrenville.ontariospca.ca
- Lennox & Addington Branch**
156 Richmond Boulevard East
Greater Napanee, ON K7R 3Z7
613-354-2492
www.lennoxaddington.ontariospca.ca
- Lincoln County Humane Society**
160 Fourth Avenue
St. Catharines, ON L2R 6P9
905-682-0767
www.lchs.ca
- London Humane Society**
624 Clarke Road
London, ON N5V 3K5
519-451-0630
www.londonhumanesociety.ca
- Midland & District Branch**
15979 Highway 12 East, RR 1
Port McNicoll, ON L0K 1R0
705-534-4459
www.midland.ontariospca.ca
- Muskoka Branch**
4 Ferrier Road, P.O. Box 2804
Bracebridge, ON P1L 1W5
705-645-6225
www.muskoka.ontariospca.ca
- Niagara Falls Humane Society**
6025 Chippawa Parkway
Niagara Falls, ON L2E 6X8
905-356-4404
www.nfhs.ca
- North Bay & District Humane Society**
2060 Main Street West, P.O. Box 1383
North Bay, ON P1B 8K5
705-474-1251
www.northbayhumanesociety.ca
- Northumberland Humane Society**
371 Ward Street
Port Hope, ON L1A 4A4
905-885-4131
www.northumberlandhumanesociety.com
- Oakville & District Humane Society**
445 Cornwall Road
Oakville, ON L6J 7S8
905-845-1551
www.oakvillehumane.ca
- Orangeville & District Branch**
650 Riddell Road
Orangeville, ON L9W 5G5
519-942-3140
www.orangeville.ontariospca.ca
- Orillia Branch**
467 West Street North
Orillia, ON L3V 5G1
705-325-1304
www.orillia.ontariospca.ca
- Ottawa Humane Society**
101 Champagne Avenue
Ottawa, ON K1S 4P3
613-725-3166
www.ottawahumane.ca
- Oxford/Elgin County Branch***
toll free: 1-888-668-7722 ext. 313
www.oxfordelgin.ontariospca.ca
- Parry Sound Branch***
705-645-6225
www.parrysound.ontariospca.ca
- Perth County Branch**
345 Dourso Street
Stratford, ON N5A 3S8
519-273-6600
www.perthcounty.ontariospca.ca
- Peterborough Humane Society**
385 Lansdowne Street East
Peterborough, ON K9L 2A3
705-745-4722
www.peterboroughhumanesociety.ca
- Quinte Humane Society**
527 Avonlough Road
Belleville, ON K8N 4Z2
613-968-4673
www.quintehumanesociety.com
- Renfrew County Branch**
387 Paquette Road, P.O. Box 322
Petawawa, ON K8H 3J1
613-588-4508
www.renfrewcounty.ontariospca.ca
- Sarnia & District SPCA**
131 Exmouth Street
Sarnia, ON N7T 7W8
519-344-7064
www.sarniahumanesociety.com
- Sault Ste. Marie Humane Society**
962 Second Line East
Sault Ste. Marie, ON P6B 4K4
705-949-3573
<http://hosting.soonet.ca/humanesociety>
- Scarborough/North York Branch***
toll free: 1-888-668-7722 ext. 327
www.sny.ontariospca.ca
- Simcoe and District Humane Society**
24 Grigg Drive, P.O. Box 193
Simcoe, ON N3Y 4L1
519-428-9161
www.s-dhs.ca
- Stormont, Dundas and Glengarry Branch**
550 Boundary Road, P.O. Box 52
Cornwall, ON K6H 5R5
613-936-0072
www.sdg.ontariospca.ca
- Sudbury & District Branch**
760 Notre Dame Avenue
Sudbury, ON P3A 2T4
705-566-9582
www.sudbury.ontariospca.ca
- Temiskaming Branch***
P.O. Box 2474
New Liskeard, ON P0J 1P0
705-647-5288
www.temiskaming.ontariospca.ca
- Thunder Bay & District Humane Society**
1535 Rosslyn Road
Thunder Bay, ON P7E 6W2
807-475-8803
www.tbayhumane.ca
- Timmins & District Humane Society**
620 Mahoney Drive
Timmins, ON P4N 7C3
705-264-1816
www.timminshumanesociety.ca
- Toronto Humane Society**
11 River Street
Toronto, ON M5A 4C2
416-392-2273
www.torontohumanesociety.com
- Upper Credit Humane Society**
5383 Wellington Road #24, RR 2
Erin, ON N0B 1T0
519-833-2287
www.uppercredit.com
- Welland & District Humane Society**
60 Provincial Street
Welland, ON L3B 5W7
905-735-1552
www.wellandhumanesociety.org
- Windsor/Essex County Humane Society**
1375 Provincial Road
Windsor, ON N8W 5V8
519-966-5751
www.windsorhumane.org
- York Region Branch**
16586 Woodbine Avenue, RR 3
Newmarket, ON L3Y 4W1
905-898-7122 ext. 306
www.yorkregion.ontariospca.ca
- Marion Vernon Memorial Animal Clinic**
91A Patterson Road
Barrie, ON L4N 3V9
705-734-9883
www.ontariospca.ca/8-memorial.shtml
- Ontario SPCA Centre Veterinary Hospital
Spay/Neuter Services**
16586 Woodbine Avenue, RR 3
Newmarket, ON L3Y 4W1
905-898-6112
toll free: 1-888-668-7722 ext. 384
www.spayneuter.ontariospca.ca
- Ontario SPCA Provincial Office**
16586 Woodbine Avenue, RR 3
Newmarket, ON L3Y 4W1
toll free: 1-888-668-7722
www.ontariospca.ca
- Wildlife Rehabilitation Centre**
15979 Highway 12 East, RR 1
Port McNicoll, ON L0K 1R0
705-534-4350
toll free: 1-888-668-7722 ext. 386
www.wildlifecentre.ontariospca.ca

* Branches that provide
investigations services only.

OUR MISSION

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- Bring an end to pet overpopulation and the abuse, neglect and abandonment of animals.
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**ONTARIO
SPCA**
PROTECTING ANIMALS SINCE 1873

WILDLIFE

~ Whispers ~

Spring has sprung at the OSPCA Wildlife Centre and we are so excited about what this new year has in store for us. Thanks to the Ontario Ministry of Community Safety and Correctional Services Infrastructure Grant we received, our facilities underwent some renovations in 2009 including resurfacing of the floors, a ventilation system upgrade, a plumbing upgrade and the entire interior of the centre was repainted. The facility looks better than ever and we are scheduled to re-open in May 2010.

In 2009 we admitted 568 animals and are excited to report that the river otters were released on the long weekend in May of last year. It was quite a journey from intake to release but it was definitely worth it; after a year in captivity they were more than happy to go.

Most of the wildlife admissions in 2009 were because of some type of human impact.

Most of the wildlife admissions in 2009 were because of some type of human impact. The most common were: cat and dog attacks, window strikes, hit by vehicles, fishing tackle and nest/den sites destroyed. In 2010 we plan to continue to educate the public on how to live with wildlife so that we can reduce intake in our facilities and help keep wildlife in the wild where they belong.

CENTRE TIDBITS

We're on Facebook! Search for us as the "Ontario SPCA Wildlife Rehabilitation Centre". Become a fan and invite your friends to join our page as well.

We are excited to be part of an Ontario Ministry of Natural Resources (OMNR) multistakeholder team to promote Human Wildlife Conflict Prevention. We now have a province-wide toll-free number for our telephone hotline 1-888-ONT-SPCA, ext 386. Call us for your wildlife emergencies or for information about wildlife in your area.



Photo: Joe Springall

DID YOU KNOW?

- Southern Flying Squirrels can glide at speeds of up to 360 feet per minute
- Most birds that are attacked by cats do NOT survive despite medical treatment
- Bear cubs are born in January while Mom is still in hibernation
- It can take up to two years for a porcupine to re-grow their quills

LEARN MORE: Many situations that look like abandonment are in fact part of the animal's natural parental care routine. Contact the Ontario SPCA Wildlife Centre's toll-free hotline before attempting to rescue an animal at 1-888-668-7722 ext. 386 or call (705) 534-4350.

Visit: www.wildlifecentre.ontariospca.ca

EDUCATION FIRST

Advice from an Investigations Officer

Every week, Ontario SPCA officers are asked some tough questions by our supporters. How do you do your work? What drives you to do your job? How do you do that job? It is very difficult for animal lovers to see animals that are injured or suffering, even for the most experienced officers. The answer to this is to focus on education and prevention. Standards of Care are defined through the Ontario SPCA Act, some of which include adequate and appropriate food and water, medical attention and care necessary for a pet's general welfare. Sharing the Standards of Care through humane education assists in preventing animal cruelty.

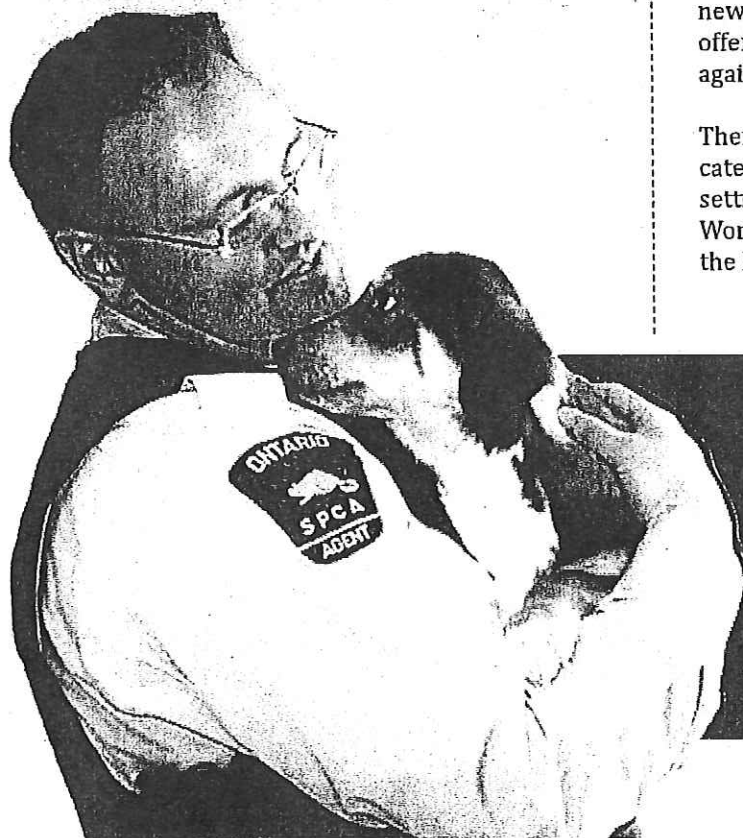
A sad fact is that while many people are pet owners, some people simply have never been taught the basics of animal care. A lack of water, food and shelter compose one of the primary cases of neglect, there are many pets that could have been saved if only a veterinarian had been able to intervene earlier. Annual veterinary care is something no owner can afford to overlook. Pets also need emotional attention as well as regular exercise and grooming to keep them physically and mentally healthy.

Be sure to talk with your family members and children about the proper care of your household pet. While young children may not understand more complex concepts about animal care, you can draw parallels that will make it easy for them to understand, such as how it's important for your pet to always have access to water; since they have paws and not hands it is really difficult for them to go to the fridge and get a glass of water! If you set the example, your family is sure to follow.

In your community, you can always educate others by leading through example.

To keep the worst offenders in check, there are opportunities to support stronger anti-cruelty laws. It has been just over a year since Ontario proclaimed one of the strongest, toughest animal protection laws in Canada. It has given us the tools to help prevent animal cruelty through education and sentencing amendments. This new legislation will impose harsher penalties on repeat offenders and deter people from committing crimes against animals.

There are a variety of ways you can be an animal advocate, such as volunteering to educate the public and by setting a good example to your community and family. Working together, we can help our furry friends to have the longest and healthiest lives possible.



2009: A YEAR IN NUMBERS

Complaints investigated:	13,096
Orders issued:	2,071
Provincial charges laid:	64
Animals removed as a result of investigations:	2,221

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

STATEMENT OF FINANCIAL POSITION AS OF DECEMBER 31, 2009

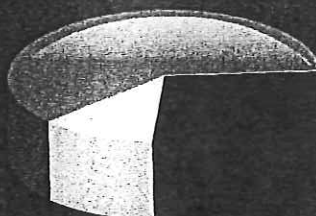
	2009	2008
Assets		
Current assets:		
Cash and cash equivalents	\$ 11,738,982	\$ 7,539,604
Accounts receivables	520,392	400,431
Inventory	28,334	18,738
Prepaid expenses	84,107	51,308
	<u>12,371,815</u>	<u>8,010,081</u>
Long-term investments	5,074,648	4,631,109
Capital assets	11,579,169	10,706,196
	<u>\$ 29,025,632</u>	<u>\$ 23,347,386</u>
Liabilities and Fund Balances		
Current liabilities:		
Accounts payable and accrued liabilities	\$ 2,095,275	\$ 2,2412,309
Bank loan	888,245	1,038,719
Deferred revenue	2,000	2,806,093
	<u>2,985,520</u>	<u>6,257,121</u>
Fund balances		
Provincial	26,040,112	10,815,636
Regional	—	—
Capital	—	6,274,629
	<u>26,040,112</u>	<u>17,090,265</u>
	<u>\$ 29,025,632</u>	<u>\$ 23,347,386</u>

For a complete set of audited financial statements, call 905-898-7122 or 1-888-668-7722.

HOW YOU SUPPORT US - DONATIONS AND FUNDRAISING

\$17,841,583

Donations	27%
Branch Donations	12%
Legacies	61%



HOW YOU SUPPORT US \$26,377,355

Donations and Legacies	68%
Animal Care Revenue	19%
Government Grants	12%
Other Grants and Revenue	1%

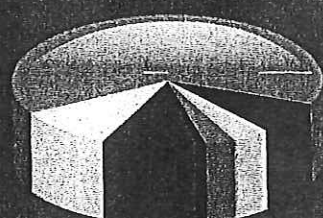
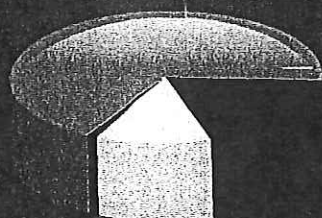
STATEMENT OF OPERATIONS AND CHANGES IN FUND BALANCES, YEAR ENDING DECEMBER 31, 2009

	2009	2008
Revenue:		
Donations and fundraising	\$ 6,985,858	\$ 6,959,152
Provincial grants	537,939	627,493
Provincial grant capital	2,754,190	2,245,810
Shelter and veterinary	2,448,255	2,165,194
Municipal contract fees	2,549,529	2,047,860
Other	245,859	293,939
Interest and investment gain (loss)	506,270	(539,253)
	16,027,900	13,800,195
Expenses:		
Animal care and protection	11,496,814	9,886,185
Fundraising	1,756,653	1,668,737
General Management and Administration	1,841,767	1,665,999
Communication and education services	753,887	513,378
Amortization	464,456	404,742
Interest and bank charges	265,998	254,379
	16,579,575	14,393,420
Distributions:		
Grants to Ontario SPCA Affiliates	1,354,203	1,851,111
Deficiency of revenue over expenses and distributions before legacies	(1,905,878)	(2,444,336)
Legacies	10,855,725	3,432,277
Excess (deficiency) of revenue over expenses and distributions	8,949,847	987,941
Fund balances, beginning of year	17,090,265	16,102,324
Fund balances, end of year	\$ 26,040,112	\$ 17,090,265

YOUR DOLLARS AT WORK

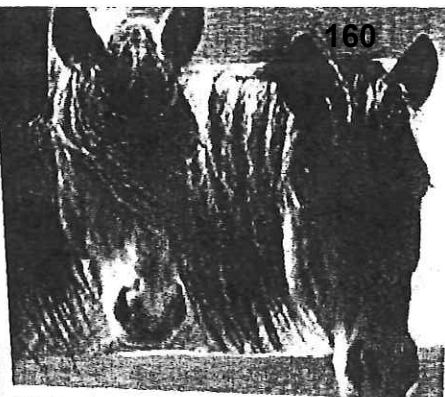
\$17,933,778

Animal Care and protection	64%
Distributions to Affiliate Organizations	8%
Public Awareness and Humane Education	4%
Fundraising	10%
General Management and Administration	10%
Amortization	3%
Interest and bank charges	1%





COMMUNITY DIRECTORY



ONE VOICE FOR ANIMAL WELFARE

OUR TEAM

The Ontario SPCA needs your help to continue our efforts to protect and care for abused, neglected and orphaned animals in Ontario. Thanks to people like you who are committed to making this world a better place, we make a significant difference in the lives of both animals and people. We extend our deepest gratitude to our donors, volunteers, staff and friends for their lifesaving support!

LEADING OUR TEAM



ONTARIO SPCA BOARD OF DIRECTORS

Arthur King
Debra Kinsella
Grace Pang
Jean Belfour


Johanne Golder
Kari Wilson
Kevin Strooband
Melanie Coulter

Rob Godfrey
Wanda Bailey

LEADING OUR COMMUNITY EFFORTS

 **BRANCH** |  **AFFILIATE**

 **ALLISTON & DISTRICT HUMANE SOCIETY**
P.O. Box 378
Beeton, ON L0G 1A0
705-458-9038
www.allistonhumane.com


 **ARNPRIOR & DISTRICT HUMANE SOCIETY**
490 Didak Drive
Arnprior, ON K7S 0C3
613-623-0916
www.arnpriorhumanesociety.ca


 **BARRIE BRANCH**
91 Patterson Road
Barrie, ON L4N 3V9
705-728-7311
www.barrie.ontariospca.ca

 **BRANT COUNTY**
539 Mohawk Street, P.O. Box 163
Brantford, ON N3T 5M8
519-756-6620
www.brantfordspca.com

 **BRUCE-GREY BRANCH***
427 10th Street, Suite 8
Hanover, ON N4N 1P8
519-364-0400
www.brucegrey.ontariospca.ca

 **CAMBRIDGE & DISTRICT HUMANE SOCIETY**
1650 Dunbar Road
Cambridge, ON N1R 8J5
519-623-7722
www.sPCA.cambridgeweb.net

 **HUMANE SOCIETY OF DURHAM REGION**
79 Taunton Road West, Unit 1
Oshawa, ON L1G 7B4 (temporary location)
905-433-2022
www.humanedurham.com

 **ETOBICOKE HUMANE SOCIETY**
1500 Royal York Road, Suite B, 2nd Floor
Etobicoke, ON M9P 3B6
416-249-6100
www.etobicokehumanesociety.com


 **FORT ERIE SPCA**
410 Jarvis Street
Fort Erie, ON L2A 2T1
905-871-2461
www.forteriespca.org

 **GANANOQUE & DISTRICT HUMANE SOCIETY**
85 Highway 32, RR 1
Gananoque, ON K7G 2V3
613-382-1512
www.ganhumanesociety.ca

 **GUELPH HUMANE SOCIETY**
500 Wellington Street West
P.O. Box 684
Guelph, ON N1H 6L3
519-824-3091
www.guelph-humane.on.ca

 **HAMILTON/BURLINGTON SPCA**
245 Dartnall Road
Hamilton, ON L8W 3V9
905-574-7722
www.hbsPCA.com

 **HURON COUNTY BRANCH**
48 East Street
Goderich, ON N7A 1N3
519-440-0250
www.huroncounty.ontariospca.ca

 **HUMANE SOCIETY OF KAWARTHA LAKES**
111 McLaughlin Road
Lindsay, ON K9V 6K5
705-878-4618
www.hskd.ca

 **KENORA/DRYDEN BRANCH***
P.O. Box 1148
Keewatin, ON P0X 1C0
807-548-2194
www.kenoradryden.ontariospca.ca

- KENT BRANCH**
405 Park Avenue East
Chatham, ON N7M 3W4
519-354-1713
www.kent.ontariospca.ca
- KINGSTON HUMANE SOCIETY**
1 Binnington Court
Kingston, ON K7M 8M9
613-546-1291
www.kingstonhumanesociety.ca
- KITCHENER-WATERLOO HUMANE SOCIETY**
250 Riverbend Drive
Kitchener, ON N2B 2E9
519-745-5615
www.kwhumane.com
- LANARK ANIMAL WELFARE SOCIETY**
P.O. Box 156
Smiths Falls, ON K7A 4T1
613-283-9308
www.lanarkanimals.ca
- LEEDS & GRENVILLE BRANCH**
800 Centennial Road, RR 4
Brockville, Ontario K6V 5T4
613-345-5520
www.leedsgrenville.ontariospca.ca
- LENNOX & ADDINGTON BRANCH**
156 Richmond Boulevard East
Greater Napanee, ON K7R 3Z7
613-354-2492
www.lennoxaddington.ontariospca.ca
- LINCOLN COUNTY HUMANE SOCIETY**
160 Fourth Avenue
St. Catharines, ON L2R 6P9
905-682-0767
www.lchs.ca
- LONDON HUMANE SOCIETY**
624 Clarke Road
London, ON N5V 3K5
519-451-0630
www.londonhumanesociety.ca
- MIDLAND & DISTRICT BRANCH**
15979 Highway 12 East, RR 1
Port McNicoll, ON L0K 1R0
705-534-4459
www.midland.ontariospca.ca
- MUSKOKA BRANCH**
4 Ferrier Road, P.O. Box 2804
Bracebridge, ON P1L 1W5
705-645-6225
www.muskoka.ontariospca.ca
- NIAGARA FALLS HUMANE SOCIETY**
6025 Chippawa Parkway
Niagara Falls, ON L2E 6X8
905-356-4404
www.nflhs.ca
- NORTH BAY & DISTRICT HUMANE SOCIETY**
2060 Main Street West, P.O. Box 1383
North Bay, ON P1B 8K5
705-474-1251
www.northbayhumanesociety.ca
- NORTHUMBERLAND HUMANE SOCIETY**
371 Ward Street
Port Hope, ON L1A 4A4
905-885-4131
www.northumberlandhumanesociety.com
- OAKVILLE & DISTRICT HUMANE SOCIETY**
445 Cornwall Road
Oakville, ON L6J 7S8
905-845-1551
www.oakvillehumane.ca
- ORANGEVILLE & DISTRICT BRANCH**
650 Riddell Road
Orangeville, ON L9W 5G5
519-942-3140
www.orangeville.ontariospca.ca
- ORILLIA BRANCH**
467 West Street North
Orillia, ON L3V 5G1
705-325-1304
www.orillia.ontariospca.ca
- OTTAWA HUMANE SOCIETY**
101 Champagne Avenue
Ottawa, ON K1S 4P3
613-725-3166
www.ottawahumane.ca
- OXFORD/ELGIN COUNTY BRANCH***
toll free: 1-888-668-7722 ext. 313
www.oxfordelgin.ontariospca.ca
- PARRY SOUND BRANCH***
705-645-6225
www.parrysound.ontariospca.ca
- PERTH COUNTY BRANCH**
345 Douro Street
Stratford, ON N5A 3S8
519-273-6600
www.perthcounty.ontariospca.ca
- PETERBOROUGH HUMANE SOCIETY**
385 Lansdowne Street East
Peterborough, ON K9L 2A3
705-745-4722
www.peterboroughhumanesociety.ca
- QUINTE HUMANE SOCIETY**
527 Avonlough Road
Belleville, ON K8N 4Z2
613-968-4673
www.quintehumanesociety.com
- RENFREW COUNTY BRANCH**
387 Paquette Road, P.O. Box 322
Petawawa, ON K8H 3J1
613-588-4508
www.renfrewcounty.ontariospca.ca
- SARNIA & DISTRICT SPCA**
131 Exmouth Street
Sarnia, ON N7T 7W8
519-344-7064
www.sarniahumanesociety.com
- SAULT STE. MARIE HUMANE SOCIETY**
962 Second Line East
Sault Ste. Marie, ON P6B 4K4
705-949-3573
<http://hosting.soonet.ca/humanesociety>
- SCARBOROUGH/NORTH YORK BRANCH***
toll free: 1-888-668-7722 ext. 327
www.sny.ontariospca.ca
- STORMONT, DUNDAS AND GLENGARRY BRANCH**
550 Boundary Road, P.O. Box 52
Cornwall, ON K6H 5R5
613-936-0072
www.sdg.ontariospca.ca
- SUDBURY & DISTRICT BRANCH**
760 Notre Dame Avenue
Sudbury, ON P3A 2T4
705-566-9582
www.sudbury.ontariospca.ca
- TEMISKAMING BRANCH***
P.O. Box 2474
New Liskeard, ON P0J 1P0
705-647-5288
www.temiskaming.ontariospca.ca
- THUNDER BAY & DISTRICT HUMANE SOCIETY**
1535 Rosslyn Road
Thunder Bay, ON P7E 6W2
807-475-8803
www.tbayhumane.ca
- TIMMINS & DISTRICT HUMANE SOCIETY**
620 Mahoney Drive
Timmins, ON P4N 7C3
705-264-1816
www.timminshumanesociety.ca
- UPPER CREDIT HUMANE SOCIETY**
5383 Wellington Road #24, RR 2
Erin, ON NOB 1T0
519-833-2287
www.uppercredit.com
- WELLAND & DISTRICT HUMANE SOCIETY**
60 Provincial Street
Welland, ON L3B 5W7
905-735-1552
www.wellandhumanesociety.org
- WINDSOR/ESSEX COUNTY HUMANE SOCIETY**
1375 Provincial Road
Windsor, ON N8W 5V8
519-966-5751
www.windsorhumane.org
- YORK REGION BRANCH**
16586 Woodbine Avenue, RR 3
Newmarket, ON L3Y 4W1
905-898-7122 ext. 306
www.yorkregion.ontariospca.ca
- MARION VERNON MEMORIAL ANIMAL CLINIC**
91A Patterson Road
Barrie, ON L4N 3V9
705-734-9883
www.ontariospca.ca/8-memorial.shtml
- ONTARIO SPCA CENTRE VETERINARY HOSPITAL**
Spay/Neuter Services
16586 Woodbine Avenue, RR 3
Newmarket, ON L3Y 4W1
905-898-6112
toll free: 1-888-668-7722 ext. 384
www.spayneuter.ontariospca.ca
- ONTARIO SPCA PROVINCIAL OFFICE**
16586 Woodbine Avenue, RR 3
Newmarket, ON L3Y 4W1
toll free: 1-888-668-7722
www.ontariospca.ca
- WILDLIFE REHABILITATION CENTRE**
15979 Highway 12 East, RR 1
Port McNicoll, ON L0K 1R0
705-534-4350
toll free: 1-888-668-7722 ext. 386
www.wildlifecentre.ontariospca.ca

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**ONTARIO
SPCA**
PROTECTING ANIMALS SINCE 1873



Rocky is reunited with his rescuers,
Agent Sylvia and Agent Dewar.

Higher Learning:

Examining the Agent Training Program

As an animal lover, it is difficult to imagine some of the rescue scenarios that we hear about in the news once an animal has been removed from an abusive or neglectful home. Ontario SPCA agents are put through a widely recognized training process to teach them how to safely and effectively perform their duties.

Many wonder: how do they do it?

Agent training has come a long way since the early inception of the Ontario SPCA over a century ago. Thanks to fundraising, donations and government grants, the training program has become a leader in training animal welfare officers.

The training and recruitment program has been continuously progressing, especially in the last six years. There was a demonstrated need in remote provincial areas for agent training consistency, as well as throughout the province, due to the new Ontario SPCA Act that contained increased regulatory accountability and enforcement compliance powers.



The process begins by selecting only the most qualified candidates for the training process. Applicants are hand selected by senior officers, and must possess relevant experience such as a background in police foundations

or veterinary care. Once the candidates have passed the pre-screening phase, they begin the knowledge-based training, which includes courses on professionalism, legislation, personal safety and animal care including an extensive livestock component. St. John Ambulance First Aid and CPR training is also included. They are also tested for psychological aptitude to ensure or enhance a proper mindset for dealing with the variety of people and situations that can be encountered on a daily basis, and be able to adhere to and stay within the realm of the law during these situations. The in-class portions are not merely

“sit and listen” sessions. A variety of learning techniques are employed to aid in the learning process. Students get a lot of time to hone their skills with hands-on practice for investigative techniques, assessing animals, communication skills and a mock investigation and trial.

The entire agent training process takes twelve weeks to complete, and agents must receive 80 percent in order to graduate. When the training process is completed, the candidate may have passed but is certainly not finished learning.

After successful completion of the training the agent works under the close supervision of an inspector or experienced investigator for six months.

In order to maintain consistency around the province, all current serving officers are also required to take a portion of the new training model within the next three years.

“Our goal is to create a united force across the province, where every officer has the same high standard of education and knowledge with the highest level of professionalism possible,” says Chief Inspector Connie Mallory.

The program is now known across the country as the most rigorous and in-depth agent-training program for animal welfare officers available in Canada. Other provinces are updating their training courses with the Ontario SPCA's training modules. Despite the hard work that is involved to become an animal welfare officer, the goal of protecting animals and keeping officers safe is worth the intense effort.

2010: A YEAR IN NUMBERS

Complaints investigated: *12,819*

Orders issued: *1,618*

Provincial charges laid: *170*

Criminal charges laid: *124*

Animals removed as a result of investigations: *1,991*

The Evolution of Ontario SPCA Agent Training

- Pre-2001 there was training in the form of 1.5 to 2 days depending on the location
- From 2001-2003 the training expanded to 4 days
- From 2003 through to 2005 another day was added to make it a total of 5 days
- In 2005 it increased again to 6 days
- Then increased again in 2006-2007 to 7 days
- In 2008 a demonstrated need shifted our training priorities to make it 10 days
- In 2009 the Ontario SPCA evolved again with the implementation of 40 hours of online training along with 3 weeks (15 days) of in-class sessions
- In 2010 a mandatory 160 hours of ride-along time was also added. After each week of in-class training, students were sent back to their home offices to gain ride-along experience with a seasoned investigator. They would then alternate between classroom work and ride-alongs until completion.

2011 saw more changes and brings us to our current model which is:

- 40 hours online learning (spread out over 4 weeks)
- 1 week in-class learning
- Ride-along
- 1 week in-class
- Ride-along
- 1 week in-class
- Ride-along
- 1 week in-class
- Finish up ride-along hours

Animal Care

The Ontario SPCA and shelters across the province face many challenges every day. Our staff and volunteers work hard to care for the thousands of animals that come into our facilities and need assistance. With the goal to increase our live release rate, the Ontario SPCA has implemented several programs designed to do just that.

The live release rate is the number of animals that leave our facilities either through adoptions, are returned to their owner, transferred to a rescue group or other facility to care for, or released into the wild through a Trap/Neuter/Return (TNR) program.

To achieve a higher live release rate, our first step is to reduce the number of animals that come to us to begin with, using a variety of spay/neuter programs, TNR

programs, Humane Education and encouraging responsible pet ownership. Licensing and microchipping also go a long way in ensuring your pet is always traceable to you. With this, we can reduce the animal intake and return animals to their original homes. Every staff member and volunteer wants to ensure all pets up for adoption, find loving homes.

"Only by working collaboratively, with a variety of strategies, will we succeed in saving more animal lives," says Jim Sykes, Chief Operating Officer, Ontario SPCA.

By supporting the educational programs in your community, and spaying and neutering your pet, you are actively assisting in the reduction of homeless animals.

2010: A YEAR IN NUMBERS

Cats Adopted: 5,012

Other Animals Adopted: 704

Dogs Adopted: 2,277

Wildlife Admitted: 2,657

Note: Includes Ontario SPCA Branches Only



ONTARIO SPCA

PROTECTING ANIMALS SINCE 1873

STATEMENT OF FINANCIAL POSITION AS OF DECEMBER 31, 2010

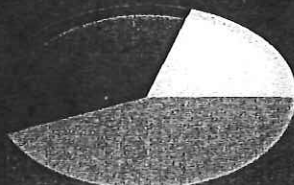
	2010	2009
ASSETS		
Current assets:		
Cash and cash equivalents	\$ 6,787,570	\$ 11,738,982
Accounts receivables	649,338	520,392
Inventory	32,271	28,334
Prepaid expenses	17,062	84,107
	7,486,241	12,371,815
Long-term investments	5,439,178	5,074,648
Capital assets	12,099,493	11,579,169
	25,024,912	29,025,632
LIABILITIES AND FUND BALANCES		
CURRENT LIABILITIES:		
Accounts payable and accrued liabilities	1,697,002	2,095,275
Bank loan	731,033	888,245
Deferred revenue	19,106	2,000
	2,447,141	2,985,520
FUND BALANCES		
Provincial	22,577,771	26,040,112
Regional	-	-
	22,577,771	26,040,112
	\$ 25,024,912	\$ 29,025,632

For a complete set of audited financial statements, call 905-898-7122 or 1-888-668-7722.

HOW YOU SUPPORT US — DONATIONS AND FUNDRAISING

\$10,122,062

Donations	44%
Branch Donations	20%
Legacies	36%



HOW YOU SUPPORT US \$16,234,222

Donations and Legacies	62%
Animal Care Revenue	31%
Government Grants	6%
Other Grants and Revenue	1%

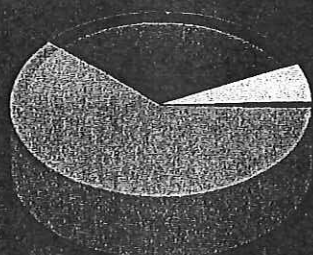


ONTARIO SPCA

PROTECTING ANIMALS SINCE 1873

STATEMENT OF OPERATIONS AND CHANGES IN FUND BALANCES, YEAR ENDING DECEMBER 31, 2010

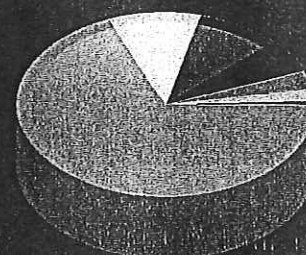
	2010	2009
REVENUE:		
Donations and fundraising	\$ 6,454,954	\$ 6,985,858
Provincial grants	525,694	537,939
Provincial grant capital	397,216	2,754,190
Shelter and veterinary	2,283,436	2,448,255
Municipal contract fees	2,720,751	2,549,529
Other	185,063	245,859
Interest and investment gain	456,443	506,270
	13,023,557	16,027,900
EXPENSES:		
Animal care and protection	14,028,088	11,496,814
Fundraising	1,871,915	1,756,653
General Management and Administration	2,018,264	1,841,767
Communication and education services	482,927	753,887
Amortization	541,946	464,456
Interest and bank charges	160,754	265,998
	19,103,894	16,579,575
Distributions:		
Grants to Ontario SPCA Affiliates	1,174,040	1,354,203
Deficiency of revenue over expenses and distributions before legacies	(7,254,377)	(1,905,878)
Legacies	3,667,108	10,855,725
Excess (deficiency) of revenue over expenses and distributions	(3,587,269)	8,949,847
Fund balances, beginning of year	26,040,112	17,090,265
Transfer out of the Brant branch capital assets	(125,072)	-
Donation of Land	250,000	-
FUND BALANCES, END OF YEAR	\$ 22,577,771	\$ 26,040,112



YOUR DOLLARS AT WORK

\$20,277,934

Animal Care and Protection	69%
Distributions to Affiliate Organizations	6%
Public Awareness and Humane Education	2%
Fundraising	9%
General Management and Administration	10%
Amortization	3%
Interest and Bank Charges	1%



One Voice for Animal Welfare

OUR TEAM

The Ontario SPCA needs your help to continue our efforts to protect and care for abused, neglected and orphaned animals in Ontario. Thanks to people like you who are committed to making this world a better place, we make a significant difference in the lives of both animals and people. We extend our deepest gratitude to our donors, volunteers, staff and friends for their lifesaving support!

LEADING OUR TEAM

ONTARIO SPCA BOARD OF DIRECTORS

Arthur King	Chris White	Judy Decicco	Rita Middleton
Bonnie Deekon	Helen Renaud	Kari Wilson (Vice Chair)	Rob Godfrey (Chair)
Catherine MacNeill	Jean Belfour (Secretary)	Melanie Coulter (Treasurer)	Stewart Hill

LEADING OUR COMMUNITY EFFORTS

🐾 BRANCH | 🐾 AFFILIATE

🐾 ALLISTON & DISTRICT HUMANE SOCIETY
P.O. Box 378
Beeton, ON LOG 1A0
705-458-9038
www.allistonhumane.com

🐾 ARNPRIOR & DISTRICT HUMANE SOCIETY
490 Didak Drive
Arnprior, ON K7S 0C3
613-623-0916
www.arnpriorhumanesociety.ca

🐾 BARRIE BRANCH
91 Patterson Road
Barrie, ON L4N 3V9
705-728-7311
www.barrie.ontariospca.ca

🐾 BRANT COUNTY
539 Mohawk Street, P.O. Box 163
Brantford, ON N3T 5M8
519-756-6620
www.brantfordspca.com

🐾 BRUCE-GREY BRANCH*
427 10th Street, Suite 8
Hanover, ON N4N 1P8
519-364-0400
www.brucegrey.ontariospca.ca

🐾 CAMBRIDGE & DISTRICT HUMANE SOCIETY
1650 Dunbar Road
Cambridge, ON N1R 8J5
519-623-7722
www.sPCA.cambridgeweb.net

🐾 HUMANE SOCIETY OF DURHAM REGION
1505 Wentworth Street
Whitby, ON L1N 0H9
905-665-7430
www.humandurham.com

🐾 ETOBICOKE HUMANE SOCIETY
1500 Royal York Road, Suite B, 2nd Floor
Etobicoke, ON M9P 3B6
416-249-6100
www.etobicokehumesociety.com

🐾 FORT ERIE SPCA
410 Jarvis Street
Fort Erie, ON L2A 2T1
905-871-2461
www.forteriespca.org

🐾 GANANOQUE & DISTRICT HUMANE SOCIETY
85 Highway 32, RR 1
Gananoque, ON K7G 2V3
613-382-1512
www.ganhumesociety.ca

🐾 GEORGIAN TRIANGLE HUMANE SOCIETY
P.O. Box 492, 549 Tenth Line North
Collingwood, ON L9Y 4B2
705-445-5204
www.gbanimalrescue.com

🐾 GUELPH HUMANE SOCIETY
500 Wellington Street West
P.O. Box 684
Guelph, ON N1H 6L3
519-824-3091
www.guelph-humane.on.ca

🐾 HAMILTON/BURLINGTON SPCA
245 Dartnall Road
Hamilton, ON L8W 3V9
905-574-7722
www.hbsPCA.com

🐾 HURON COUNTY BRANCH
48 East Street
Goderich, ON N7A 1N3
519-440-0250
www.huroncounty.ontariospca.ca

🐾 HUMANE SOCIETY OF KAWARTHA LAKES
111 McLaughlin Road
Lindsay, ON K9V 6K5
705-878-4618
www.hskl.ca

- KENORA/DRYDEN BRANCH***
P.O. Box 1148
Keewatin, ON P0X 1C0
807-548-2194
www.kenoradryden.ontariospca.ca
- KENT BRANCH**
405 Park Avenue East
Chatham, ON N7M 3W4
519-354-1713
www.kent.ontariospca.ca
- KINGSTON HUMANE SOCIETY**
1 Binnington Court
Kingston, ON K7M 8M9
613-546-1291
www.kingstonhumanesociety.ca
- KITCHENER-WATERLOO HUMANE SOCIETY**
250 Riverbend Drive
Kitchener, ON N2B 2E9
519-745-5615
www.kwhumane.com
- LANARK ANIMAL WELFARE SOCIETY**
P.O. Box 156
Smiths Falls, ON K7A 4T1
613-283-9308
www.lanarkanimals.ca
- LEEDS & GRENVILLE BRANCH**
800 Centennial Road, RR 4
Brockville, Ontario K6V 5T4
613-345-5520
www.leedsgrenville.ontariospca.ca
- LENNOX & ADDINGTON BRANCH**
156 Richmond Boulevard East
Greater Napanee, ON K7R 3Z7
613-354-2492
www.lennoxaddington.ontariospca.ca
- LINCOLN COUNTY HUMANE SOCIETY**
160 Fourth Avenue
St. Catharines, ON L2R 6P9
905-682-0767
www.lchs.ca
- LONDON HUMANE SOCIETY**
624 Clarke Road
London, ON N5V 3K5
519-451-0630
www.londonhumanesociety.ca
- MIDLAND & DISTRICT BRANCH**
15979 Highway 12 East, RR 1
Port McNicoll, ON L0K 1R0
705-534-4459
www.midland.ontariospca.ca
- MUSKOKA BRANCH**
4 Ferrier Road, P.O. Box 2804
Bracebridge, ON P1L 1W5
705-645-6225
www.muskoka.ontariospca.ca
- NIAGARA FALLS HUMANE SOCIETY**
6025 Chippawa Parkway
Niagara Falls, ON L2E 6X8
905-356-4404
www.nfhs.ca
- NORTH BAY & DISTRICT HUMANE SOCIETY**
2060 Main Street West, P.O. Box 1383
North Bay, ON P1B 8K5
705-474-1251
www.northbayhumanesociety.ca
- NORTHUMBERLAND HUMANE SOCIETY**
371 Ward Street
Port Hope, ON L1A 4A4
905-885-4131
www.northumberlandhumanesociety.com
- OAKVILLE & MILTON HUMANE SOCIETY**
445 Cornwall Road
Oakville, ON L6J 7S8
905-845-1551
www.oakvillehumane.ca
- ORANGEVILLE & DISTRICT BRANCH**
650 Riddell Road
Orangeville, ON L9W 5G5
519-942-3140
www.orangeville.ontariospca.ca
- ORILLIA BRANCH**
467 West Street North
Orillia, ON L3V 5G1
705-325-1304
www.orillia.ontariospca.ca
- OTTAWA HUMANE SOCIETY**
101 Champagne Avenue
Ottawa, ON K1S 4P3
613-725-3166
www.ottawahumane.ca
- OXFORD/ELGIN COUNTY BRANCH***
toll free: 1-888-668-7722 ext. 313
www.oxfordelgin.ontariospca.ca
- PARRY SOUND BRANCH***
705-645-6225
www.parrysound.ontariospca.ca
- PERTH COUNTY BRANCH**
345 Douro Street
Stratford, ON N5A 3S8
519-273-6600
www.perthcounty.ontariospca.ca
- PETERBOROUGH HUMANE SOCIETY**
385 Lansdowne Street East
Peterborough, ON K9L 2A3
705-745-4722
www.peterboroughhumanesociety.ca
- QUINTE HUMANE SOCIETY**
527 Avonlough Road
Belleville, ON K8N 4Z2
613-968-4673
www.quintehumanesociety.com
- RENFREW COUNTY BRANCH**
387 Paquette Road, P.O. Box 322
Petawawa, ON K8H 3J1
613-588-4508
www.renfrewcounty.ontariospca.ca
- SARNIA & DISTRICT SPCA**
131 Exmouth Street
Sarnia, ON N7T 7W8
519-344-7064
www.sarniahumanesociety.com
- SAULT STE. MARIE HUMANE SOCIETY**
962 Second Line East
Sault Ste. Marie, ON P6B 4K4
705-949-3573
<http://hosting.soonet.ca/humanesociety>
- SCARBOROUGH/NORTH YORK BRANCH***
toll free: 1-888-668-7722 ext. 327
www.sny.ontariospca.ca
- STORMONT, DUNDAS AND GLENGARRY BRANCH**
550 Boundary Road, P.O. Box 52
Cornwall, ON K6H 5R5
613-936-0072
www.sdg.ontariospca.ca
- SUDBURY & DISTRICT BRANCH**
760 Notre Dame Avenue
Sudbury, ON P3A 2T4
705-566-9582
www.sudbury.ontariospca.ca
- TEMISKAMING BRANCH***
P.O. Box 2474
New Liskeard, ON P0J 1P0
705-647-5288
www.temiskaming.ontariospca.ca
- THUNDER BAY & DISTRICT HUMANE SOCIETY**
1535 Rosslyn Road
Thunder Bay, ON P7E 6W2
807-475-8803
www.tbayhumane.ca
- TIMMINS & DISTRICT HUMANE SOCIETY**
620 Mahoney Drive
Timmins, ON P4N 7C3
705-264-1816
www.timminshumanesociety.ca
- UPPER CREDIT HUMANE SOCIETY**
5383 Wellington Road #24, RR 2
Erin, ON NOB 1T0
519-833-2287
www.uppercredit.com
- WELLAND & DISTRICT HUMANE SOCIETY**
60 Provincial Street
Welland, ON L3B 5W7
905-735-1552
www.wellandhumanesociety.org
- WINDSOR/ESSEX COUNTY HUMANE SOCIETY**
1375 Provincial Road
Windsor, ON N8W 5V8
519-966-5751
www.windsorhumane.org
- PROVINCIAL EDUCATION & ANIMAL CENTRE**
16586 Woodbine Avenue, RR 3
Newmarket, ON L3Y 4W1
905-898-7122 ext. 306
www.peac.ontariospca.ca
- MARION VERNON MEMORIAL ANIMAL CLINIC**
Spay/Neuter Services
91A Patterson Road
Barrie, ON L4N 3V9
705-734-9883
www.ontariospca.ca/8-memorial.shtml
- ONTARIO SPCA CENTRE VETERINARY HOSPITAL**
Spay/Neuter Services
16586 Woodbine Avenue, RR 3
Newmarket, ON L3Y 4W1
905-898-6112
toll free: 1-888-668-7722 ext. 384
www.spayneuter.ontariospca.ca
- ONTARIO SPCA PROVINCIAL OFFICE**
16586 Woodbine Avenue, RR 3
Newmarket, ON L3Y 4W1
toll free: 1-888-668-7722
www.ontariospca.ca

* Branches that provide investigations services only.



**ONTARIO
SPCA**
AND HUMANE SOCIETY
PROTECTING ANIMALS SINCE 1873

Annual Report to Communities 2012



OUR MISSION

The Ontario SPCA's mission is to facilitate and provide for province-wide leadership on matters relating to the prevention of cruelty to animals and the promotion of animal welfare.

OUR VISION

The Ontario SPCA is seen as the recognized authority on animal welfare issues and making a measurable difference for animals. The Ontario SPCA is an integral part of each community, promoting mutually beneficial human-animal interactions, and is viewed as a desirable organization for volunteerism and support.

The future for Ontario that the Ontario SPCA is working to help create:

- All Ontarians respect and appreciate animals
- Ontario has no homeless animals and no animal abuse

OUR GOAL

The Society's goal is to be a strong, unified and collaborative organization dedicated to the cultivation of a compassionate Ontario for all animals.

For a complete list of all of the Ontario SPCA and Humane Society Communities, please visit ontariospca.ca.

NEWS UPDATES IN ANIMAL WELFARE

THE ONTARIO SPCA RESPONDS TO THE HORSE RACING INDUSTRY

In response to the Ontario Lottery and Gaming (OLG) Corporation's modernization plans to limit funding for Ontario racetracks, provincial animal welfare organizations and community members have been working together along with the Ontario SPCA, the Ontario Racing Commission and the Ministry of Agriculture, Food and Rural Affairs (OMAFRA). A list of resources is being created of foster homes, supplies, a provincial adoption website, and any help available for those in need to temporarily maintain their horses.



THE ROLE OF THE ONTARIO SPCA INSPECTORATE

The Investigations Department has been working towards increasing compliance to improve animal welfare through education using tools within the Ontario SPCA Act and the Codes of Practice. Developed by scientists, animal welfare professionals and veterinarians, these standards ensure animals are receiving the basic care they require. Since 2009, compliance rates have increased by 24% thanks to the community education approach. Partnering with the Ontario Provincial Police and animal control organizations has also contributed to the distribution of information on animal care.



NATIONAL CUPCAKE DAY WAS A SUCCESS!

National Cupcake Day, held on February 25th, 2013 was celebrated by animal welfare organizations across Canada. Participants raised money and baked for humans and pets alike in this new fundraising initiative. The fundraising goal of \$150,000 was surpassed and close to \$360,000 was raised for societies in Canada. Baking and fundraising competitions were also held, including prizes for Best Animal Cupcake Design, the Kids' Cupcake Competition and Top Cupcake Host Team. Thank you to all who participated on this special day!



HEARTWORM PREVENTION

Many pet owners have heard of heartworm but aren't sure what it is or how their pet may become infected. Dr. Tammy Hornak, DVM, of Grand River Veterinary Hospital promotes heartworm awareness and the importance of preventative care for pets. Transmitted by mosquitoes, heartworm can show no symptoms until it's too late. Dr. Hornak recommends skipping unnecessary toys and trinkets for pets and putting that money towards inexpensive yet effective heartworm prevention by talking to your veterinarian.

PET WELLNESS DAY ON THE SIX NATIONS OF GRAND RIVER RESERVE

Dr. Hornak was also one of the volunteer team leaders to help coordinate the Six Nations of the Grand River Pet Wellness Day this past spring. Volunteer Veterinary Technicians and Veterinarians traveled from all across the province for this one day event to help provide health consultations, heartworm prevention medication as well as microchipping for residents of the Six Nations reserve. For a small fee pet owners could speak to a vet about any health concerns for their animal as well as pick up medication for their pet. The Ontario SPCA was pleased to participate by donating supplies as well as attending the event.

PARTNERS IN FARMING

Joining the Ontario Racing Commission to collaborate efforts in animal welfare, the Dairy Farmers of Ontario (DFO) and the Chicken Farms of Ontario have now partnered with the Ontario SPCA. Each organization now has a formal Memorandum of Understanding (MOU) with the Ontario SPCA to ensure appropriate care of livestock is being met. We continue to work with the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA). Farmers now have better access to information regarding the care of livestock which has led to a reduction of reoccurring situations of concern. The Ontario SPCA is also actively working towards creating more MOU's with other commodity groups to collaborate on animal welfare issues.



PAWDCASTS ARE UP!

Getting to know the Ontario SPCA and information on pet health care has never been easier! The "Pawdcast" series is a collection of news, staff interviews and animal welfare information that animal lovers can enjoy from the comfort of their home or while in transit. Featuring staff members such as Marc Ralsky, Director of Community and Donor Development and Agent Brad Dewar, Investigations and Communications Officer, the podcasts discuss important topics like animal care and Ontario SPCA programs and initiatives. Tune in to listen at www.ontariospca.ca/media-centre/pawdcasts.html.



NEW MEET YOUR MATCH® WEBSITE!

Prospective adopters will be excited to utilize the new Meet Your Match® website, enabling them to find their ideal match by completing the survey and browsing the available animals from participating shelters across the province. By filling out the online survey, adopters will learn whether they have an orange, green or purple personality. Animals are assigned colours by their pet personality, ensuring there is a compatible match between similarly-coded pets and people. The new website integration makes adoption faster and easier than ever before! Be sure to visit the website at www.meetyourmatch.ontariospca.ca.



SPAY/NEUTER SERVICES ARE A HUGE SUCCESS!

In April 2013, the Spay/Neuter Services at the Provincial Education and Animal Centre in Newmarket, was thrilled to reach an exceptional milestone of performing over 20,000 successful spay and neuter surgeries since opening in 2009. Accumulatively across the province the Society's three clinics, Barrie, Newmarket and St. Catharines have completed over 37,000 spay/neuter procedures. Spaying and neutering helps reduce the number of unwanted animals, and in turn reduces pet overpopulation and overcrowding in shelters. The Society is now seeing a significant impact on shelter intake due to the spay/neuter services program. Already, cat intake at adoption centers throughout Ontario has declined by 18 percent. In Barrie alone, where a spay/neuter clinic has operated since fall 2009, cat intake is down 40 percent. Spaying and neutering also means improved reproductive health for pets at a reduced cost to their owners through a high-volume spay and neuter clinic. To learn more about the Ontario SPCA's spay/neuter programs, visit www.FixYourPet.ca.



NEW ADOPTION CENTRE IN WELLAND

The homeless cats in the Welland and District SPCA and Humane Society are getting a unique chance at finding new homes thanks to the new adoption facility at the Seaway Mall on Niagara Street. Formerly a retail unit, the space now features cats of all ages from the Welland and District SPCA and Humane Society. Mall visitors enjoy visiting and interacting with the cats, which also improves their socialization and chances at adoption. Since the doors opened last April, over 500 cats have been adopted from the centre, while many cats are still being adopted directly from the shelter as well. Exclusively volunteer run, managed by the dedicated Nancy Thomas, the adoption centre is a major success!



NEW HOME FOR THE HUMANE SOCIETY OF KAWARTHA LAKES

Congratulations to the Humane Society of Kawartha Lakes (HSKL) on the Grand Opening of their new shelter on April 20, 2013. Located on 107 McLaughlin Road, in Lindsay, Ontario, the new facility will provide more space to meet the animal welfare needs of the community. The Grand Opening festivities included an official ribbon cutting, speeches by Mayor Ric McGee, MPP Laurie Scott, Ontario SPCA CEO Kate MacDonald and HSKL Board of Director's President, Mike Cavanagh. The old shelter, at 111 McLaughlin Road, is currently being used by the City of Kawartha Lakes as a holding area for stray dogs brought in by by-law officers.



FINANCIAL REPORT - ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

STATEMENT OF FINANCIAL POSITION

December 31, 2012, with comparative figure for 2011

	2012	2011
Assets		
Current assets:		
Cash and cash equivalents	\$ 6,914,097	\$ 5,888,316
Accounts receivable	1,164,297	595,358
Inventory	102,526	68,142
Prepaid expenses	43,763	50,347
	8,224,683	6,602,163
Investments	3,728,368	6,415,834
Capital assets	13,081,045	13,467,328
	\$ 25,034,096	\$ 26,485,325
Liabilities and Fund Balances		
Current liabilities:		
Accounts payable and accrued liabilities	\$ 1,628,024	\$ 1,662,747
Bank loan	-	566,858
Deferred revenue	28,184	17,525
	1,656,208	2,247,130
Fund balances:		
Provincial	23,377,888	24,238,195
	\$ 25,034,096	\$ 26,485,325

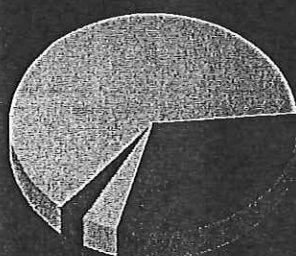
STATEMENT OF OPERATIONS AND CHANGES IN FUND BALANCES

Year ended December 31, 2012, with comparative figure for 2011

	2012	2011
Revenue:		
Donations and fundraising	\$ 6,087,332	\$ 6,229,502
Provincial grants	629,061	629,174
Provincial grant - capital	-	796,165
Shelter and veterinary	2,439,581	2,478,846
Municipal contract fees	2,418,748	2,413,560
Other	466,923	423,467
Investment	589,579	74,288
	12,631,224	13,045,002
Expenses:		
Animal care and protection	11,210,794	10,376,082
Fundraising	1,897,708	1,416,357
General	2,491,461	2,734,498
Communication and education services	669,626	609,736
Amortization	565,365	548,128
Interest and bank charges	188,264	207,035
	17,023,218	15,891,836
Distributions:		
Grants to Ontario Society for the Prevention of Cruelty to Animals affiliates and Humane Societies in other provinces	68,005	95,046
Deficiency of revenue over expenses and distributions before legacies	(4,459,999)	(2,941,880)
Legacies	3,871,253	4,602,304
Excess (deficiency) of revenue over expenses and distributions	(588,746)	1,660,424
Fund balances, beginning of year	24,238,195	22,577,771
Transfer out of the branch capital assets	(271,561)	-
Transfer between funds	-	-
Fund balances, end of year	\$ 23,377,888	\$ 24,238,195

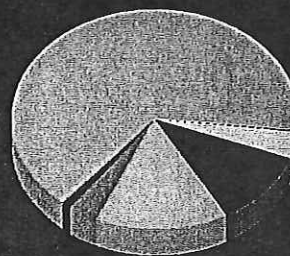


HOW YOU SUPPORT US



Donations and Legacies	62.6%
Animal Care Revenue	30.5%
Government Grants for Officer training	4.0%
Other Non-Government Grants and Revenue	2.9%
Public Awareness and Humane Education	3.9%

YOUR DOLLARS AT WORK



Animal Care and Rescue & Relief Services	65.6%
Distributions to Affiliate Animal Welfare Organizations	0.4%
Public Awareness and Humane Education	3.9%
Fundraising & Stewardship Programs	11.1%
General Management and Administration	14.6%
Amortization	3.3%
Interest and bank charges	1.1%
Deficiency of revenue over expenses and distributions before legacies	4.4%

For a complete set of audited financial statements, please call 905-898-7122

ONTARIO SPCA BOARD OF DIRECTORS

Rob Godfrey (Chair)
Kari Wilson (Vice Chair)
Melanie Coulter
Bonnie Deekon
Judy Decicco
Stewart Hill

Ron Hunt
Catherine MacNeill
Rita Middleton
Linda Morgan
Helen Renaud
Chris White

SENIOR MANAGEMENT

Kate MacDonald - Chief Executive Officer
Tom Stephenson - Chief Financial Officer
Connie Mallory - Chief Inspector
Dr. Magdalena Smrdelj D.V.M. - Acting Chief Veterinary Officer
Tanya Firmage - Director, Animal Welfare & Operations

Debbie Schepens - Director, Human Resources
Marc Ralsky - Director, Community and Donor Development
Dave Wilson - Director, Shelter Health & Wellness
Alison Cross - Director, Marketing & Communications

PARTNERS IN ANIMAL WELFARE

IAMS FEEDS OUR SHELTERS

In partnership with IAMS*, Ontario SPCA branches across the province are now on the IAMS* Feeding Program, feeding only IAMS* dog and cat food. Animal welfare organizations and veterinary health experts agree that sudden changes in an animal's food can upset the delicate balance of their stomachs and cause health concerns. Keeping an animal on a consistent high quality diet is best for their wellbeing in so many ways. Branches will still be accepting all donations of pet food, and they will be distributed among affiliate societies and local food banks etc.



BMO MASTERCARD AND MORE!

In addition to BMO Bank of Montreal's annual support with the BMO Ontario SPCA MasterCard program, they were a key sponsor of National Cupcake Day this past February. BMO regularly holds special promotions for new and existing cardholders that include bonus Airmiles. Every purchase with your BMO Ontario SPCA MasterCard means a small donation is made to the Ontario SPCA, at no extra cost to the cardholder. BMO Ontario SPCA MasterCard is also a LEAD sponsor of the 2013 Friends for Life! walk.



PJ'S PETS HELPING FIND HOMES FOR ORPHANED PETS!

PJ's Pets has been an enthusiastic supporter of the Ontario SPCA. In 2012 the company pledged to no longer sell kittens and puppies at their retail locations, but rather focus on rehoming homeless animals in their communities by partnering with local shelters with their Every Pet Deserves A Home program. PJ's Pets staff members are also trained to use the Meet Your Match* Feline-ality™ adoption system so they could best partner the cats with new owners. This year, PJ's Pets has teamed up once again with the Ontario SPCA by supporting the Friends for Life! walk-a-thon™ as a Lead Sponsor.



NUTRIENCE DONATES

In May of 2012, to the delight of staff and animals alike, Nutrience donated a truck's worth of supplies including pet food, kitty litter, leashes, collars and more. Rolf C. Hagen Inc., parent company, also held a promotional program where each specially-marked bag of pet food would mean a \$5 contribution towards the Ontario SPCA. In 2012, they also donated an Emergency Response Trailer, which was an incredible asset to the Investigations Department particularly during large-scale removals and investigations.



2012 COMMUNITY HIGHLIGHTS

LINCOLN COUNTY HUMANE SOCIETY SPAY/NEUTER SERVICES

This past year has meant enhanced spay and neuter services in the Lincoln County community. Thanks to a grant from PetSmart Charities, the Lincoln County Humane Society (LCHS) reopened their spay and neuter clinic to accommodate high-volume services that area residents required. This boosted daily spay and neuter operations to 25 per day when required, which will effectively decrease the amount of unwanted puppies and kittens that would otherwise end up in local shelters.



AWARD WINNING NO HOT PETS CAMPAIGN

The Ontario SPCA was awarded the 2012 Urban Animal Strategies Award in Communication for their No Hot Pets campaign, last October. The campaign involved educational events and information on the dangers of leaving pets in cars during warm-weather months. To learn more about this campaign, please visit www.nohotpets.ca.



As a follow up to the No Hot Pets campaign, York Region Police Community Services, Toronto Police Services, Vaughan Animal Control and Toronto Animal Services, partnered with the Ontario SPCA promoting the dangers of leaving your pet unattended. Vulnerable Animals Left Unattended Every day, or Operation V.A.L.U.E., was promoted at an event held at Vaughan Mills Mall in Woodbridge, Ontario. This event educated shoppers on pet safety and animal care while providing shade, a misting tent, and refreshing water for pets.



FIRST OF ITS KIND ANIMAL WELFARE MERGER!

The Ontario SPCA Perth Branch and the Kitchener-Waterloo Humane Society merged last year to better serve the Perth County community. This merger was the first of its kind in the Ontario SPCA's history. The two societies have been working in tandem for many years, making the transition a natural progression in their shared goals towards improved animal care and welfare in the community.



COLLEGE TRAINING FOR VETERINARY TECHNICIANS: A FIRST IN CANADA THANKS TO COLLÈGE BORÉAL AND THE ONTARIO SPCA

As part of the official opening of the new veterinary technician wing on the Collège Boréal Sudbury campus, the Ontario SPCA and the Collège Boréal announced an innovative partnership that facilitates the sharing of resources and knowledge between these two institutions. Thanks to this partnership with the Ontario SPCA, Collège Boréal has become the first Canadian college to teach shelter medicine. Through this partnership, the Ontario SPCA and Collège Boréal will also collaborate in creating a new Ontario SPCA Sudbury and District Education and Animal Centre, as well as jointly utilizing Collège Boréal's new veterinary technician wing. This 5,000 square-foot space is equipped with the latest innovations in animal medicine: digital radiography, a ventilation system adaptable to different species, a cutting-edge operating room, a complete animal dentistry section, and isolation units. This five-year partnership will allow students in the Collège Boréal Veterinary Technician program to benefit from the Ontario SPCA's expertise (sharing manuals, protocols, etc.) and to deepen their theoretical and practical knowledge while obtaining new possibilities for internships, volunteer work and work opportunities through the Ontario SPCA network.



A YEAR IN NUMBERS

2012 INVESTIGATIONS STATISTICS

Complaints Investigated: 16,483
Orders Issued: 2,473
Provincial Charges Laid: 255
Criminal Charges Laid: 41
Animals Removed as a Result of an Investigation: 2,016

2012 ANIMAL WELFARE ADOPTION STATISTICS

Cats: 4,001
Dogs: 1,982
Small animals: 787

2012 SPAY/NEUTER STATISTICS

Number of Dogs Spayed: 1,897
Number of Dogs Neutered: 2,466
Number of Cats Spayed: 3,602
Number of Cats Neutered: 2,767
Total procedures: 10,732



ONTARIO SPCA

AND HUMANE SOCIETY
PROTECTING ANIMALS SINCE 1873

ANNUAL REPORT TO COMMUNITIES 2013



OUR MISSION

The Ontario SPCA's mission is to facilitate and provide for province-wide leadership on matters relating to the prevention of cruelty to animals and the promotion of animal welfare.

OUR VISION

The Ontario SPCA is seen as the recognized authority on animal welfare issues and making a measurable difference for animals. The Ontario SPCA is an integral part of each community, promoting mutually beneficial human-animal interactions, and is viewed as a desirable organization for volunteerism and support.

The future for Ontario that the Ontario SPCA is working to help create:

- All Ontarians respect and appreciate animals
- Ontario has no homeless animals and no animal abuse

OUR GOAL

The Society's goal is to be a strong, unified and collaborative organization dedicated to the cultivation of a compassionate Ontario for all animals.

310-SPCA 888-668-7722 INFO@OSPCA.ON.CA ONTARIOSPCA.CA



NEWS UPDATES IN ANIMAL WELFARE

ONTARIO SPCA LAUNCHES PROVINCE-WIDE, TOLL-FREE 24-HOUR PHONE NUMBER TO REPORT SUSPECTED ANIMAL CRUELTY: 310-SPCA

The Ontario SPCA is pleased to announce the implementation of the new 310-SPCA 24-hour call centre. In October 2013 the provincial government announced its support for enhanced Animal Welfare services across the Province of Ontario. As a result of the government's support, the Ontario SPCA has implemented a new animal welfare central dispatch system for anyone across Ontario to call, should they have concerns for the welfare of any animal. 310-SPCA is now a province-wide, toll-free central dispatch number to report animal cruelty. All calls received through this central number will be assessed by a trained operator and the report will be assigned to the appropriate enforcement officer.



OTTAWA HUMANE SOCIETY AND ONTARIO SPCA FUNDRAISING DAY

The Ottawa Humane Society and the Ontario SPCA recently invited Ontario SPCA Communities to the first ever Animal Welfare Fundraising Day! Rob McCulloch, Director of Development at the Ottawa Humane Society, worked in conjunction with the Ontario SPCA's Marc Ralsky and Tanya Firmage to share best practices in fundraising. The information and strategies presented were focused on the Ottawa Humane Society's success in their recent capital campaign to raise the roof on their wonderful new facility. The day was filled with information and fundraising best practices for Animal Welfare charities. This event is part of the Ontario SPCA's Community Outreach Program, providing ongoing support to Animal Welfare organizations across the province.



NATIONAL CUPCAKE DAY WAS PRETTY SWEET!

The second annual National Cupcake Day for SPCAs and Humane Societies was an even sweeter success than last year's. Once again, the campaign focused on inviting members of the general public to become cupcake hosts, holding events at home or in the office to raise money to support SPCAs and Humane Societies nationwide. The event saw thousands of new cupcake hosts join returning hosts from last year, raising almost half a million dollars for Animal Welfare across Canada. We were honoured when Mrs. Harper tweeted that she was selling cupcakes from Prime Minister Harper's office! The great fun everyone had was the icing on the cupcake! It was a wonderful event that is making a difference for animals in need.



OVC INTERNS GET A FIRSTHAND LOOK AT SHELTER HEALTH AND WELLNESS

The Ontario SPCA's Chief Veterinary Officer and the Shelter Health and Wellness department have been delighted this past year to host students from the Ontario Veterinary College in special elective programs lasting one to two weeks. These students have been supportive of our Spay/Neuter clinics, scrubbing in and assisting the Ontario SPCA team, as well as supporting staff during intake examinations at the Provincial Education and Animal Centre. The aim for the elective is to engage and inform veterinary students about shelter medicine and shelter operations. The students have responded with enthusiasm to the program and their learning experiences. In addition to the elective program, the Ontario Veterinary College has played host to the Shelter Health and Wellness team as guest speakers. Non-mandatory lectures were given to full houses of students showing great enthusiasm towards the idea of pursuing careers in shelter medicine. The Ontario SPCA is very excited about this partnership and delighted to see so many keen students participate in these programs.



NEW FERAL CAT INITIATIVE: HELPING PEOPLE, HELPING ANIMALS

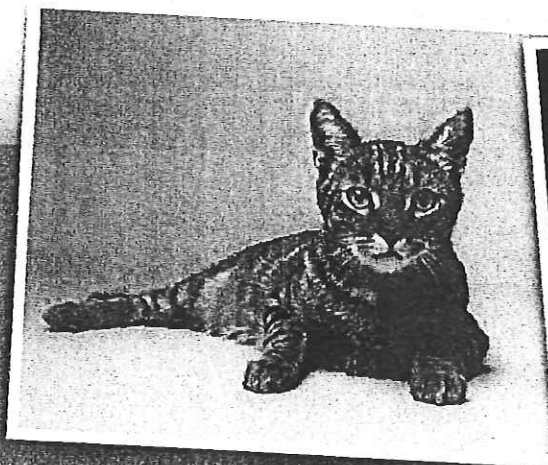
The Ontario SPCA's Shelter Health and Wellness team has expanded their Feral Cat Initiative by adding another service to their new program for feral cat colonies. The team offers a free, sustainable cat food program to cat colony managers as well as free feral cat traps (courtesy of PetSmart) to colony caretakers who have completed a training workshop. Working together to address the feral cat population in Ontario, these initiatives are designed to help feral cat managers as they care for their cat colonies.

A NEW NATIONAL PROGRAM: CANADIAN STANDARDS OF CARE IN ANIMAL SHELTERS AND SUPPORTING ASV GUIDELINES

The Ontario SPCA is committed to improving the performance level of each of the Ontario SPCA Branches across the province, as well as providing support to all Ontario SPCA Communities. The team has been providing consultations using the new Canadian Standards of Care in Animal Shelters, a guideline for animal sheltering. Starting in St. Catharines at the Lincoln County Humane Society and continuing throughout 2014 with Ontario SPCA Branches, consultation teams will assess the shelter's baseline performance level and then provide support on how to improve their practices through a two-day visit. The consultation team is dedicated to continuing the relationships built in each participating shelter, and providing guidance on best practices in animal care where requested.

A RESOURCE FOR COMMUNITIES AND MUNICIPALITIES

The Ontario SPCA has continued to open up their resources to all municipalities, and Ontario SPCA Affiliated Communities across the province, helping address shelter wellness concerns such as outbreaks and infectious disease management. Together as a team, whether through phone consultations or site visits, the Ontario SPCA offers their Infection and Disease Control Manual and protocols to Municipalities and Ministries of Labour and OMAFRA. The program has already proven to be an essential resource helping address infectious disease control situations with minimal disruption to the shelter environment.



NEWS UPDATES IN ANIMAL WELFARE



VOLUNTEER SOFTWARE WORKS TO SUPPORT THE SUPPORTERS

In efforts to streamline practices at a branch level, the Ontario SPCA has been using new volunteer software, and since its implementation in September of 2013, it has already revitalized the work of their volunteers. The software offers the Society the ability to generate schedules for volunteers, contact them via email, organize large groups in less time, and much more. The aim of the software is to decrease administration time and increase the staff's time with the Society's volunteers so together they can help more animals. In addition, the software will allow for better communication and interaction with our valued supporters.

COMPASSION FATIGUE SEMINAR

In the Animal Welfare sector, the daily tasks of caring for animals in need can place emotional pressure on a staff member or volunteer. This can lead to compassion fatigue, or "burn out". To combat compassion fatigue, the Ontario SPCA has provided workshops across the province; more recently with our northern Affiliates the Timmins and District Humane Society and the Sault Ste. Marie Humane Society. The program provided takes a closer look at how caregivers can best manage a work/life balance and helps build resources for coping and resilience.



AIQ TRAINING FOR STAFF

The Ontario SPCA has implemented a new training program for their staff. Through the Advantage IQ training program, Animal Welfare staff are participating in online training modules providing instruction on how to care for animals while keeping themselves and the animals safe. Some of the topics cover lessons on protective equipment, animal handling, and infection and disease control practices. The training is a requirement for all staff. The new program is designed to enhance and standardize the level of training within the Ontario SPCA Branches as well as to act as a resource for other Animal Welfare communities across the province.

ONTARIO SPCA ANIMAL WELFARE KNOWLEDGE ENRICHMENT PROGRAM

The Ontario SPCA is pleased to report another successful year for the Animal Welfare Knowledge Enrichment Program. The committee that developed this program is made up of members of Ontario SPCA Communities across the province. The purpose of the staff exchange is to provide Animal Welfare staff from Ontario SPCA Communities across the province an opportunity to visit other shelters and learn about their general operations and animal care. The participants learn best practices they can share with their home shelter. The pilot program saw a great response from the participants. In the future, the Ontario SPCA will expand the program towards the northern regions of the province.

NEW ONTARIO SPCA CASE MANAGEMENT TEAM!

In compliance with government funding requirements, the Ontario SPCA has hired a Case Management Team of highly-skilled officers specializing in unique investigation abilities such as forensics, photography, videography, and interview skills. These officers will be called on to investigate complex and high profile cases of animal cruelty. Their expertise is invaluable to the Society and will not only help address cases of animal cruelty but will also provide guidance and education within the Investigations Department.



PEACE OFFICER PERSONAL SAFETY TRAINING

The Ontario SPCA, in conjunction with ACT Tactical Training Systems, was recently invited to facilitate the personal safety training for Peace Officers from Alberta SPCA, Calgary Humane Society and Edmonton Humane Society as well as for Alberta Peace Officers involved with bylaw enforcement and traffic patrol. The Ontario SPCA's highly-praised training program was created by ACT Tactical and delivered by owner Rob Andrews, along with the Ontario SPCA Investigations Training Team. The program is designed to prevent injuries and fatalities by focusing on improving tactical communications, understanding the use of force and utilizing tools to exit volatile situations.

WELCOME THE NEW ZOO INSPECTORS

The Ontario SPCA is delighted to announce the appointment of dedicated Officers to conduct province-wide zoo inspections. As part of the new initiatives announced by the Province of Ontario, these new positions will increase the Society's ability to inspect and monitor zoos and animal exhibits. The Officers have been hard at work gathering data from zoos across the province, as well as implementing the new provincial zoo registry. The Society looks forward to improving the welfare of animals in captivity and building relationships with the zoo industry.



GEORGIAN TRIANGLE SPAY/NEUTER PROGRAM

Ontario SPCA Affiliated Society, the Georgian Triangle Humane Society and the local municipalities have been working closely together to subsidize spay/neuters for pets with owners unable to finance the operation themselves. Not only do these measures help control pet overpopulation in the region, but pet owners previously unable to provide the spay/neuter procedure due to financial restraints have more options available in the community. The Ontario SPCA is pleased to see communities working together to address pet overpopulation!



A NEW SPAY/NEUTER CLINIC IN WELLAND

The Welland & District Humane Society has been working tirelessly to open Ontario's newest high-volume Spay/Neuter clinic. The Ontario SPCA is pleased to report that the clinic was recently accredited by the College of Veterinarians of Ontario, and is now open. The only long-term solution to pet overpopulation is prevention. The Ontario SPCA is thrilled to see this initiative moving forward providing support to the Niagara region. Congratulations to the Welland & District Humane Society! For more information, visit spayneuter.ontariospca.ca



2013 FINANCIAL REPORT - ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

STATEMENT OF FINANCIAL POSITION

December 31, 2013, with comparative figure for 2012

	2013	2012
Assets		
Current assets:		
Cash and cash equivalents	\$ 11,702,143	\$ 6,914,097
Accounts receivable	736,599	1,164,297
Inventory	42,441	102,526
Prepaid expenses	74,947	43,763
	<u>12,556,130</u>	<u>8,224,683</u>
Investments	4,468,291	3,728,368
Capital assets	13,023,243	13,081,045
	<u>\$ 30,047,664</u>	<u>\$ 25,034,096</u>
Liabilities and Fund Balances		
Current liabilities:		
Accounts payable and accrued liabilities	\$ 1,911,000	\$ 1,628,024
Deferred revenue	55,077	28,184
Deferred contributions	1,183,109	—
	<u>3,149,186</u>	<u>1,656,208</u>
Fund balances:		
Provincial	26,898,478	23,377,888
	<u>\$ 30,047,664</u>	<u>\$ 25,034,096</u>

STATEMENT OF OPERATIONS AND CHANGES IN FUND BALANCES

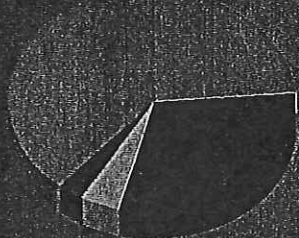
Year ended December 31, 2013, with comparative figures for 2012

	2013	2012
Revenue:		
Donations and fundraising	\$ 6,439,733	\$ 6,087,332
Provincial grants	2,223,415	629,061
Shelter and veterinary	2,845,007	2,439,581
Municipal contract fees	2,419,782	2,418,748
Other	514,711	466,923
Investment	479,765	589,579
	<u>14,922,413</u>	<u>12,631,224</u>
Expenses:		
Animal care and protection	12,052,883	11,210,794
Fundraising	1,811,296	1,897,708
General	2,579,916	2,579,916
Communication and education services	535,016	669,626
Amortization	574,306	565,365
Interest and bank charges	162,435	188,264
	<u>17,715,852</u>	<u>17,023,218</u>
Distributions:		
Grants to Ontario Society for the Prevention of Cruelty to Animals affiliates and Humane Societies in other provinces	175,480	68,005
Deficiency of revenue over expenses and distributions before legacies	(2,968,919)	(4,459,999)
Legacies	6,489,509	3,871,253
Excess (deficiency) of revenue over expenses and distributions	3,520,590	(588,746)
Fund balances, beginning of year	23,377,888	24,238,195
Transfer out of the branch capital assets	—	(271,561)
Fund balances, end of year	\$ 26,898,478	\$ 23,377,888



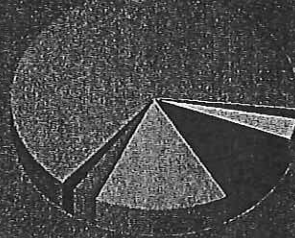
2013 FINANCIAL REPORT - ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

HOW YOU SUPPORT US



○ Donations and Legacies	60.4%
○ Animal Care Revenue	24.5%
○ Government Grants Supporting Investigation Services	10.4%
○ Other Non-Government Grants and Revenue	4.6%

YOUR DOLLARS AT WORK



○ Animal Care and Rescue & Relief Services	67.4%
○ Distributions to Affiliate Animal Welfare Organizations	1.0%
○ Public Awareness and Humane Education	3.0%
○ Fundraising & Stewardship Programs	10.1%
○ General Management and Administration	14.4%
○ Amortization	3.2%
○ Interest and bank charges	0.9%

For a complete set of audited financial statements, please call 905-898-7122



ONTARIO SPCA BOARD OF DIRECTORS

Isaac Breadner

Ann Davidson

Judy Decicco (Secretary)

Craig Gagliano

Rob Godfrey (Chair)

Stewart Hill

Ron Hunt

Catherine MacNeill

Rita Middleton (Treasurer)

Helen Renaud

Chris White

Kari Wilson (Vice Chair)

SENIOR MANAGEMENT

Kate MacDonald - Chief Executive Officer

Tom Stephenson - Chief Financial Officer

Connie Mallory - Chief Inspector

Dr. Magdalena Smrdelj, D.V.M. - Chief Veterinary Officer

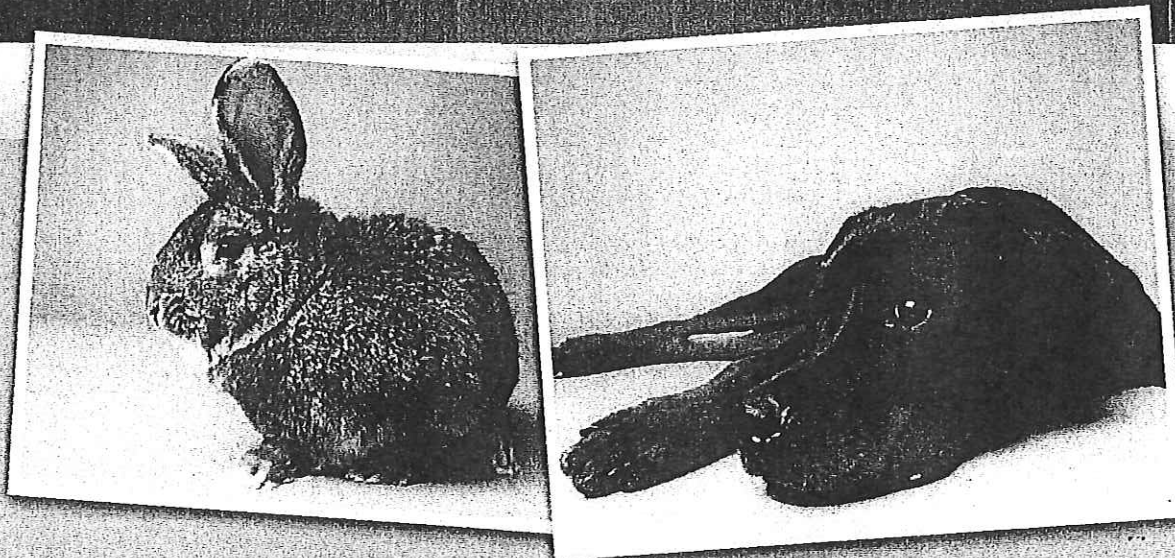
Tanya Firmage - Director, Animal Welfare & Operations

Debbie Schepens - Director, Human Resources

Marc Ralsky - Director, Community & Donor Development

Dave Wilson - Director, Shelter Health & Wellness

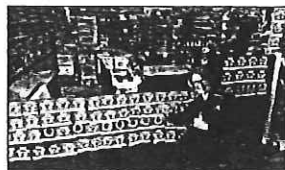
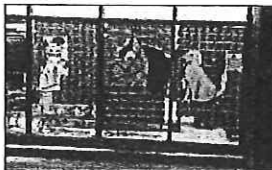
Alison Cross - Director, Marketing & Communications



PARTNERS IN ANIMAL WELFARE

TSC STORES PARTNERSHIP SUPPORTS ONTARIO SPCA COMMUNITIES

The Ontario SPCA is excited to announce a new partnership that will support not just the Ontario SPCA but also its Communities of SPCAs and Humane Societies across the province. By offering customers a paper paw or hoof to sign and mount on the store wall for two dollars a paw, TSC Stores managed to raise over \$30,000 in the first two weeks of their campaign. The money raised from each store will support their local Ontario SPCA Community. The Ontario SPCA is thrilled of this partnership and the support TSC Stores has provided towards Animal Welfare. The Ontario SPCA and TSC Stores are proud to partner on behalf of Animal Welfare.



NUTRIENCE PARTNERSHIP ENRICHES THE LIVES OF SHELTER PETS

After working together with Nutrience for several years on various Animal Welfare initiatives, the Ontario SPCA was thrilled when the Montreal-based pet food company offered to support a new shelter enrichment program. Enrichment programs are essential to shelter animals as the stimulation keeps the animals' stress levels low and their immune systems strong. As part of this new program Nutrience has donated enrichment toys, as well as provided new adopters information on enrichment, helping to make the transition from shelter to home less stressful on the animal.

Nutrience

CITY OF MARKHAM TRAP NEUTER RETURN PROGRAM

The City of Markham has joined forces with the Ontario SPCA to initiate the city's first municipally-sponsored Trap, Neuter and Return program for feral cats. This past March, the municipality sponsored spay/neuter surgeries, microchip implants, vaccinations, physical exams and deworming for feral cats. The Ontario SPCA provided free live animal traps and veterinary services which included spay/neuter surgeries. The Ontario SPCA also provided free recovery facilities and care during the cats' post-operative period. The Ontario SPCA commends the City of Markham for acknowledging that cat overpopulation is a community concern and not one limited to the SPCAs and Humane Societies. Working together, the community is able to assist the feral cat population. Through trap, neuter and



return programs, feral colonies will slowly depopulate through natural attrition.

EXCITING NEWS FOR DOG REHABILITATION IN ONTARIO

Another great partnership will lead to helping more dogs in Ontario. The Ontario SPCA will be working in partnership with the Peterborough Humane Society to open the first dog rehabilitation facility in Canada. The facility will be attached to and working with the Peterborough Humane Society, will provide service to animals all across the province and will be a resource for all the Ontario SPCA Communities.



COLLÈGE BORÉAL AND ONTARIO SPCA PARTNERSHIP UPDATE

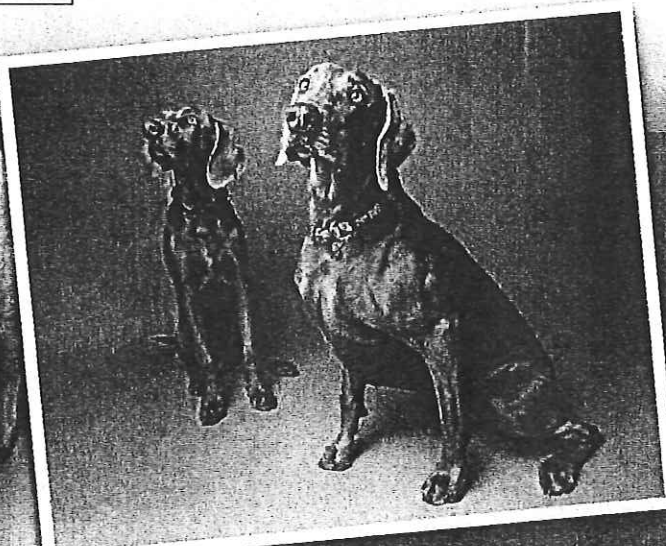
The Ontario SPCA is excited to announce that construction is well underway on the new location for the Sudbury and District Branch located in the Collège Boréal, Sudbury campus! As part of the new partnership with the school's Registered Veterinary Technician program, students will have the opportunity to help provide services such as dental work, spay/neuters and other minor procedures, to the animals that are in need, within the Ontario SPCA Sudbury and District Branch.

COLLÈGE BORÉAL, ROB GODFREY SCHOLARSHIP

To acknowledge Ontario SPCA Board Chair Rob Godfrey's contribution to Animal Welfare and to the Society, a scholarship for the Registered Veterinary Technician program at Collège Boréal has been named in his honour. The scholarship is a five-year commitment of \$1000 per year to support those with an interest in shelter medicine. The plaque that will be displayed at the College is a duplicate of the one that was recently presented to Rob himself.

LEARNING BEST PRACTICES FROM THE ALBERTA SPAY/NEUTER TASKFORCE: THE VISIT TO MASKWACIS, ALBERTA SPAY/NEUTER CLINIC

In October 2013, a group of four Animal Care professionals from the Ontario SPCA Provincial Education and Animal Centre, Welland & District Humane Society and the Ontario SPCA Renfrew County Branch travelled to Alberta to work with the Alberta Spay/Neuter taskforce as they went to the Maskwacis First Nations reserve (formerly Hobbema). There, the taskforce of ten veterinarians supported by 80 other Animal Welfare volunteers, performed over 250 spay/neuters in a single weekend in



PARTNERS IN ANIMAL WELFARE

MASH-style setup. The lessons learned will be invaluable to the Ontario SPCA as we develop plans to provide similar programming in Northern Ontario.

IMPROVING CARE FOR LIVESTOCK IN ONTARIO

With the aim of working together and being proactive in addressing Animal Welfare concerns in the agricultural sector, Ontario SPCA Chief Inspector Connie Mallory has spearheaded new Memorandums of Agreement with dairy, chicken, beef, pork, veal, and sheep producers of Ontario. The Ontario SPCA will be working with these livestock commodity groups to help address reports of animal cruelty. Compliance between the Ontario SPCA and these commodity groups has been described as excellent thus far, and the relationship has allowed for exchanges



of knowledge and expertise between the two sectors. By entering into close dialogue with producers, the Ontario SPCA expects to improve upon current standards of animal welfare, and continue to build positive relationships in the farming industry.

PARTNERS WITH KIJJI

The Ontario SPCA encourages everyone to be responsible when purchasing a pet. The Society and its Community Partner, Kijiji, have been working closely together to promote animals available for adoption and the importance of responsible pet purchasing. Kijiji has always been a great resource for rehoming animals and their new pet section policy will only strengthen this service. Kijiji has stipulated that ads for dogs will now be charged a fee of \$4.99 per ad; this measure provides Kijiji with additional information to assist in actions against unethical pet vendors. A

kijiji



A YEAR IN NUMBERS*



2013 SPAY/NEUTER STATS

Number of Dogs Spayed: 2743
 Number of Dogs Neutered: 3190
 Number of Cats Spayed: 5169
 Number of Cats Neutered: 3863
 Total procedures: 14,965

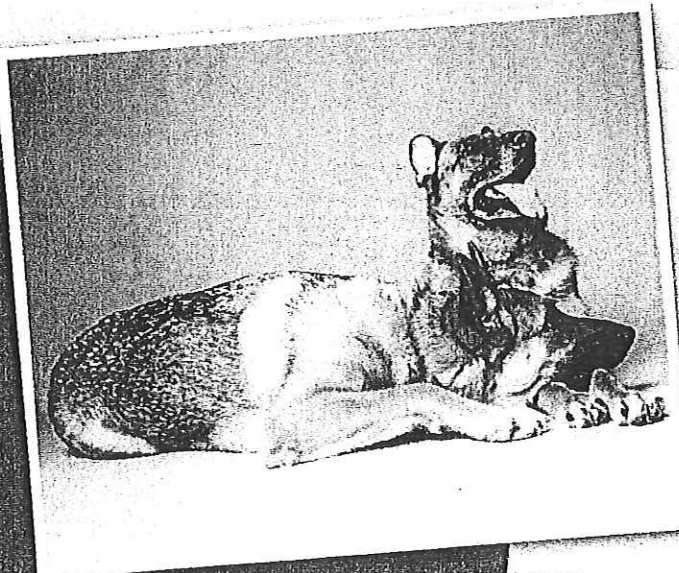
2013 INVESTIGATION STATS

Complaints Investigated: 17680
 Orders Issued: 2320
 Provincial Charges Laid: 259
 Criminal Charges Laid: 29
 Animals Removed as a Result of an Investigation: 2469

2013 ANIMAL WELFARE ADOPTION STATS

Cats: 4342
 Dogs: 2054
 Small animals: 437

*Branches only

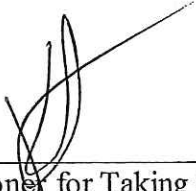




**ONTARIO
SPCA**
AND HUMANE SOCIETY
PROTECTING ANIMALS SINCE 1873

310-SPCA 888-668-7722 INFO@OSPCA.ON.CA ONTARIOSPCA.CA

This is Exhibit 'T' referred to in the
Affidavit of Jeffrey Bogaerts
sworn before me, this 31st day of July, 2014.

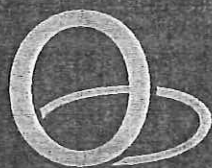


Commissioner for Taking Oaths


Ombudsman
ONTARIO
ONTARIO'S WATCHDOG

2011-2012
**ANNUAL
REPORT**

2011-2012



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Watch us on YouTube ► youtube.com/OntarioOmbudsman

June 19, 2012

The Honourable Dave Levac
Speaker
Legislative Assembly
Province of Ontario
Queen's Park

Dear Mr. Speaker,

I am pleased to submit my Annual Report for the period of April 1, 2011 to March 31, 2012, pursuant to section 11 of the *Ombudsman Act*, so that you may table it before the Legislative Assembly.

Yours truly,



André Marin
Ombudsman

Bell Trinity Square
483 Bay Street, 10th Floor, South Tower
Toronto, Ontario
M5G 2C9

Telephone: 416-586-3300
Complaints Line: 1-800-263-1830
Fax: 416-586-3485
TTY: 1-866-411-4211

Website: www.ombudsman.on.ca
Facebook: Ontario Ombudsman
Twitter: @Ont_Ombudsman

Table of Contents

Ombudsman's Message: Limit Spending, Not Fairness	5
Investigating the investigators	6
Clear as MUSH	7
Give us an "H" – Hospitals	8
Policing the police	10
Putting the accountability squeeze on Omge	10
Back to the future	12
The Year in Review	13
Beyond Scrutiny: The Push for MUSH	13
"M" – Municipalities	15
"U" – Universities	15
"S" – School boards	15
"H" – Hospitals	15
Losing patience with patient relations	16
The exception proves the rule	17
Long-term care homes	17
Children's aid societies	18
Police	19
Operations Overview	20
Complaint trends and significant cases in 2011-2012	21
Ministry of Community Safety and Correctional Services	21
Correctional facilities – Complaints from inmates	21
Private Security and Investigative Services Branch	21
Ministry of Community and Social Services	22
Family Responsibility Office	22
Services for children with special needs	23
Assistance for Children with Severe Disability benefit program	23
Ontario Disability Support Program – Email communication with recipients	23
Services for adults with developmental disabilities	24
Ministry of the Attorney General	24
Office of the Public Guardian and Trustee	24
Human Rights Tribunal of Ontario – Use of Skype	25
Ministry of Energy	26
Hydro One	26
Ministry of Transportation	26
Licensing Service Branch – "Master" licences	26
Ministry of Training, Colleges and Universities	27
Private Career Colleges Branch	27
Training and Consultation	28
Training	29
Comments from "Sharpening Your Teeth" participants, November 2011	30
Consultation with other agencies	31
Communications and Outreach	32
Communications	32
Traditional media	32
Social media	33
Website and mobile app	33
Outreach	34
And the award goes to... ..	34
Speeches	35
Awards	35
Events	35
Special Ombudsman Response Team	36
SORT investigations completed in 2011-2012	36
Oversight Undermined – Ministry of the Attorney General and the Special Investigations Unit	36
Non-emergency medical transportation services –	
Ministry of Health and Long-Term Care, Ministry of Transportation	39
Limited funding of Herceptin – Ministry of Health and Long-Term Care	40
SORT assessments in 2011-2012	41
Wind turbines – Ministry of the Environment	41
Ongoing SORT investigations	42
Monitoring of drivers with uncontrolled hypoglycemia – Ministry of Transportation	42
Use of force in jails – Ministry of Community Safety and Correctional Services	42
Ontario Provincial Police handling of operational stress injuries –	
Ministry of Community Safety and Correctional Services	42
Updates on previous SORT investigations	43
Monitoring of long-term care homes – Ministry of Health and Long-Term Care	43
Caught in the Act – Expansion of police powers for Toronto G20 summit –	
Ministry of Community Safety and Correctional Services	44
A Vast Injustice – Funding for the colorectal cancer drug Avastin –	
Ministry of Health and Long-Term Care	45
Too Cool for School – Private career colleges – Ministry of Training, Colleges and Universities	46
Losing the Waiting Game – Disability Adjudication Unit delays –	
Ministry of Community and Social Services	46
Between a Rock and a Hard Place – Care and custody of children with severe special needs –	
Ministry of Children and Youth Services	47

Case Summaries.....	49
Ministry of the Attorney General.....	49
Criminal Injuries Compensation Board	49
<i>Beyond borders</i>	49
Office of the Public Guardian and Trustee.....	49
<i>Unaccounted for</i>	49
<i>Lack of consciousness</i>	50
Ministry of Children and Youth Services	50
<i>Hours of need</i>	50
<i>Welcome respite</i>	51
<i>Taking it upstairs</i>	51
Ministry of Community and Social Services	52
<i>Nowhere to go</i>	52
Family Responsibility Office	52
<i>Made to pay</i>	52
<i>Caught in the middle</i>	53
Ontario Disability Support Program	53
<i>Debt and taxes</i>	53
Ministry of Community Safety and Correctional Services	54
<i>Ticket to ride</i>	54
<i>The red tape diet</i>	55
<i>Pre-labour pains</i>	55
<i>Shrink slip</i>	55
<i>Counting the days</i>	56
<i>Looking for answers</i>	56
Ministry of Education.....	57
<i>Sign of compassion</i>	57
Ministry of Energy	57
Hydro One	57
<i>Here a meter, there a meter</i>	57
<i>Horse power</i>	58
Ministry of Finance.....	59
Municipal Property Assessment Corporation	59
<i>Not-so-free parking</i>	59
Ministry of Government Services	60
Registrar General.....	60
<i>Why wait?</i>	60
Ministry of Health and Long-Term Care.....	60
<i>A moving complaint</i>	60
<i>Closer to closure</i>	61
Exceptional Access Program	62
<i>Medic vs. Ministry</i>	62
<i>Reaction meets action</i>	62
Ontario Health Insurance Program	63
<i>Special delivery</i>	63
<i>No time to lose</i>	63
<i>Put on the map</i>	63
Ministry of Labour	64
Workplace Safety and Insurance Board.....	64
<i>Lost in the shuffle</i>	64
<i>Fast relief</i>	65
Ministry of Municipal Affairs and Housing	65
Landlord and Tenant Board	65
<i>Caught on tape</i>	65
Ministry of Transportation.....	66
<i>Salt of the earth</i>	66
<i>Where did you come from?</i>	67
<i>Double Jeopardy</i>	67
Your Feedback.....	68
Appendix 1 – Complaint Statistics.....	73
Cases Received by Quarter 2009-2010 to 2011-2012.....	73
Total Cases Received Fiscal Years 2007-2008 to 2011-2012.....	73
Cases Outside the Ombudsman's Authority Received 2011-2012.....	74
Regional Distribution of Complainants 2011-2012.....	74
Cases Received About Closed Municipal Meetings 2011-2012.....	75
How Cases Were Received 2011-2012.....	75
Top 15 Provincial Government Organizations and Programs Complained About in 2011-2012.....	76
Top 10 Correctional Facilities Complained About in 2011-2012.....	76
Cases Excluding Correctional Facilities Received 2011-2012 by Provincial Riding	77
Most Common Types Of Cases Received During 2011-2012.....	78
Disposition Of Cases 2011-2012.....	79
Total Cases Received 2011-2012 for Provincial Government Ministries and Selected Programs.....	80
Appendix 2 – How We Work.....	82
Appendix 3 – About the Office	83
Appendix 4 – Financial Report.....	84

Ombudsman's Message: Limit Spending, Not Fairness



PHOTO BY BRIAN VILLER

As I write this message, I am acutely aware that Ontario's public service and its citizens are bracing for the impact of new cost-containment measures. To their immense credit, parliamentarians and senior government officials have continued to show support and respect for the work of my Office. They have recognized the value of Ombudsman oversight, even in tough times, as a means to ensure accountability and spur increased efficiency and fairness in the provision of public services.

Through the dedicated efforts of my staff, my Office has been able to return good value for public dollars spent. As we close the books on our operating year 2011-2012, we have seen a significant increase in complaints and inquiries (27%), with **18,541** cases opened.

The Operations Overview and Case Summaries sections of this report contain ample evidence of

how our Office has helped Ontarians navigate the complexities of government bureaucracy – and flagged problems to the bureaucracy before they mushroomed. We have helped severely disabled children and adults obtain access to necessary resources, such as home care, medical assessments, residential placements, assistive devices and drug funding. We have ensured money improperly collected is returned and charges arising from bureaucratic bungling reversed. We have prompted corrective action where there has been only delay, inattention, or defensiveness. And we have served as a catalyst for better communication, improved policies, and more common sense and compassion in public administration.

With its latest budget, the province has signalled that we are moving to a new level of austerity in public spending, as it grapples with a deficit of some \$15 billion. Fiscal restraint will undoubtedly affect the citizens of Ontario, as services and programs are scaled back or eliminated. While Ontarians understand the need for belt-tightening, it is crucial that efficiencies and savings are not achieved at the expense of fairness and good public administration. My Office can help ensure that, despite spending cuts, citizens continue to be treated reasonably, fairly and justly. This is why I recently sounded a public warning about proposed shifts, through the budget and other means, of the delivery of public services to private agencies, private-public hybrids and/or "delegated administrative authorities." The issue is not privatization, but the spectre of these services – without proper legislative safeguards – being removed from Ombudsman scrutiny, leaving Ontarians no recourse to complain about them or have them independently investigated. We do not want to go down that slippery slope of oversight erosion.

This past year, throughout our Office, we employed innovative, cost-effective and efficient ways to communicate with Ontarians, including pioneering the first Ombudsman mobile "app" and conducting training and confidential interviews using Internet video messaging (Skype). We hope to encourage government through our example to embrace modern interactive technology to improve the accessibility and effectiveness of public services.

My Office can help ensure that, despite spending cuts, citizens continue to be treated reasonably, fairly and justly.

We also continued to focus attention on significant systemic issues, achieving maximum benefit from our investigative resources – a model that has been emulated by other ombudsmen around the world (as noted in this report's **Consultation and Training** section). Our **Special Ombudsman Response Team** investigation into non-emergency medical transportation services led to a government commitment to regulate this industry to better ensure the health and safety of Ontario's citizens. And just months into our review of Herceptin funding for breast cancer patients, the government agreed to increase access for patients with small tumours. Legislation was also introduced in February 2012 to do away with the archaic *Public Works Protection Act* – which featured so prominently in the policing of the 2010 G20 summit in Toronto – as I recommended in my 2010 report, *Caught in the Act*.

Investigating the investigators

In September 2008, I issued *Oversight Unseen*, my first investigative report relating to the Ministry of the Attorney General's Special Investigations Unit (the SIU). Aside from some recent backsliding, when some SIU investigators displayed signs of pro-police bias, since that time, the SIU has generally demonstrated greater investigative rigour in its dealings with police. However, the Ministry of the Attorney General's failure to follow through on my recommendations was the focus of my second investigation, reported in *Oversight Undermined*, issued in December 2011.

In *Oversight Undermined*, I found lack of police co-operation continued to frustrate the SIU in its efforts to investigate serious injuries and deaths of civilians and that the Ministry was undermining the SIU's ability to function effectively. I again put forward recommendations for reform, including proposing penalties for non-compliance.

In the wake of that report, the SIU has observed a significant increase in notifications from police officials about incidents coming within its mandate – from 57 in the first quarter of 2011 to 101 in the first quarter of 2012. My report also resonated in a number of Ontario communities – for instance, in Windsor, where the police chief retired suddenly, and in Ottawa, where the police chief pledged to respond (though not necessarily substantively), to every SIU letter in future.



Ombudsman André Marin releases *Oversight Undermined*, his report on his second investigation involving the Special Investigations Unit and the Ministry of the Attorney General, on December 14, 2011.

“The SIU has observed a significant increase in notifications from police officials about incidents coming within its mandate.”

Requests for leave to appeal and cross-appeal the Ontario Court of Appeal's decision in the case of *Schaeffer v. Ontario (Provincial Police)*, which put a stop to the thorny problem of lawyers vetting police notes, have been made to the Supreme Court of Canada. That court's consideration of this matter has the potential to affect the integrity of future SIU investigations.

While modest progress has been made to date in the area of SIU oversight of police, I continue to monitor this situation closely, and if necessary, will launch a third investigation. Further details about my latest investigation and updates on others can be found in the **Special Ombudsman Response Team** section of this report.

Clear as MUSH

Unfortunately, there are many organizations that provide direct and vital public services to Ontarians, without the important check and balance of Ombudsman oversight.

Government continues to spend tens of billions of dollars each year funding the **MUSH** sector, comprised of municipalities, universities, school boards and hospitals, as well as children's aid societies, long-term care homes and the police.

I have followed my Ombudsman predecessors in repeatedly calling for modernization of my mandate to include the MUSH sector. The reason is simple. MUSH organizations have a profound and immediate effect on the lives and welfare of individual citizens. They impact Ontarians where they work, live and play, and when they are at their most vulnerable.

This has been clear even in the one narrow area of this sector where my office has a sliver of jurisdiction: Investigating public complaints about closed municipal meetings. People care a great deal about openness at the local government level, and when doors are closed to them, they complain. We saw a substantial increase in these cases this year (to 119, up from 84 in 2010-2011). Because these investigations – handled by our **Open Meeting Law Enforcement Team** – involve important issues of transparency and open government, I have decided to devote a separate Annual Report to them, to be tabled later this year.

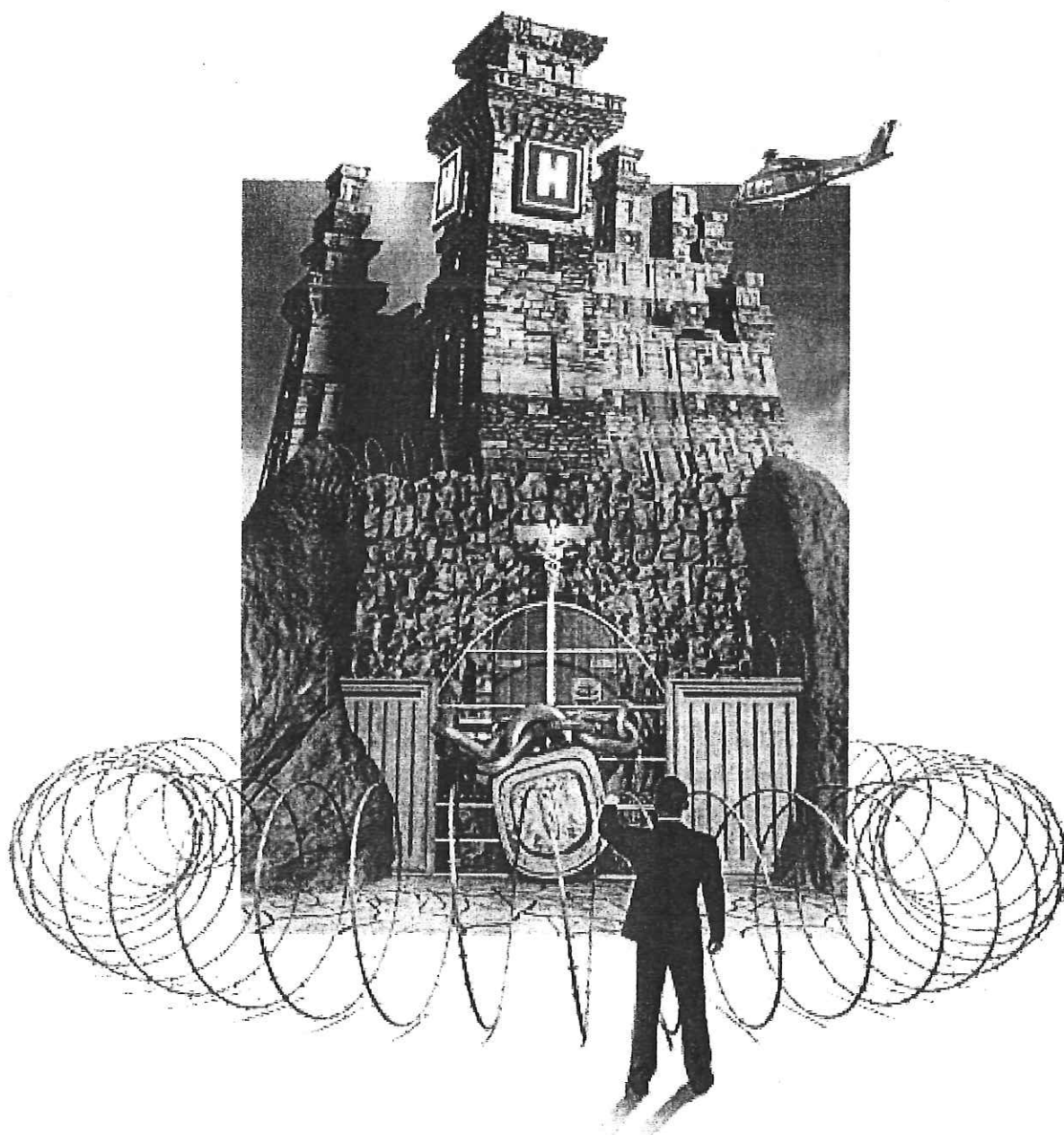
Sadly, as the next section of this report details (**Beyond Scrutiny: The Push for MUSH**), despite a succession of private member's bills, public petitions, and the dedicated efforts of advocacy groups, Ombudsman oversight of MUSH bodies in general remains off the government agenda, and Ontario continues to rank dead last when it comes to giving its Ombudsman authority in these zones of immunity. Last year, my ombudsman colleagues across Canada were able to achieve concrete results, helping students get a fair shake at universities, looking into hospital and treatment wait times, infection control protocols and billing issues, and assisting seniors in long-term care homes and parents dealing with child protection officials. However, we turned away a record 2,539 MUSH cases in 2011-2012 – up from 1,963 in the previous year.

“Ontario continues to rank dead last when it comes to giving its Ombudsman authority in these zones of immunity.”

Give us an "H" – Hospitals

Of particular concern to me this year is the "H" in MUSH.

Since 2005, there have been four private member's bills, and more than a dozen petitions tabled, calling for the Ombudsman's jurisdiction to be extended to hospitals. While the government spends some \$15 billion annually on hospitals, and has recently indicated that it wants to increase efficiencies in the health-care sector, to date, it has resisted turning to the Ombudsman as a means of effectively resolving complaints about hospital administration.



It is hard to find someone in Ontario whose life hasn't been touched by a local hospital. You may have had to wait for hours in a crowded emergency room to be seen by a doctor, or watched a family member die tragically of a hospital-acquired infection. Or you may simply have been mystified by hospital policies, practices or procedures that appear to defy common sense.

When something goes wrong at a hospital, if you or your loved ones suffer because of unfair, unreasonable or negligent administration, where can you turn? In every other province, you can call on your Ombudsman for help. But not in Ontario.

In the spring and summer of 2011, a *C. difficile* epidemic concentrated in the Niagara region swept the province, resulting in more than 30 deaths, and the appointment of a supervisor to take over the Niagara Health System hospital sites. While recourse to my Office wouldn't obviate the need for government intervention in extreme cases, the experience of other provinces has shown that Ombudsman oversight can be an effective and efficient way to address improvement in hospital practices and protocols.

This past year, the media highlighted cases where hospitals required patients to call 911 for help getting to the emergency room, even though they were at the hospital already. While the affected hospitals committed to reviewing the incidents, resolving these types of administrative issues is the bread and butter of Ombudsman work. Instead of addressing such cases internally, institution by institution, on a piecemeal basis, Ombudsman oversight would allow for broader review and recommendations to improve the hospital system as a whole.

“The experience of other provinces has shown that Ombudsman oversight can be an effective and efficient way to address improvement in hospital practice.”

Whenever the subject of Ombudsman oversight over MUSH bodies comes up, MUSH sector administrators invariably protest that avenues of redress already exist. In the hospital sector, this argument is particularly weak. You can complain about medical professionals to their respective regulatory bodies. But if you have a concern about hospital administration, your only recourse is to contact the hospital's own in-house patient relations officer, advocate or ombudsman. Whatever their title, these hospital officials are a poor substitute for impartial Ombudsman oversight. The bottom line is that these officials work for hospitals, not patients. They have no independent authority or formal powers of investigation. They cannot exercise moral suasion through public reporting to encourage systemic change. At best, they operate as internal customer relations departments – clearing houses for complaints. And as the cases noted in the next chapter demonstrate, at worst, they may be unresponsive, insensitive, and/or apologists for hospital interests.

In an article published this April in the *Canadian Medical Association Journal*, researchers promoted the adoption of patient charters of rights, including recourse to an independent complaints process, through an ombudsman or commissioner. With respect to the current reliance on internal complaint handling, they observed:

“[P]atients may question the independence of these internal processes given the institution's interest in protecting its own reputation and its close relationship to medical staff...”

“[M]oral suasion from a sufficiently resourced and independent ombudsman or commissioner can positively drive system change.”

While it is laudable that the hospitals must now comply with freedom of information measures, making public large amounts of previously inaccessible raw information, it remains just that – raw information. There is still no body that can connect the dots, investigate, review the evidence and determine whether problems in hospitals stem from a deeper systemic malaise – or recommend how they can be healed.

As budgets shrink, there is an even greater need to ensure that economy doesn't trump fairness and common sense in the delivery of health care services. The government may wish to reflect on why Ontario remains the only province that has not given its Ombudsman the ability to help citizens with their hospital complaints.

Policing the police

This year, we continued to see a flood of concerns expressed publicly about another MUSH area – police. The credibility of police in this province is increasingly coming under scrutiny as citizens await the outcome of charges arising from the policing of the 2010 Toronto G20 summit and ponder recent media stories about officers caught lying in court and a Windsor detective convicted in a brutal assault.

Police cannot effectively carry out their mandate “to serve and protect” unless they enjoy the confidence and trust of Ontarians. It is one of the reasons I have devoted considerable attention to the SIU, which plays a critical role in police oversight. Unfortunately, while the SIU comes under my authority, its cousin, the Office of the Independent Police Review Director (OIPRD), does not. The OIPRD reviews internal police investigations of public complaints, and, in some cases, conducts its own investigations. It has enjoyed a relatively low profile since it opened in October 2009. However, in July 2010, the OIPRD announced a “systemic review of G20 police complaints” after receiving hundreds of complaints, including a number referred by my Office. On May 16, 2012, nearly two years after the G20 weekend, the OIPRD released its report. The Director found, based on hundreds of interviews with police and civilians, that many officers had “ignored the basic rights that citizens have under the ... Charter,” and used excessive force in several incidents over those days in June 2010. He also noted that there were long delays in police turning evidence over to his office. Aside from the recommendations in his review, the Director also recommended charges for misconduct in a number of G20-related incidents – but in at least some of the cases, the police union response was that too much time had passed.

My Office has received complaints about the adequacy of the OIPRD's investigative processes (37 this past year), but as it is outside of my mandate, I cannot intervene. I continue to believe – as I stated before the legislative amendments creating the OIPRD were passed – that making the OIPRD accountable to my Office would assist in building public confidence in Ontario's police community.

Police cannot effectively carry out their mandate ‘to serve and protect’ unless they enjoy the confidence and trust of Ontarians.

Putting the accountability squeeze on Ornge

Finally, I would like to address an organization that has recently served as a lightning rod for debate in the Legislature and that clearly demonstrates the need for Ombudsman scrutiny.

When Ontarians spot the air ambulance service's signature orange helicopters hovering overhead these days, they are more likely to be reminded of Ornge's service problems and spending abuses than its emergency patient transfers. In the fall of 2011, the public learned that the federally incorporated non-profit company, which has held a monopoly on administering air ambulance services in Ontario since 2005, and received some \$150 million in public funding annually to do so, had played fast and loose with public funds and trust.

Ornge has been embroiled in a multi-million-dollar scandal that has seen its chief executive officer turfed, its board of directors replaced, a Ministry of Finance forensic audit, a scathing special report by the Auditor General, hearings by the Standing Committee on Public Accounts, and an ongoing police investigation into financial irregularities. This is an organization that is crying out for independent oversight.

“When an entity goes rogue, and its board goes AWOL, who safeguards the public interest? That’s the challenge [Premier Dalton] McGuinty’s government must wrestle with...

“McGuinty acknowledges losing sleep over the various agencies, boards, commissions – and quasi-public hybrids such as Ornge – that deliver major public services. It is a major topic of debate within his office...

“‘Why can’t we have people who see around corners?’ McGuinty continues. ‘We need to find a better way to anticipate these things and uncover these things in government before they take place.’”

Martin Regg Cohn, *Toronto Star*, May 7, 2012

Even though we have no jurisdiction to investigate Ornge, my Office has received 17 complaints about its operations since 2005, including allegations about misuse of funds. While we made inquiries and referrals where we could, we were unable to directly assist these complainants. The Auditor General reviews financial matters, but he does not investigate complaints, and typically, only conducts value-for-money audits periodically. Who knows? If we’d had the ability to investigate allegations about Ornge received from patients and their families, industry insiders and whistleblowers, we might have been able to prompt the government into taking action to rein in Ornge sooner. This is exactly the kind of proactive work we have done with many ministries and organizations, as the **Operations Overview** section of this report attests.

There have been remarkable turnarounds in the many Crown corporations, agencies, boards and commissions I have investigated since 2005. The Ontario Lottery and Gaming Corporation (OLG), the Municipal Property Assessment Corporation (MPAC) and the Criminal Injuries Compensation Board (CICB) – to name just three well-known examples – had all lost sight of the public interest. Lottery players, property owners and crime victims were all but abandoned to motives of profit, secrecy and inertia. But my recommendations, implemented by government, helped them get back on track – as the CICB chair notes in the **Your Feedback** section of this report. Similarly, in 2008, the OLG’s board of directors offered this summary of how my investigation into insider ticket theft and fraud changed the organization’s culture:

“The ‘shock’ of the Ombudsman’s report brought about deep and systemic change within the Corporation in very short order. It is unlikely that this could have been achieved through more conventional or traditional means of organizational reform.”

With the introduction of Bill 50, the *Ambulance Amendment Act (Air Ambulances)*, 2012, the government has a unique opportunity to ensure that what happened with Ornge is never repeated. As Parliamentarians proceed with their consideration of Bill 50, I encourage them to consider adding a provision including air ambulance service providers under my authority, as has already been suggested by some Members of Provincial Parliament. Similarly, Parliamentarians should heed the lessons learned from the Ornge debacle when considering the measures proposed in schedules 16 and 28 to Bill 55 – the budget bill. While alternative delivery of government services and regulatory programs might result in cost savings, it could also come at the heavy price of reduction of Ombudsman oversight.

Back to the future

Since 1975, the Ontario Ombudsman's Office has served as an effective buffer between citizens and government administration, particularly during lean economic times. My Office is poised to take on the challenges in 2012-2013 of oversight in an environment of fiscal restraint. We will be on watch to ensure that fairness to Ontario's citizens is not reduced, as administrators focus on limiting public spending.

Ontario Ombudsman André Marin received the Ontario Bar Association's Distinguished Service Award on April 26, 2012. In his acceptance speech, Mr. Marin dedicated the award to his staff and thanked Ontario public servants for their "professionalism, open-mindedness and good faith." He was congratulated by, among others, Premier Dalton McGuinty.



The Year in Review

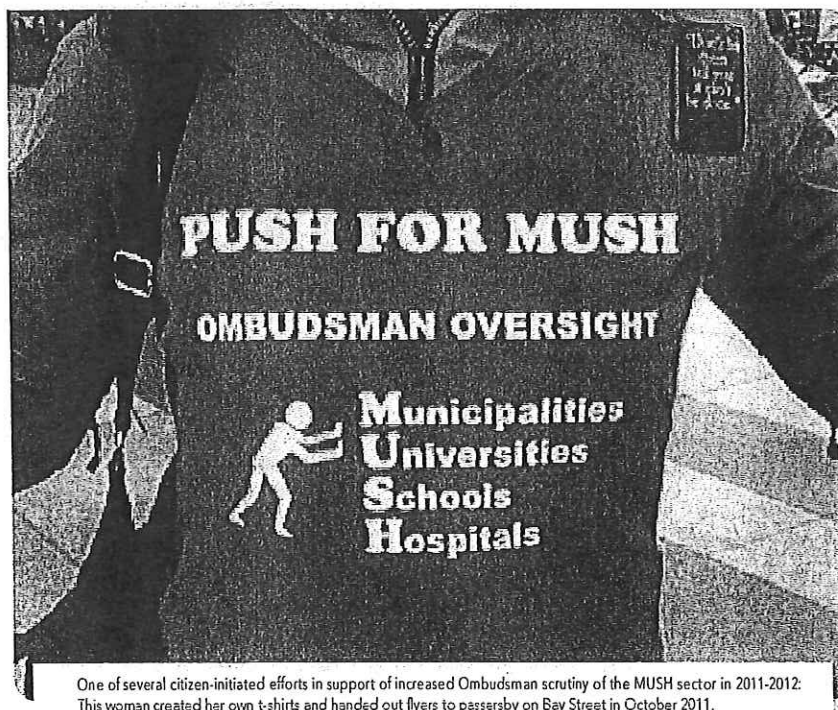
Beyond Scrutiny: The Push for MUSH

In 2011-2012, as detailed in the accompanying chart, the Ombudsman received a record number of complaints and inquiries about the MUSH sector, which includes municipalities, universities, school boards and hospitals, along with other broader public sector bodies such as long-term care homes, children's aid societies and police.

Unfortunately, the Ombudsman could not look into these 2,539 cases, as the MUSH sector remains exempt from his jurisdiction. Although many MUSH organizations are subject to freedom of information requests and, since 2004, value-for-money audits by the Auditor General, the public has no recourse to independent investigation of complaints about general maladministration in the MUSH sector.

The incongruity in this situation is that it represents an artificial line in the sand that the Ombudsman is unable to cross. He can investigate the policies that are set by provincial bureaucrats in glass towers in downtown Toronto, but is barred from investigating how they are implemented by MUSH sector organizations, where they touch people directly. For example, although the Ombudsman oversees the Ministry of Education, his office cannot examine whether the Ministry's policies are actually working as intended in Ontario schools. The same can be said of other MUSH areas.

It is long past time for the government to erase that line and allow this Office to follow administrative decisions of government right through to their delivery to the public. Ontario citizens appear to be growing weary and cynical of the government's use of buzzwords like "transparency" and "accountability" – as has been evidenced in their growing demand for Ombudsman assistance with MUSH-related issues, and reflected by acute interest from some parliamentarians.



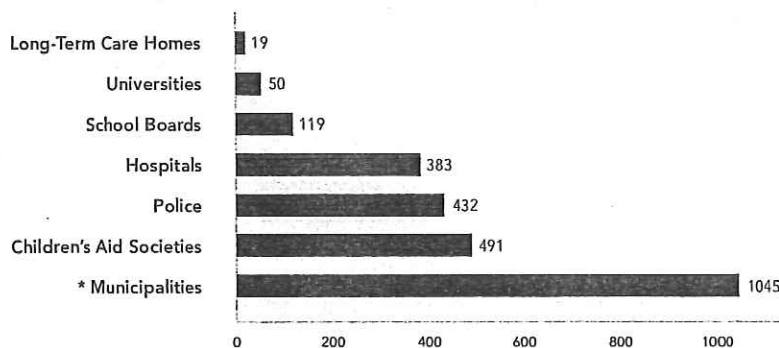
Since 2005, there have been nine private member's bills calling for expanded Ombudsman oversight over various MUSH areas. To date, none have progressed into law. The last effort was Bill 183, the *Ombudsman Statute Law Amendment Act (Designated Public Bodies)*, 2011, introduced by NDP MPP Rosario Marchese on April 19, 2011. This bill provided for Ombudsman oversight of hospitals, long-term care and retirement homes, school boards, children's aid societies, universities and the Office of the Independent Police Review Director. It was defeated at second reading on May 5, 2011.

Nevertheless, momentum for modernization of the Ombudsman's mandate continues to build. Thousands of Ontarians have signed petitions supporting Ombudsman oversight in the MUSH sector. Some 65 such petitions have been presented in the Legislature since 2005, 16 of those in 2011-2012 alone. Citizens have also promoted increased scrutiny of MUSH organizations by holding public rallies, distributing flyers and campaigning via social media.

As can be seen by the accompanying table, Ontario continues to trail behind every other provincial Ombudsman when it comes to having authority over MUSH.

MUSH SECTOR CASES RECEIVED DURING FISCAL YEAR 2011-2012

TOTAL: 2,539



* Excludes cases received about closed municipal meetings.

DEAD LAST

How Ontario's Ombudsman mandate compares to others in key areas of jurisdiction

	Municipalities	Universities	School Boards	Public Hospitals	Long-Term Care Homes	Child Protection Services	Police Complaints Review Mechanism
ONTARIO	NO	NO	NO	NO	NO	NO	NO
British Columbia	Yes	Yes	Yes	Yes	Yes	Yes	No
Alberta	No	No	No	Yes	Yes	Yes	Yes
Saskatchewan	No	No	No	Yes	Yes	Yes	Yes
Manitoba	Yes	No	No	Yes	Yes	Yes	Yes
Quebec	No	No	No	Yes	Yes	Yes	Yes
New Brunswick	Yes	No	Yes	Yes	No	Yes	Yes
Newfoundland and Labrador	No	Yes	Yes	Yes	Yes	Yes	Yes
Nova Scotia	Yes	No	Yes	Yes	Yes	Yes	Yes
Yukon	Yes	No	Yes	Yes	Yes	Yes	No

"M" - Municipalities

In addition to the complaints the Ombudsman receives in his role as closed meeting investigator for some **190** municipalities (details of which will be presented in a separate Annual Report later this year), hundreds of people also complain about general municipal issues outside the Ombudsman's mandate. There were **1,045** complaints and inquiries relating to municipal services in 2011-2012.

These complaints cover the full gamut of municipal issues, from services like garbage collection and road maintenance to problems with public housing or public health, to allegations of corruption and conflict of interest.

The City of Toronto remains the only municipality in the province with its own Ombudsman. Nowhere in Ontario do citizens have recourse to an independent, external body to investigate allegations of municipal maladministration.

"U" - Universities

Unlike colleges of applied arts and technology, which have a different governance structure, universities remain beyond Ombudsman scrutiny. The Ombudsman received **50** complaints and inquiries about universities in 2011-2012. Issues raised included fees and refunds, course requirements, marks, expulsions, decisions of internal academic appeals committees, unfair policies – and in one case, the service provided by a university's internal ombudsman. These complaints had to be turned away or referred elsewhere.

There are two provinces whose ombudsmen are able to help people who run into administrative problems with universities. For instance, in 2010-2011, both the Ombudsman of British Columbia and the Citizen's Representative of Newfoundland and Labrador helped students get a second chance when they were in danger of failing or not getting into their desired graduate programs.

"S" - School boards

In 2011-2012, the Ombudsman received **119** complaints and inquiries about Ontario's school boards. Many were from parents concerned about things like student suspensions, lack of adequate special education supports, the treatment of students with autism, insufficient consultation about school closures, and inadequate response to bullying. Once again, these complaints had to be turned away or referred elsewhere.

According to media reports, in December 2011, the Toronto Catholic District School Board moved to review appointing its own independent ombudsman, but deferred the motion in May 2012. This is an encouraging effort, but a long way from provincewide ombudsman jurisdiction, as is established in British Columbia, New Brunswick, Nova Scotia and Newfoundland and Labrador, as well as Yukon Territory.

"H" - Hospitals

In 2011-2012, the Ombudsman received **383** complaints about a range of serious hospital issues, including emergency room wait times, billing practices, breaches of patient confidentiality, and poor infection control.

Every other provincial and territorial ombudsman in Canada can deal with hospital complaints and obtain results for their citizens. For example, the Quebec

Ombudsman's work (detailed in her office's 2010-2011 Annual Report) has led to improved hospital emergency room wait times, infection control protocols, and palliative care practices. Similarly, the Saskatchewan Ombudsman helped a colon cancer sufferer obtain faster access to chemotherapy last year, and also recommended ways to improve the management of breast cancer treatment waiting lists. Ombudsmen in British Columbia, Quebec and Newfoundland and Labrador all reported helping patients with hospital billing problems last year as well.

While hospitals in Ontario became subject to the *Freedom of Information and Protection of Privacy Act* in January 2012, there is still nowhere to complain about their daily administration, except through whatever internal complaint processes hospitals choose to provide.

Losing patience with patient relations

The Ombudsman has received numerous complaints about hospital-designed complaints processes over the years. Whether labeled as "hospital ombudsmen" or some variation of "patient relations," these internal offices have little credibility with those who complain about their lack of independence, transparency, objectivity and investigative abilities.

The case of Dimitra Daskalos – widely reported in the media and discussed in the Legislature this past year – dramatically illustrates these concerns.

The 93-year-old Mrs. Daskalos was admitted to Toronto General Hospital in July 2010. By January 2011, after months of failed attempts to find her a long-term care home of their choosing, her family was told by the hospital that it would begin charging her the uninsured rate of \$1,658 for every day she occupied a hospital bed. The hospital's internal patient relations department responded to the family's complaint by supporting the hospital's position – that they should take the first available long-term care bed – and sending them a bill for more than \$18,000. When the family complained to the Ministry of Health and Long-Term Care about the hospital's conduct, they were redirected to the hospital.

Mrs. Daskalos died in February 2011. The Ministry of Health and Long-Term Care subsequently clarified that elderly patients awaiting long-term care placements cannot be charged daily uninsured hospital rates. The Daskalos family later spoke out publicly in support of Ombudsman oversight of hospitals.

In another case brought to the Ombudsman's attention, the family of a 74-year-old cancer patient was shocked to learn that a "do not resuscitate" order had been attached to her health record without their knowledge or consent. They complained that the hospital's patient relations staff argued with them. Only after they complained to the hospital president did they receive an apology for the erroneous order – but not for the insensitivity of the patient relations staff.

The Ombudsman also heard from a nurse whose father unexpectedly ended up on life support after surgery. She contacted the hospital's patient relations department to raise serious concerns, and was told they would send notice that the family wanted an internal investigation and get back to her in a few days. Patient Relations never contacted her again, and it was only when she later spoke with a doctor on staff that she learned an investigation had been launched.

The exception proves the rule

The only exception to the Ombudsman's general lack of oversight in the hospital sector occurs when the government appoints a supervisor to replace a hospital board of directors. At the time this report was written, supervisors were responsible for administration of the Hôtel-Dieu Grace in Windsor (since January 4, 2011), and the Niagara Health System (since August 30, 2011).

In 2011-2012, the Ombudsman received **16** complaints and inquiries about the Hôtel-Dieu Grace and **81** about the Niagara Health System, which includes seven sites serving 12 municipalities. The complaints ranged from poor communication by hospital staff and problems with hospital record keeping to inadequate infection control, overcrowding and long emergency room wait times. Ombudsman staff reviewed all of these complaints and followed up with the hospitals where necessary.

For example, the daughter of a psychiatric in-patient at Hôtel-Dieu Grace complained about the hospital's failure to discuss her mother's discharge planning with her. When she contacted the hospital's patient advocate to complain, she was initially told that she had to deal with a social worker, then assured that her feedback would be shared with the unit manager. When she never heard back from anyone, Ombudsman staff attempted to reach the patient advocate and received a voicemail message saying the relevant feedback had been shared, and the matter was closed. Three further messages to the advocate went unanswered. After senior Ombudsman staff raised the case with the hospital supervisor, the patient advocate promptly undertook to contact the patient's daughter and deal with her concerns.

Ombudsman staff also helped facilitate communication between the Niagara Health System and the families of three patients whose deaths were related to *C. difficile*. Hospital officials met with the families to answer their questions, and also committed to improving infection control procedures and communications in future.

Given the volume of complaints received about the Niagara Health System, senior Ombudsman staff conduct monthly conference calls with the supervisor and other officials to discuss complaint trends and significant cases.

Long-term care homes

The Ombudsman received **19** complaints about long-term care homes in 2011-2012. Most were from concerned relatives of residents and included serious allegations of resident abuse and overmedication, as well as unreasonable restrictions on visitors and problematic practices and policies.

Most other provincial ombudsmen have authority to review complaints about long-term homes. For instance, British Columbia's Ombudsman issued a second report on her systemic investigation into the care of seniors in February 2012. And Quebec's Ombudsman noted in her 2010-2011 Annual Report that her intervention led to 15 recommendations to reduce the risk to seniors of serious injuries and deaths due to exposure to overly hot water.

While the Ombudsman cannot investigate long-term homes themselves, he receives regular updates on changes to how they are being monitored by the Ministry of Health and Long-Term Care in the wake of his investigation of this issue, reported in 2010. An update on this case can be found in the **Special Ombudsman Response Team** section of this report.

A number of organizations have called for the Ombudsman's jurisdiction to be expanded in this important area, among them the Association for Care of the Elderly, which recommended this in its March 2012 submission to the Ministry's Long-Term Care Task Force on Resident Care and Safety. The independent task force, formed by representatives from across the long-term care sector in November 2011 in the wake of media reports of abuse and neglect in long-term care homes, issued a report in May 2012 recommending numerous improvements to the Ministry.

“Ontario is the only province in Canada... where our ombudsman does not have oversight of long-term care homes. I would love for him to receive those complaints. He is an expert at giving a voice to people who face those kinds of issues.”

NDP MPP France G  linas, quoted by CBCnews.ca, February 24, 2012

“Unfortunately, the Ontario government prohibits Ombudsman Andr   Marin from investigating complaints of abuse in hospitals and other health facilities. This only perpetuates abuse, staff silence, administrative coverup, and secrecy.”

Don Weitz, letter to the editor, *Toronto Star*, November 19, 2011

Children's aid societies

One **MUSH** area that continues to attract considerable attention is child protection. Ontario remains the only province that delivers child protection services through non-governmental agencies, with no ombudsman oversight.

In 2011-2012, advocates organized protests in dozens of cities, calling for increased accountability over children's aid societies. The Ombudsman 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. As well, there were **two** complaints from parents who were pressured to relinquish custody of their severely disabled children to children's aid societies in order to obtain care for them – an issue the Ombudsman investigated in 2005. An update on this can be found in the **Special Ombudsman Response Team** section of this report.

Other ombudsmen across Canada have been able to help families with their concerns about child protection authorities. Last year, the Citizen's Representative of Newfoundland and Labrador helped a father set the record straight after a flawed investigation by child welfare officials, and the Alberta Ombudsman persuaded officials to respond to the concerns of a mother whose children had been apprehended. On April 1, 2012, Alberta's Child and Youth Advocate also became a legislative officer, with increased resources and new powers to investigate serious injuries and deaths of children and youth in care.

In Ontario, there continues to be no provision for independent investigation of the conduct of children's aid societies. The only exception is when a government-appointed supervisor takes control. In 2011-2012, while the Huron-Perth Children's Aid Society was under supervision (up to September 6, 2011), the Ombudsman received **11** complaints, which Ombudsman staff resolved through inquiries and referrals and by dealing with the supervisor.

In response to calls for expansion of the Ombudsman's mandate into this field, children's aid societies as well as government administrators continually argue, much like a broken record, that multiple review mechanisms already exist to ensure adequate accountability of child protection services. In making this claim, they typically refer to the Ministry of Children and Youth Services, the Provincial Advocate for Children and Youth, the Child and Family Services Review Board, the courts, the Office of the Chief Coroner and the Pediatric Death Review Committee. However, none of the existing review bodies enjoys broad general authority to investigate complaints about allegations of maladministration, and the latter two only become involved after a child is dead. The May 2, 2012 sentencing in the 2008 murder of 7-year-old Katelynn Sampson highlighted problems of miscommunication and delay on the part of child welfare officials – issues that are well suited to Ombudsman consideration. While some improvements have been made in the wake of Katelynn's death, Ombudsman oversight would provide a layer of accountability where none exists, to expose systemic issues before disaster strikes.

The Child and Family Services Review Board gained jurisdiction in 2006 to consider complaints about children's aid societies. However, the board only deals with procedural issues and can only look at complaints from those directly receiving or seeking services from a children's aid society. It cannot deal with the type of complaints the Ombudsman typically receives, concerning problematic child apprehension or failure to investigate abuse. Although the board successfully appealed some of the restrictions on its authority in June 2011, its powers remain very limited. In 2011-2012, the Ombudsman received 18 complaints about the board itself, many criticizing the constraints on its jurisdiction.

Children's aid societies are in a state of flux. The government has committed to work with them to improve outcomes for children and youth, while containing costs through agency amalgamations, back-office consolidations and shared service delivery. As the number of local societies is reduced and a new funding model is introduced, there is increased potential for complaints and even greater reason to extend Ombudsman oversight into this area.

“We need to make sure that, when families are yanked apart, when processes are brought to bear, everything is done in a way that is above reproach. The law has to be seen as fair not only to the child, but to the families and to the prospective people who may adopt them. We need to have an oversight which is not there.”

NDP MPP Michael Prue, *Hansard*, June 2, 2011

Police

The Ombudsman received 432 complaints and inquiries about police in 2011-2012, including allegations of excessive use of force, assault, improper search, wrongful detention and arrest, harassment and threats, failure to investigate, inadequate investigation and improper discharge of a Taser. Complaints were referred to the Ministry of the Attorney General's Office of the Independent Police Review Director (OIPRD) and Special Investigations Unit (SIU), where appropriate.

The Ombudsman also received 37 complaints and inquiries about the OIPRD, raising allegations about failures to communicate and flawed investigations. The *Police Services Act* bars the Ombudsman from overseeing the OIPRD (although he does oversee the SIU). In 2011, the Ombudsman provided the OIPRD with information on 112 complaints received about police conduct during the June 2010 G20 summit in Toronto.

Operations Overview

The Ombudsman's Office received 18,541 complaints and inquiries in 2011-2012 – a 27% jump over the previous year. Most (59%) were resolved within one week; 70% within two weeks. The **Case Summaries** section of this report features examples of the many individual cases that were successfully resolved.

While the work of the Ombudsman's Early Resolutions team focuses on the resolution of cases, staff also watch for potential systemic issues. Both the Investigations team and the Special Ombudsman Response Team also work to resolve systemic problems proactively wherever possible. Some are referred for formal investigation, while others are successfully resolved once they are brought to the attention of senior government officials.



For example, in January 2012, as a result of the Ombudsman highlighting a case involving the incorrect application of an annual cost-of-living adjustment, the Family Responsibility Office announced it would correct errors in 1,700 similar cases, refunding or crediting support payors as warranted. Similarly, when Ombudsman staff alerted the Ministry of Transportation to a complaint about its identification requirements for renewing expired driver licences, it agreed to review and revise its policy. These are just a few examples of the government's positive responses to proactive work on the part of Ombudsman staff.

Senior Ombudsman staff also meet regularly with top officials from the most complained about ministries, organizations or programs, alerting them to complaint trends and significant cases. These meetings have been highly productive.

Complaint trends and significant cases in 2011-2012

Ministry of Community Safety and Correctional Services

Correctional facilities – Complaints from inmates

Due to the high volume of complaints from correctional institutions, the Ombudsman's strategy is to flag and focus resources on those involving serious health and safety issues. In addition to the Special Ombudsman Response Team's ongoing investigation into the handling of complaints about excessive use of force by correctional officers, Ombudsman staff are monitoring complaints about how inmate-on-inmate assaults are being handled. In some cases, Ministry policies are apparently not being followed – for example, required reports are not always completed and photographs are not taken – and there are allegations that some correctional staff have turned a blind eye to inmate-on-inmate conflicts.

Another recent trend in complaints by inmates involved lack of access to appropriate health care, missed medical appointments and abrupt discontinuation of anti-depressant and other psychiatric medications. Some complained about their medications being changed when they were transferred between jails. When these concerns were brought to the attention of the Ministry's corporate health care branch, it committed to review and revise the relevant health care policies and to train staff accordingly.

Private Security and Investigative Services Branch

Ombudsman staff are also monitoring complaints about the Ministry's Private Security and Investigative Services Branch, which is responsible for licensing private investigators and security guards and investigating complaints made against them.

When a systemic concern was flagged to its officials about the lack of reasons provided in the branch's decisions on complaints about security guards' conduct, the Ministry agreed to review and improve how it handles complaints and responds to complainants. However, the branch placed all complaints on hold while its new process was being developed – leaving about 200 complaints unacknowledged for about a year.

Senior management took immediate action when Ombudsman staff brought this to their attention, and provided detailed updates on how this self-imposed backlog of complaints was handled. The branch has since set up a process to help resolve complaints, trained staff, prepared pamphlets and updated its website with information about its responsibilities and how it deals with complaints.

The Ombudsman will continue to monitor the branch's progress closely.

Ministry of Community and Social Services

Family Responsibility Office

The Family Responsibility Office (FRO) is responsible for the enforcement of court-ordered child and spousal support in Ontario. With 759 complaints received in 2011-2012, the FRO is once again the most complained about government program in Ontario. Complaints about the FRO generally involve inadequate or failed enforcement of support orders or inappropriate/mistaken enforcement. There were also many complaints about miscalculation of support payments and general difficulties in communicating with FRO officials.

Among the complaint trends identified by Ombudsman staff was an apparent tendency by FRO officials not to consider all available facts or ensure their records were up to date before taking action. In other cases, enforcement was not timely or in compliance with FRO policies or procedures. Poor record keeping and poor customer service were also persistent issues, with serious consequences for many Ontarians.

For example, in one case where FRO staff had failed to update their records to reflect a new court order, they moved to suspend a man's driver's licence and garnish 50% of his income. When Ombudsman staff contacted them, they realized the man had complied with the order and there was no need to go after him for more money.

In another case, where a man owed \$5,000 in support to his family, FRO officials failed to recoup any of the money when the man sold his house, because he used an alias and FRO did not include that name on its writ of seizure and sale.

FRO officials also failed to properly process a 2001 provisional court order ending a man's support obligations – he was refunded \$1,200 in overpayments after Ombudsman staff intervened.

The Ombudsman is optimistic that, after so many years as a 'most complained about' organization, the FRO is showing signs of improvement.

New senior managers at the FRO have been very responsive to the complaint trends and cases brought to their attention by Ombudsman staff. They have set up a policy review committee and recently implemented a new customer service model and case management system. They have made an effort to speed up registration of court orders and improve the way they respond to clients and the public.

The Ombudsman is optimistic that, after so many years as a "most complained about" organization, the FRO is showing signs of improvement. Regular meetings and monitoring of complaints will continue.

Services for children with special needs

For the past several years, the Ombudsman has monitored complaints about a lack of services for children with special needs. Working with the child's family, community agencies and the relevant ministries, Ombudsman staff resolve these cases as effectively as possible. In 2011-2012, there were 47 complaints about services and treatment for children with severe special needs. The availability of services for these children continues to be a concern for the Ombudsman.

Two of these cases echoed the issues raised in the Ombudsman's 2005 investigation and report, *Between a Rock and a Hard Place*, which revealed parents were being forced to surrender custody of their children to children's aid societies in order to place them in facilities that could care for them. Ombudsman staff resolved both of these cases – for more detail, see the **Special Ombudsman Response Team** section of this report.

Assistance for Children with Severe Disability benefit program

In 2010-2011, the Ombudsman reported on complaints from families who were denied the Assistance for Children with Severe Disability (ACSD) benefit purely on the basis of income. By law, Ministry officials reviewing a family's application for ACSD are supposed to consider three other factors in addition to income, including the child's age, the nature of the disability and the expenses associated with caring for the child's special needs. A number of families complained to the Ombudsman that they were denied the benefit because their income was above a cap set by the Ministry, regardless of the specifics of their children's needs.

Inquiries by Ombudsman staff prompted the Ministry to review how its officials were applying the eligibility requirements for the benefit, particularly the "extreme hardship" clause, which allows them discretion to approve ACSD benefits for families that exceed the Ministry's income cap if they have incurred extreme costs relating to a child's disability. The Ministry determined its staff were not considering all cases consistently – in fact, in one region, the income cap was applied strictly, with no exceptions.

The Ministry clarified the rules for all staff dealing with ACSD applications, and as a result, more families have received the benefit under the "extreme hardship" criteria. It also developed a system to track Social Benefits Tribunal cases where benefits are denied, in case further clarification or training of staff is necessary to ensure the rules are applied consistently across the province. The Ministry provides the Ombudsman with regular updates on this issue.

Ontario Disability Support Program – Email communication with recipients

Since 2010, Ombudsman staff have been monitoring complaints by recipients of Ontario Disability Support Program (ODSP) benefits that program officials refused to communicate with them by email, even if the recipients' disabilities made it all but impossible for them to use other means of communication. This review revealed that the Ontario Human Rights Commission had ordered the Ministry of Community and Social Services to address this issue as early as 2003.

The Ombudsman's last Annual Report noted that, in response, the Ministry was testing new technology to allow confidential electronic communication with ODSP clients. The Ministry advised the Ombudsman that 82 ODSP clients are now communicating with program staff via email. The Ministry plans to expand the service to others with similar needs and is exploring ways to allow all clients to submit information online. The Ombudsman will continue to monitor the Ministry's progress in this area.

Services for adults with developmental disabilities

Another persistent source of complaints to the Ombudsman – 28 in 2011-2012 – is an apparent lack of services to support adults with developmental disabilities – particularly young adults. In several cases, when they turned 18 and their care was no longer the responsibility of the Ministry of Children and Youth Services, these young people found themselves without corresponding care under the Ministry of Community and Social Services (MCSS). Ombudsman staff met with senior MCSS officials in August 2011 about this concern.

The MCSS advised the Ombudsman that it is working to streamline the application process and co-ordination of services through its new access point, Developmental Services Ontario. It also implemented a new “support intensity scale” to ensure community agencies evaluate people’s needs consistently and fairly across the province.

Several individual cases were resolved when Ombudsman staff raised them with senior Ministry officials. For example, when a 19-year-old group home resident nearly ended up in a municipal homeless shelter (see the **Case Summaries** section of this report) because a placement couldn’t be found for him, the MCSS Assistant Deputy Minister intervened to ensure he remained in a group home.

In another case, the father of a medically fragile and developmentally disabled 19-year-old woman called the Ombudsman because his wife had died and he was in desperate need of additional services to support his daughter at home. The local Community Care Access Centre (CCAC) was unable to find personal care workers who could travel to his rural home as needed. Ombudsman staff worked with the Ministry and officials from the CCAC and Local Health Integration Network to arrange a funding method that would allow the family to contract their own personal care workers.

Ministry of the Attorney General

Office of the Public Guardian and Trustee

The Office of the Public Guardian and Trustee (OPGT) is responsible for the guardianship and management of the financial affairs of people who are physically and mentally incapable. Sometimes this includes responsibility for decisions about their personal care. The Ombudsman received 130 complaints about the OPGT in 2011-2012; these complaints were generally about the OPGT’s decisions or its communication with clients and customer service.

Complaints often come from family and friends of OPGT clients. In some of these cases, the OPGT either failed or was slow to respond to calls from these concerned people. Some clients also complained that they had trouble reaching their OPGT representatives.

In some instances, OPGT staff provided incorrect information to clients – and to Ombudsman staff. In one case (in the **Case Summaries** section of this report), a man who requested a capacity assessment was wrongly denied, and his OPGT case worker withheld information about a registered savings plan he had in the bank because she did not want to deal with his requests for money. In another, an OPGT worker admitted that she had told a man that his income tax refund had not been received when it had been.

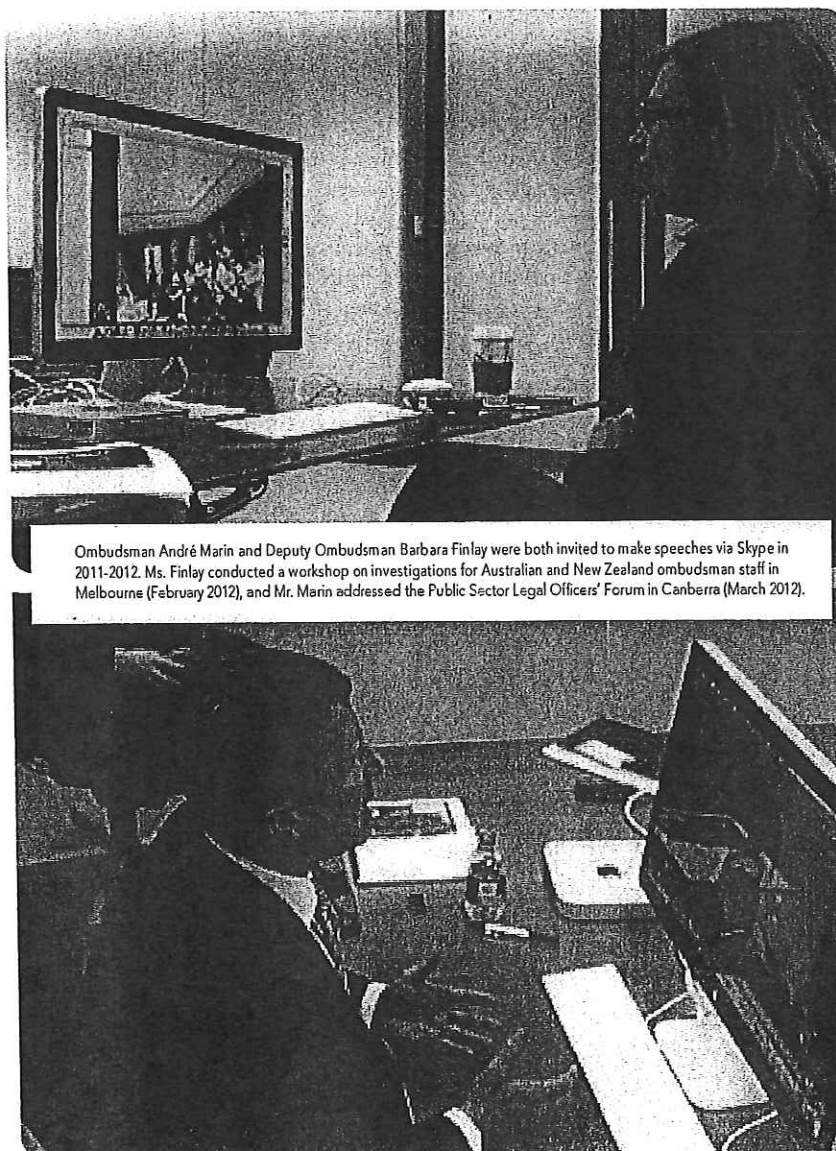
Senior OPGT officials have welcomed regular meetings with Ombudsman staff to discuss complaint trends, potential systemic issues and individual cases. They have worked to improve customer service, beginning with an updated case management system, new phone protocols, audits and staff training.

Human Rights Tribunal of Ontario – Use of Skype

An applicant to the Human Rights Tribunal of Ontario complained to the Ombudsman when his request to have a scheduled teleconference via Skype was refused.

When Ombudsman staff followed up with the tribunal to find out why, the response was that Skype is not an approved business application in the Ontario Public Service. Tribunal officials advised that a business case would have to be made in order to use the technology, which would be onerous and possibly costly.

Skype technology has been used successfully by the Ombudsman's Office over the past two years to facilitate inquiries, confidential interviews and investigations and even to make speeches. It has proven to be a cost-effective tool that greatly improves stakeholder access to the Office's services. It is commonly used by the public and easy to implement. In the Ombudsman's view, it is difficult to accept the reasons provided by the OPS and the tribunal as to why Skype is not permitted for hearings and other communications.



Ombudsman André Marin and Deputy Ombudsman Barbara Finlay were both invited to make speeches via Skype in 2011-2012. Ms. Finlay conducted a workshop on investigations for Australian and New Zealand ombudsman staff in Melbourne (February 2012), and Mr. Marin addressed the Public Sector Legal Officers' Forum in Canberra (March 2012).

Ministry of Energy

Hydro One

Although complaints to the Ombudsman about Hydro One decreased in 2011-2012 – to 232, from 306 last year – it remains the fifth most complained about organization in the province. The most common complaints continue to be about excessive or incorrect billing, high or inaccurate meter readings, “smart” meters and required security deposits. There were also complaints from people who received unreasonable “catch-up” bills, or charges that were calculated over a number of years, some complicated by delays in meter repairs. Some exasperated customers sought the Ombudsman’s help in making sense of Hydro One’s charges and accounting.

Ombudsman staff worked with Hydro One officials, who agreed to provide detailed letters of clarification and explanation to customers. In general, they were very co-operative and committed to working with the Ombudsman to resolve these issues.

Examples of this year’s successfully resolved Hydro One cases can be found in the **Case Summaries** section of this report.

Ministry of Transportation

Licensing Service Branch – “Master” licences

A complaint from a man convicted of drunk driving led Ombudsman staff to discover a disturbing issue with thousands of “master licence” records at the Ministry of Transportation. When someone is stopped by the police for a driving offence or collision and no driver’s licence record for the person can be found, a dummy (or “master”) licence record is created by the Ministry in order to store the information about the offence. The dummy licence is supposed to be matched up with the person’s official licence, if one exists, or if he or she applies for a licence in future.

However, Ombudsman staff learned there are more than 36,000 dummy licences created per year and the Ministry did not have an effective process to prevent duplication. In the case of the drunk driver, for example, his court conviction was entered against the dummy licence, but he continued to drive for years because he still had an official licence that the Ministry had failed to match up with the dummy one.

Ombudsman staff raised concerns about this problem to the Ministry and were informed that steps had already been taken to improve the Ministry’s search tools to catch potential duplicate licences that may have resulted from incorrect information (e.g., misspelled names) being entered into its system. In addition, the Ministry advised that a new records system is in the works. However, at the time of writing this report, the Ministry had no concrete plans to review its existing database of dummy licences. Given the potential public safety implications, Ombudsman staff will continue to follow up with senior Ministry officials on this matter and assess whether a formal investigation is warranted.

Ministry of Training, Colleges and Universities

Private Career Colleges Branch

The Ministry's Private Career Colleges Branch – the subject of the Ombudsman's 2009 SORT investigation, *Too Cool For School* – is responsible for ensuring all private career colleges are in compliance with legislation, taking enforcement action against those that are unregistered or otherwise not in compliance, and handling complaints from students.

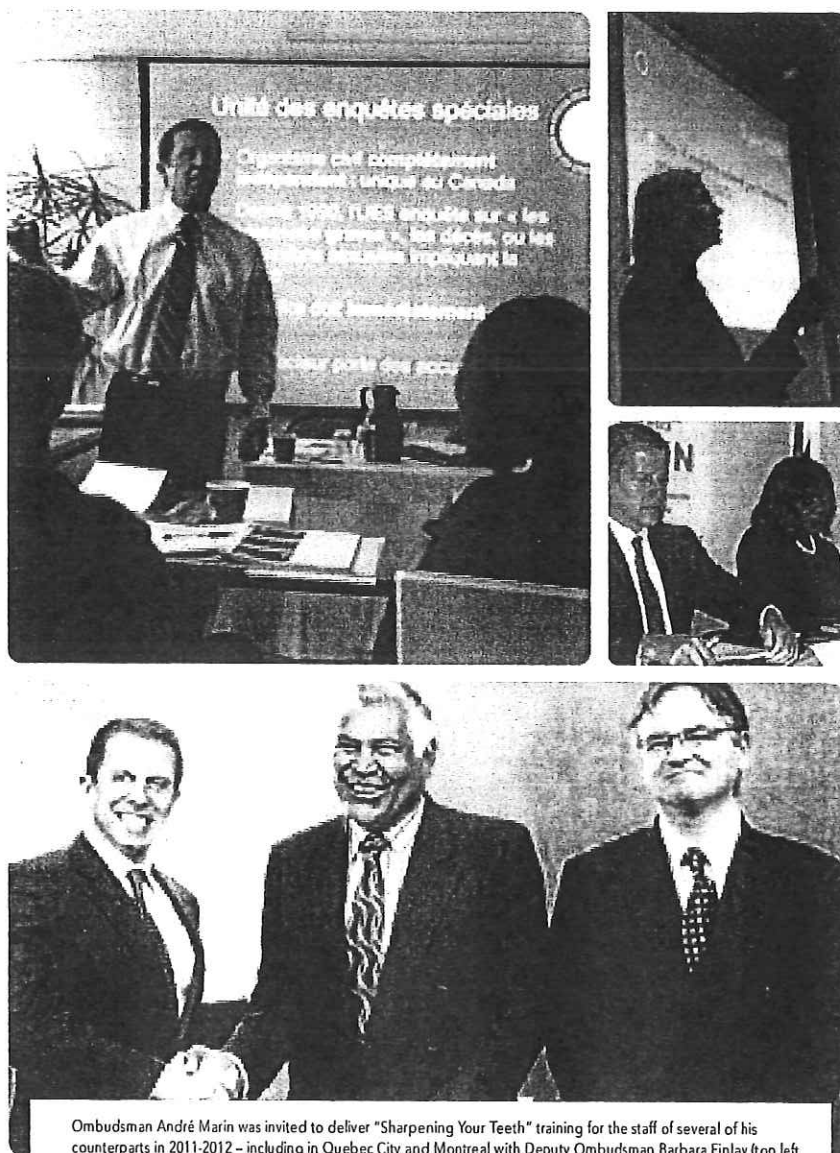
In 2011-2012, the Ombudsman received 26 complaints about this branch – about half of those from colleges, the rest from students. Many of these were about inadequate communication, unfair enforcement, or delays in approving programs, renewing schools' registrations, or responding to colleges' compliance efforts.

One college director complained that she had tried for two years to address concerns that a Ministry inspector had raised about her school. While she viewed the problem as a simple misunderstanding, she complained that it had forced her to close her college. She had even hired a lawyer, to no avail. Ombudsman staff worked for several months to obtain answers from the branch and discussions with senior Ministry staff were ongoing at the time this report was written.

Ombudsman staff continue to review complaints about this branch, including assessing whether a systemic investigation may be warranted.

Training and Consultation

Over the past five years, the Ontario Ombudsman's investigation techniques have been exported around the world, thanks to his innovative training course for ombudsmen and investigators, **"Sharpening Your Teeth: Advanced Investigative Training for Administrative Watchdogs."** The Ombudsman and senior staff are also frequently asked to consult with visiting counterparts and similar agencies from across Ontario, Canada, the U.S. and many other countries.



Ombudsman André Marin was invited to deliver "Sharpening Your Teeth" training for the staff of several of his counterparts in 2011-2012 – including in Quebec City and Montreal with Deputy Ombudsman Barbara Finlay (top left and top right), South Africa (pictured with South Africa Public Protector Thuli Madonsela, middle right), and Namibia (pictured with SORT Director Gareth Jones, bottom right, and Namibia Ombudsman John Walters).

Training

The Ombudsman's "Sharpening Your Teeth" course has been delivered annually in Toronto since 2007, drawing representatives from hundreds of agencies across Canada, the U.S. and overseas. As well, the Ombudsman and other members of his senior team have delivered the course to other ombudsman offices and similar agencies in host countries in Europe, Asia, Africa, Australia and South America. All of this training is done on a complete cost-recovery basis.

In 2011-2012, the Ombudsman and Deputy Ombudsman trained colleagues from 24 countries in a "Sharpening Your Teeth" course at the International Ombudsman Institute headquarters in Vienna – and dozens more at a course hosted by the United States Ombudsman Association in Jacksonville, Florida. Other customized versions of the course were conducted this past year for the Office of the Public Protector of South Africa, the Ombudsman of Namibia, Canada's Ombudsman for Banking Services and Investments and the Trinidad and Tobago Police Complaints Authority.

The course was also delivered completely in French for the first time (as "*Aiguiser vos les dents*"), for the Quebec Ombudsman's staff in Quebec City and Montreal.

“In Canada, [Ombudsman André] Marin has an unsurpassed reputation for fair, thorough and objective investigations. His [investigative] model has resulted in major government reforms that improved the lives of the people of Ontario.”

South Africa Public Protector Thuli Madonsela, press release, August 2011

The Ombudsman's fifth annual "Sharpening Your Teeth" training conference in Toronto was held November 28-30, 2011, and attended by 75 participants, including representatives from several ombudsman offices, from Montreal and Amsterdam to Antigua and Curaçao. Other Canadian agencies represented at the course included the Taxpayers Ombudsman, National Defence, Manitoba Ombudsman, Newfoundland and Labrador Child and Youth Advocate and Saskatchewan Workers' Compensation Board. At the Ombudsman's invitation, the Ontario government sent senior officials from the ministries of Labour, Environment, Finance, Community and Social Services, Consumer Services, Health and Long-Term Care, Municipal Affairs and Housing, Revenue, and Colleges, Training and Universities.

Guest speaker Shelly Jamieson, then Secretary of Cabinet and head of the Ontario public service, addressed the group about the importance of strong, credible ombudsman oversight of government, calling the Ombudsman "one of my most valued allies."

“We know that Ombudsman investigations are helping to uncover challenges that we might not have the distance to see, to bring those issues to light, and to make our services more responsive to the people who need them. No matter what, there is always room for improvement.”

Secretary of Cabinet Shelly Jamieson,
address to "Sharpening Your Teeth" participants, November 30, 2011.

The next edition of "Sharpening Your Teeth" in Toronto will be held in January 2013.



Ombudsman André Marin invited then Secretary of Cabinet Shelly Jamieson, head of the Ontario public service, to address "Sharpening Your Teeth" participants about the impact of Ombudsman investigations, November 30, 2011.

Comments from "Sharpening Your Teeth" participants, November 2011:

Not only has the course provided insightful tools and info, it has given me courage to go back to the office and start effecting change.

It gives you techniques and methods you can apply to your local situation while conducting an investigation.

André Marin and staff are inspiring.

The course content was very relevant. It clearly reminded us, in order for an investigation to be effective and timely, it needs to be effectively planned.

Listening to case studies of successful investigations of public sector programs has given me insight in how to apply critical evaluation to my own program.



Ombudsman André Marin addresses "Sharpening Your Teeth" participants in Toronto, November 30, 2011.

Consultation with other agencies

Many agencies – from the Ontario government to far-flung offices of ombudsmen, human rights organizations and other oversight bodies – consult the Ontario Ombudsman for advice and expertise. The Ombudsman and staff host visiting delegations throughout the year, and frequently give presentations to groups seeking to know more about the Office's services.

Visiting delegations in 2011-2012 included the Dutch National Ombudsman, the European Ombudsman, and a group of 13 high court judges from Nigeria's National Capital Territory, part of a visit organized by the International Development Institute in Washington, D.C. and the York University Centre for Practical Ethics.

Ombudsman staff were also asked to give presentations to several Ontario agencies, including the Ontario Network of Injured Workers Groups and the Financial Services Commission, and to conduct workshops in leadership and ethical decision-making as part of the Ministry of Government Services' leadership training program for public servants. As well, members of the Ombudsman's municipal closed meeting investigations team, OMLET (**O**pen **M**eeting **L**aw **E**nforcement **T**eam) were invited to speak to several municipal councils about the Ombudsman's investigations and best practices for keeping meetings open to the public. (Details about OMLET investigations will be presented in a separate Annual Report later this year.)



Among the dignitaries who consulted with Ombudsman André Marin in 2011-2012 were European Ombudsman Nikiforos Diamandouros (October 2011) and Nigerian High Court Chief Justice Lawal Gummi (November 2011).





Communications and Outreach

From “live-tweeting” on Twitter to the publication of traditional reports, the Ombudsman uses all available means of communication to reach as many people as possible – and, increasingly, to allow them to reach him. Whether it’s through the printed word, social media, the new Ontario Ombudsman website and mobile “app,” in-person appearances or Skype, the Ombudsman and staff use the latest technologies available to communicate about the Office’s work.

Communications

Since public complaints and concerns are the lifeblood of the Ombudsman’s Office, broad, effective and efficient communication is essential to his work. In 2012, the Office continued to maintain a high profile in traditional media, increased its social media reach significantly, and became the first ombudsman office in the world to implement a mobile-optimized “app” to allow people to complain and use its redesigned website right from their smartphones or tablets.

Traditional media

There were 834 print articles published about the Ombudsman’s Office in 2011-2012, primarily in daily newspapers across Ontario and the rest of Canada. The estimated advertising value of these articles was \$1.7 million, reaching an aggregate audience of 45.5 million people, according to calculations by Infomart, based on newspaper advertising rates, circulation and page display.

There were also 393 items about the Ombudsman and his work broadcast on radio and television, both in Ontario and across the country.

Social media

The Ombudsman's social media following increased significantly in 2011-2012, as did the degree of public engagement with the Office's social media outlets. Since 2009, thousands of people across Ontario and the world have used **Facebook**, **Twitter**, **YouTube** and **Flickr** to stay up to date on the Ombudsman's work – and to comment on and contribute to investigations. The Ombudsman's successful use of social media has encouraged ombudsmen and other oversight agencies to follow suit. In recognition of this leadership, the Ombudsman's Communications staff were invited to share their expertise at GovCamp 2011, a social media conference in Toronto in June 2011.

The Ombudsman's **Facebook** page (www.facebook.com/OntarioOmbudsman) had more than **1,700** "likes" at the time of writing this report (up from 1,400 last year) and received close to **24,000** visits in 2011-2012. The page welcomes comments, questions, and discussion about the Ombudsman's work, and followers are kept up to date with news stories, press releases, and job postings, as well as links to the Ombudsman's latest speeches and press conferences.

In early 2012, the new "Timeline" format was implemented on the Ombudsman's Facebook, showcasing an online archive of photos, news articles, speeches, and reports from the Office's creation in 1975 to the present day.

On **Twitter**, the Ombudsman's followers grew to more than **7,000** at the time this report was written – up from 4,500 a year ago. Followers of **@Ont_Ombudsman** – where all tweets are written personally by Ombudsman André Marin unless otherwise noted – are active; they ask questions, share press releases and news, and offer insight and tips for investigations. The Ombudsman uses Twitter to speak directly to the public – including media followers – about a wide range of subjects, 140 characters at a time. Events such as press conferences and speeches are "live-tweeted" – usually by Communications staff, while the Ombudsman is busy speaking – with the hashtag **#OOLive**, allowing anyone to follow, track or search for the full stream of related tweets.

The Ombudsman's **YouTube** channel (www.youtube.com/OntarioOmbudsman) also counted thousands of new users in 2011-2012, amassing about **14,000** views. The videos of the Ombudsman's news conferences and speeches are also embedded and linked on the Office's website.

More users also discovered the photo resources available at the Ombudsman's **Flickr** account (flickr.com/ont_ombudsman), where high-quality, professional photographs of press conferences, award ceremonies, speeches, and other events are available, primarily for media use. The account received **1,766** views in the past year.

Website and mobile app

The Ombudsman's website (www.ombudsman.on.ca) was redesigned and relaunched in June 2011 to improve the online complaint forms, better integrate social media and video, and make investigations, speeches, news items and other resources easier for users to find.

According to Google Analytics, the website had **80,689** unique visitors in 2011-2012. It received **131,422** total visits, an increase of 10% over the previous year. Page views also increased, to **528,315**. Most visitors are from Canada, the United States, the United Kingdom, and Australia, but others came to the site from **180** countries.

In November 2011, the Ombudsman unveiled the mobile-optimized version of the site, or web “app” (application), which users can download directly to the homescreen of a smartphone or tablet. It offers a simplified complaint form, intuitive navigation, and is searchable. At the time of writing this report, there had been 3,523 visits to the mobile site, with 2,470 unique visitors and an average of 170 visits per week, and about 50 complaints had been submitted via the mobile site.

Comments from Twitter about the new website design:

“Your website is top notch: I’d encourage all Ontarians to check it out.”

@judahoudshoorn

“The best Ombudsman site we have seen!
All other ombudsmen need to take note.”

@crg_ltd

“Great mobile site and love the social media presence.
Keep it up, @Ont_Ombudsman!”

@jeffbilyk

Outreach

The Ombudsman was invited to speak at a wide variety of events in 2011-2012, from law faculties at the universities of Western Ontario, Ottawa and Windsor to the social-media-themed “meetup” organized by Third Tuesday Toronto. He was the keynote speaker at the annual meeting of the Ontario College of Teachers, and gave the annual Public Policy Address at York University’s McLaughlin College. Both the Ombudsman and Deputy Ombudsman also gave speeches to groups in Australia in early 2012 – without leaving Toronto, thanks to the video-calling service Skype.

Ombudsman staff also participated in a number of outreach events sponsored by community groups.

And the award goes to...

Ombudsman André Marin was honoured with the following prestigious awards in 2011-2012, recognizing his contribution to law and public service in Ontario:

DISTINGUISHED SERVICE AWARD, Ontario Bar Association, April 2012

This award is given in recognition of exceptional achievements in the legal profession in Ontario, including contributions to the development of the law and to significant law-related benefits to the residents of Ontario (announced March 2012).

A.D. DUNTON ALUMNI AWARD OF DISTINCTION, Carleton University Alumni Association (Ottawa), November 2011

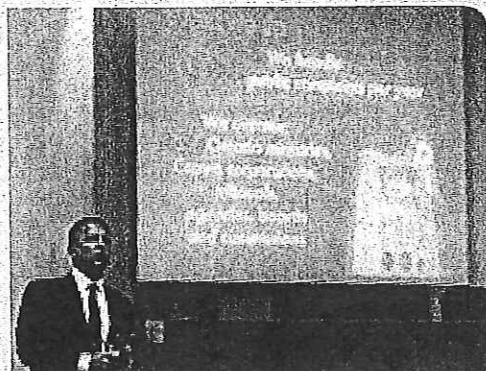
Given annually to one former graduate, this is Carleton’s highest alumni honour, recognizing outstanding achievements in the recipient’s field and individual accomplishments that act as a source of inspiration and motivation.

ORDRE DU MÉRITE (ORDER OF MERIT),

University of Ottawa Faculty of Law, Civil Law Section, September 2011

The highest distinction given to University of Ottawa civil law graduates, this award recognizes those who have made remarkable contributions to the advancement of law, established themselves as national or international leaders, and demonstrated exceptional social or community engagement.

Speeches



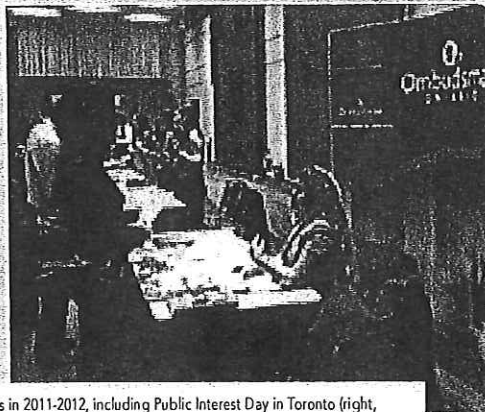
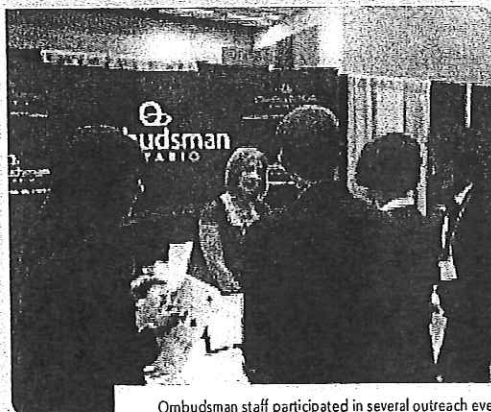
Ombudsman André Marin was part of the Distinguished Speakers Series at the law faculty of the University of Western Ontario (right, October 2011) and lectured at the University of Windsor faculty of law (left, January 2012).

Awards



Ombudsman André Marin received three awards in 2011-2012 for his contributions to Ontario law and his achievements as Ombudsman: The Ontario Bar Association's 2012 Distinguished Service Award (left, presented by OBA Vice-President Morris Chochla); the Order of Merit from the University of Ottawa's Faculty of Law, Civil Law Section (presented by Dean Sébastien Grammond); and the Carleton University Alumni Association's A.D. Dunton Award (presented by University President and Vice-Chancellor Roseann Runte, left, and Alumni Association Chair Jane Gilbert).

Events



Ombudsman staff participated in several outreach events in 2011-2012, including Public Interest Day in Toronto (right, March 2012) and the University of Ottawa's Social Justice Fair (also March 2012).

Special Ombudsman Response Team

The Special Ombudsman Response Team is responsible for conducting the Ombudsman's investigations of serious, high-profile issues that affect large numbers of people. Many of these investigations have a systemic component. By tackling the root cause of a problem, SORT investigations can resolve many complaints at a time and avert future ones.

SORT consists of a group of skilled and experienced investigators. Its methodology involves careful case assessment, rigorous planning and a "no-stone-left-turned" approach to evidence gathering. When necessary – as in cases with many witnesses or a large volume of documents – the Ombudsman will augment the team with other staff, including legal counsel, investigators and Early Resolution Officers.

These investigations usually result in a public report, focusing on the underlying causes of the administrative problems found, and making practical recommendations to resolve them. An important part of SORT's role is to follow up on the implementation of the Ombudsman's recommendations. The Ombudsman receives regular updates from government agencies and can investigate further if necessary.

Created by Ombudsman André Marin in 2005, SORT has been acknowledged as a leader in the global ombudsman community for its advanced investigative techniques. These methods are the heart of the Ombudsman's training course, "**Sharpening Your Teeth: Advanced Investigative Training for Administrative Watchdogs**," which has trained hundreds of ombudsmen and investigators from across Canada and around the world (for more on this, please see the **Consultation and Training** section of this report).

SORT investigations completed in 2011-2012

Oversight Undermined – Ministry of the Attorney General and the Special Investigations Unit



In December 2011, the Ombudsman released his second report involving the Ministry of the Attorney General and the Special Investigations Unit (SIU) – the agency that conducts independent investigations in cases where police are involved in the death, serious injury or sexual assault of a civilian. *Oversight Undermined* was the result of a follow-up investigation into the Ministry's response to the Ombudsman's recommendations in his 2008 report, *Oversight Unseen*.

The first investigation revealed, among other things, a lack of rigour in SIU investigations, a lack of police co-operation with the SIU, and a preponderance of retired police officers among its investigators – all of which contributed to public perceptions that it had a pro-police bias. The Ombudsman recommended the SIU make internal changes, and also called on the Ministry

and government to support its work through clearer, stronger legislation outlining both the SIU's mandate and police obligations to it.

Both the SIU and the Ministry welcomed the Ombudsman's recommendations in September 2008, and the Ministry committed to begin consultation on new legislation. The SIU, under the leadership of new Director Ian Scott, made significant strides to dispel its image as a "toothless tiger," as the Ombudsman described it at the time. Among other changes, for the first time in its history, it appointed an investigations supervisor with a non-police background.

But while the Ministry did give the SIU more resources to purchase needed equipment, including a mobile command centre, it did little else after 2008 to implement the Ombudsman's recommendations. It was this inertia that prompted the Ombudsman to announce a follow-up investigation in September 2010.

The follow-up investigation, like the first, was exhaustive, including the review of more than 1,000 documents from the SIU and Ministry and interviews with numerous high-level officials at both.

SORT investigators learned that as early as March 2009, conflict between the SIU and police prompted the Ministry to decide not to move forward on the Ombudsman's recommendations for stronger legislation. An internal briefing note revealed that this was "largely due to vehement police opposition."

The same briefing note indicated that the Ministry had simply bought time and was counting on the Ombudsman to move on from the important issue of police oversight. It said: "Marin typically does not conduct any public communications regarding 'report-backs' – he usually gets his media hit off report releases and then moves on. We need not be overly concerned that he will criticize us." The Ombudsman found it highly disturbing that the Ministry would develop public policy based on such misguided considerations.

“The Ministry has failed the SIU and by doing so it has failed the public and the police. For a bulwark of democracy, the SIU's legal foundation is embarrassingly flimsy.”

Ombudsman André Marin, release of *Oversight Undermined*, December 14, 2011

Then, just days apart in June 2009, there were two fatal shootings by Ontario Provincial Police officers. Although no officers were criminally charged in the deaths of the two men – Douglas Minty, 59, and Levi Schaeffer, 30 – controversy erupted because in both cases, police association lawyers consulted with the officers involved and vetted their notes before they were given to the SIU. The SIU deplored this practice, and the families of Minty and Schaeffer went to court, seeking a declaration that it not be allowed.

Meanwhile, the Ombudsman found, rather than supporting Director Scott in his efforts to hold police to account when they failed to co-operate with the SIU, the Ministry was actively undermining him. It suppressed the SIU's 2009 Annual Report, in which Director Scott called attention to, among other things, problems with police association lawyers interfering with the preparation of notes by officers under investigation. Ministry officials called the report "provocative" and not "useful."

Instead, the Ministry quietly appointed retired justice Hon. Patrick LeSage in December 2009 to consult privately with police and the SIU on ways to resolve their ongoing disputes. Mr. LeSage issued a three-page report in April 2011, addressing some of these issues, and recommended the Ministry revisit issues affecting the SIU and police in another two years. The Ministry finally permitted the release of the SIU's delayed 2009 report in May 2011.



Ombudsman André Marin discusses his findings on the lack of police co-operation with the Special Investigations Unit at a press conference to release his report *Oversight Undermined*, December 14, 2011.

Director Scott told SORT investigators that between 2008 and 2011, he wrote more than 200 letters to police chiefs, identifying cases in which their members had failed to co-operate with the SIU, warning they risked violating the *Police Services Act*. These were cases where police delayed notifying the SIU of fatal or serious injuries – or never called at all; cases where police impeded SIU investigators' access to incident scenes or interfered with their investigation; and cases where police lawyers interfered with the notes of witness officers. Director Scott received substantive replies to fewer than 10% of his letters.

In November 2011, the Ontario Court of Appeal released its decision in the case brought by the Minty and Schaeffer families. It clearly declared that police association lawyers are prohibited from vetting or assisting in the preparation of police notes in SIU investigations. The Ombudsman released *Oversight Undermined* four weeks after the court's decision.

He made 16 recommendations, most of which reiterated those from 2008. He urged the government to reconstitute the SIU under new legislation that clearly defines its mandate, the obligations of police services to notify the SIU of incidents that fall within that mandate, and consequences for those that fail to comply. He noted that the follow-up investigation had shown half-measures and attempts to soothe tensions through silence had only made matters worse for all concerned.

While the Ministry's response to the latest recommendations was generally positive, the Ombudsman found it disappointing in its lack of detail or commitment.

I thank the Ombudsman for bringing these issues to the public's attention... I look forward to working with the Ministry of the Attorney General and the Government of Ontario in implementing the Ombudsman's recommendations in order to facilitate a more independent oversight body.

SIU Director Ian Scott, statement in response to Ombudsman's report, December 14, 2011

“The situation needs to be improved. We’re going to improve it.”

Attorney General John Gerretsen, quoted in *The Globe and Mail*, December 15, 2011

“A report that our police oversight system isn’t working properly is cause for alarm. It should be debated in the Legislature and, ultimately, lead to changes in law.”

Toronto Star editorial, December 16, 2011

The report also sparked a variety of responses from police chiefs about the letters issue. In Windsor, the police chief abruptly resigned in January 2012 after a media storm sparked in part by questions about cases in which his service failed to notify the SIU. In April 2012, the Ottawa police chief publicly committed to responding to the SIU’s concerns – although he did not commit to a substantive response to the SIU Director’s letters in future. The Ombudsman expressed his opinion that the chief must show accountability and meaningfully address the SIU’s concerns; mere pro-forma acknowledgment of the letters would achieve nothing but the waste of a stamp. The Ombudsman noted that it is part of the duty of all police chiefs to respond to and investigate complaints by the SIU that its efforts were frustrated by police services.

In the wake of the Ombudsman’s report, the SIU has seen a marked increase in notifications by police services of serious incidents – from 57 in the first quarter of 2011 to 101 in the first quarter of 2012. For the SIU’s part, while the Ombudsman has been generally satisfied with its response to his recommendations, he raised concerns in April 2012 about a television documentary in which one SIU investigator could be seen wearing a police ring (although it was intentionally blurred in the video, an internal investigation later confirmed it to be a ring from Durham Regional Police). Given that this type of behaviour had been specifically targeted in the Ombudsman’s 2008 report and subsequently prohibited by the SIU, the Ombudsman drew this disturbing evidence to the attention of the SIU Director. Shockingly, cases of police ring bearing by SIU staff continued to emerge. In all, four as-needed SIU investigators were disciplined for wearing police rings on duty – one resigned, two were terminated and the other was suspended. The Director issued a further directive, reinforcing once again that displays of police paraphernalia would not be tolerated.

Every employee of the SIU, from the Director down, must be committed to strict impartiality. Not only is it in the public interest, it is actually the law in Ontario. The Ombudsman will continue to closely scrutinize the SIU to ensure that it remains vigilant and there are no further relapses. The effectiveness of police oversight in Ontario will be vigorously monitored in the coming year, and the Ombudsman has said a third investigation is a possibility.

Non-emergency medical transportation services – Ministry of Health and Long-Term Care, Ministry of Transportation

In January 2011, the Ombudsman began an investigation into whether the Ministry of Transportation and the Ministry of Health and Long-Term Care were adequately protecting the public who use non-emergency medical transportation services.

Although their vehicles look like ambulances, these services are private companies that are not regulated. They transfer hundreds of thousands of non-critical patients per year between hospitals and other facilities or medical appointments.

The Ombudsman received more than 60 complaints, many raising concerns about patient safety in these vehicles, citing cases of inadequate equipment, lack of infection control, poorly maintained vehicles and insufficient training of staff.

SORT investigators conducted more than 100 interviews with officials from the ministries, hospitals and long-term care facilities, the medical transportation industry, patients and their families. Investigators also reviewed how such services are regulated in other provinces.

The Ombudsman found that regulation of the medical transfer industry had been discussed for more than 15 years, and there had been several calls for standards to be put in place immediately, including from two coroner's inquests and a report by the Auditor-General. Many owners and operators of medical transportation firms themselves strongly supported regulation, but, at the start of the investigation, the Health ministry advised it was "not on the radar."

The Ombudsman shared a working draft of his findings with the ministries in May 2011, and the respective ministers jointly announced on June 10, 2011 (after the Legislature had prorogued for the October 2011 election) that legislation to regulate the industry would be introduced "at the earliest opportunity," with the Health ministry taking the lead. With the matter apparently resolved, the Ombudsman did not release a report.

Since the election, SORT investigators have received monthly updates on the progress of the Health ministry in fulfilling the commitments made to the Ombudsman. Consultation with hospitals and other stakeholders began in early 2012. The Minister of Health and Long-Term Care also personally advised the Ombudsman in April 2012 that regulation will be introduced as soon as the consultation process is complete.

“I want to commend you and your office on a fantastic job. You seemed to accomplish something that we’ve been trying to advocate for the last few years.”

Emergency medical services manager

Limited funding of Herceptin – Ministry of Health and Long-Term Care

In March 2011, the Ombudsman launched an investigation into the Ministry of Health and Long-Term Care's decision not to fund the drug Herceptin for breast cancer patients because their tumours were too small – i.e., one centimetre in diameter or less.

Two months later, the Ombudsman suspended his investigation when the Ministry announced it would extend funding to these patients through a new Evidence Building Program (EBP). The program would allow for the collection of real-world data on clinical and cost effectiveness where there is evolving but incomplete evidence of the benefits of a cancer drug.

Although the investigation was suspended, the Ombudsman asked the Ministry for regular updates on the implementation of the EBP. The Ministry obtained stakeholder input in the summer of 2011 regarding the program's policies and framework. As of February 2012, 45 patients including Jill Anzarut, who first brought the issue to the Ombudsman's attention, had been approved to have Herceptin funded through the program. The Ministry and Cancer Care Ontario continue to consider using the EBP process for other conditions and other drugs. Ms. Anzarut's recovery is going well.

SORT assessments in 2011-2012

Wind turbines – Ministry of the Environment

The Ombudsman continues to receive complaints and submissions related to wind turbines – 78 in 2011-2012. As in the past two years, they involved concerns about the potential health effects of wind energy and how the Ministry of the Environment deals with wind turbine noise complaints. Many people asked the Ombudsman to launch a systemic investigation into these issues, as well as the municipal-level consultation and approval process for wind turbine projects.

The Ombudsman's review has focused on whether the government has an adequate administrative process for complaints related to wind turbines, and investigators have monitored the Ministry of the Environment's actions.

In October 2011, SORT investigators were briefed by senior Ministry officials on their new compliance protocol to measure wind turbine noise and an expert report they commissioned on infrasound and low-frequency sound from wind turbines. The report, released publicly in December 2011, concluded that there is no direct health risk from wind turbine noise and that the Ministry's rules to control it were appropriate. The Ministry indicated that it would continue to monitor scientific developments in this area, including developing approaches to address complaints related to indoor low-frequency sound in specific situations. Many people opposed to wind turbines did not accept these findings.

Other developments being monitored by investigators include:

- The Ontario Environmental Review Tribunal's July 2011 ruling that it could not conclude, based on the evidence provided, that a wind farm development near Thamesville would cause serious harm to human health. However, the tribunal found that wind turbines could cause harm to humans if they are placed too close to residents, and commented that further research should help to resolve some of the health issues cited in such cases.
- Ontario's Research Chair in Renewable Energy Technologies and Health, funding for which is arranged by the Ministry, is conducting health studies on humans and wind turbines, including clinical and epidemiological studies on the effects of different frequency and sound pressure levels and other factors.

Given the ongoing developments related to wind turbine issues, the Ombudsman has decided not to launch a systemic investigation, but will continue to monitor this issue.

Ongoing SORT investigations

Monitoring of drivers with uncontrolled hypoglycemia – Ministry of Transportation

In March 2012, the Ombudsman announced an investigation into how the Ministry of Transportation monitors drivers who have uncontrolled hypoglycemia and could be a danger on the roads.

The investigation was sparked by the 2009 case of a Hamilton driver who caused a crash that killed three people when he was in "diabetic shock." Family members of the accident victims asked the Ombudsman to look into the Ministry of Transportation's process of obtaining information about drivers with uncontrolled hypoglycemia and taking action when warranted. In the Hamilton incident, the man's condition was reported by police and a physician to the Ministry, but it did not suspend his licence until 2011.

In announcing the investigation, the Ombudsman emphasized that although most drivers who have diabetes are perfectly safe, the condition of uncontrolled hypoglycemia is deemed serious enough that Ontario and other provinces require medical professionals to report it to the Ministry. "If that requirement doesn't result in appropriate action by the Ministry, it is meaningless," he said, noting the investigation will determine whether the Ministry's processes adequately protect the public.

At the time this report was written, the investigation was ongoing and the field work (interviews and other evidence gathering) was expected to be completed by early fall 2012.

Use of force in jails – Ministry of Community Safety and Correctional Services

In response to more than 100 complaints from inmates claiming to have been assaulted by correctional officers, and concerns – detailed in his 2010-2011 Annual Report last June – about violent incidents possibly being covered up or not reported, the Ombudsman launched an investigation in August 2011 into how the province deals with allegations of excessive use of force by correctional officers against inmates in its jails.

SORT investigators have conducted more than 150 interviews across the province, including with inmates, officials from the Ministry of Community Safety and Correctional Services and its Correctional Investigation and Security Unit, correctional officers and other stakeholders.

At the time this report was written, the field work of the investigation was nearing completion.

Ontario Provincial Police handling of operational stress injuries – Ministry of Community Safety and Correctional Services

At the end of March 2011, the Ombudsman announced an investigation into how the Ontario Provincial Police (OPP) handles operational stress injuries among its members, and the Ministry of Community Safety and Correctional Services' administrative processes relating to such injuries in municipal police services.

SORT investigators spoke with numerous retired and current OPP members and their families about the sometimes debilitating depression, anxiety, addiction and post-traumatic stress disorder they suffered as a result of being exposed to violent, stressful or traumatic events on the job. Many of these members complained that they were poorly treated by the OPP, that there was no training or education available about operational stress injuries and little or no support available for those affected.

At the time the investigation was launched, the Ombudsman had received 34 complaints and submissions from active and retired members of the OPP and 16 from members of municipal police services. Once news of the investigation became public, another 44 OPP-related complaints were received, along with 13 from active and former members of municipal police forces.

Investigators conducted more than 185 interviews, travelling across the province to interview a range of OPP staff and senior leadership, senior staff from the Ministry, the Workplace Safety and Insurance Board as well as representatives from the Canadian Forces, the Royal Canadian Mounted Police, and other law enforcement agencies from Canada and the U.S. that have dealt with operational stress injuries. Other interviews included staff from health care institutions specializing in treating operational stress. Information was also received from the Police Association of Ontario, the Ontario Provincial Police Association and the Ontario Association of Police Services Boards.

At the time this report was written, the investigation was completed and the Ombudsman was in the process of drafting his report and recommendations. The Ombudsman hopes to release the report in late summer 2012.

Updates on previous SORT investigations

Monitoring of long-term care homes – Ministry of Health and Long-Term Care

In December 2010, the Ombudsman released his findings on his investigation into the province's monitoring of long-term care homes. He noted at that time that this area "continues to be a work in progress" and he would monitor the Ministry's ongoing progress closely.

Although the Ombudsman does not have jurisdiction over long-term care homes themselves, his investigation focused on the effectiveness of the Ministry's monitoring of the homes and whether its standards were realistic or detracting from effective compliance monitoring and patient care. The Ombudsman identified four areas of concern in his investigation: Inconsistent application of the standards used to monitor long-term care homes, delayed inspections, less-than-rigorous investigation of complaints, and inadequate public reporting of compliance.

Complaints received by the Ombudsman included concerns about the timeliness and reactive nature of Ministry inspections, the level of detail available on the Ministry's public reporting website and potential reprisals against residents or family members who bring forward complaints.

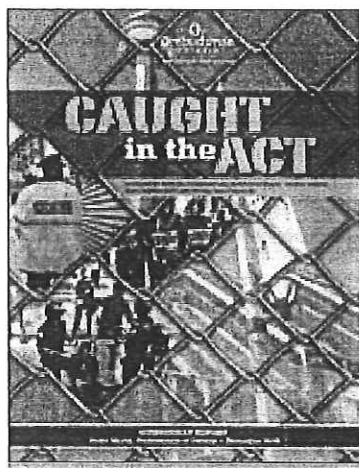
The Special Ombudsman Response Team continues to meet and receive regular updates from Ministry officials, as well as other stakeholders. In his December 2011 letter updating him on the Ministry's progress on these issues, the Deputy Minister of Health and Long-Term Care wrote to the Ombudsman:

“Thank you for your recognition of our progress in the December 21, 2010 report. Most importantly, thank you for your attention to this critical issue and for your guidance. There is greater accountability in the [long-term care] home system today because of your work.”

The Ombudsman has also noted a number of positive initiatives, which include the launch of the new Long-Term Care Home Quality Inspection Program for inspections, complaints and investigation of critical incidents. The new compliance inspection program focuses on resident risk issues, quality of life and resident care outcomes and includes additional staff training, updates to policies and stakeholder consultation. The Ministry launched a new version of its inspection reporting website in March 2012. As well, the Long-Term Care Task Force on Resident Care and Safety, formed by long-term care sector representatives in response to media reports about abuse and neglect of long-term care residents, made 18 recommendations to the Minister in May 2012. Among the recommendations were calls for increased staffing, changes to legislative reporting requirements and processes that detract from resident care, and a "zero-tolerance" policy for abuse.

The Ombudsman continues to actively monitor the Ministry's progress in this area in order to assess whether a follow-up investigation may be necessary in the future.

***Caught in the Act* – Expansion of police powers for Toronto G20 summit – Ministry of Community Safety and Correctional Services**



Released just six months after the June 2010 G20 summit meeting in Toronto, the Ombudsman's report *Caught in the Act* revealed serious problems with the Ministry of Community Safety and Correctional Services' role in granting the Toronto Police Service's request for additional powers during that event.

The report chronicled the confusion that ensued after the Ministry quietly agreed to sponsor a new regulation under the little-known *Public Works Protection Act (PWWA)* of 1939, to assist Toronto police in protecting the security fence around the downtown meeting site. The Ombudsman's investigation determined that not only was the public not told that, in effect, anyone approaching the fence could be detained and asked for identification without the right to walk away, but even the various security forces at the

summit either knew nothing about the regulation or were misinformed about what it entailed.

In *Caught in the Act*, the Ombudsman found that the regulation under the *PWWA* served as a trap for protesters and innocent bystanders who had no idea their normal civil rights had essentially been suspended for that weekend, when more than 1,000 people were arrested and many others were detained and searched. The Ombudsman recommended the outdated *PWWA* – a legal relic originally intended to protect Ontario infrastructure from invasion in World War II – be scrapped or replaced, and that the Ministry establish a protocol to ensure any future changes to police powers are properly communicated to the public.

The Ministry agreed to the Ombudsman's recommendations. The government appointed former chief justice Hon. Roy McMurtry to conduct an independent review of the *PWWA*. In April 2011, building on the Ombudsman's recommendations, Mr. McMurtry called for the *PWWA* to be replaced. The government then began consultations on replacement legislation.

On February 22, 2012, the new Community Safety and Correctional Services Minister moved the first reading of Bill 34, *An Act to repeal the Public Works Protection Act, amend the Police Services Act with respect to court security and enact the Security for Electricity Generating Facilities and Nuclear Facilities Act, 2012*. As its title indicates, the bill replaces the PWPA with specific provisions to secure courts and electricity generating facilities, including nuclear facilities. At the time this report was written, the bill had passed second reading and was being considered by the Standing Committee on Justice Policy.

“In 2010, the Ombudsman produced a report which raised important questions about how the PWPA works and how it was used at the time of the G20. In the wake of this, our government asked former Chief Justice Roy McMurtry to review the scope and appropriateness of the PWPA and to provide recommendations...

I would like to thank both the Ombudsman and Mr. McMurtry for their work on this important issue.”

Minister of Community Safety and Correctional Services Madeleine Meilleur,
introduction of Bill 34, *Hansard*, February 24, 2012

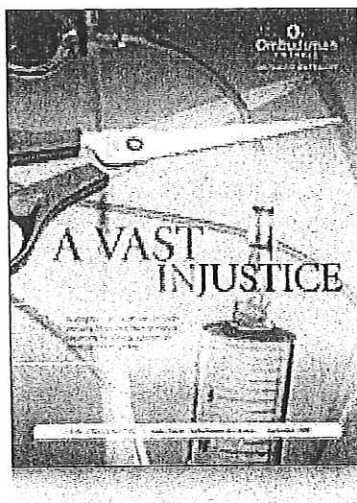
“The Ombudsman did, I think, a very fine job in reviewing [the G20] travesty and providing a number of recommendations. I am very pleased to see that this government has indeed taken steps in their Bill 34 to minimize the opportunities for that sort of injustice to happen again.”

PC MPP Randy Hillier, *Hansard*, March 20, 2012

The Ministry has also developed a protocol for public communication where there is an amendment to police authority, as the Ombudsman recommended.

The Ombudsman continues to monitor issues related to the Toronto G20, including the status of pending investigations and inquiries into complaints about policing during the event.

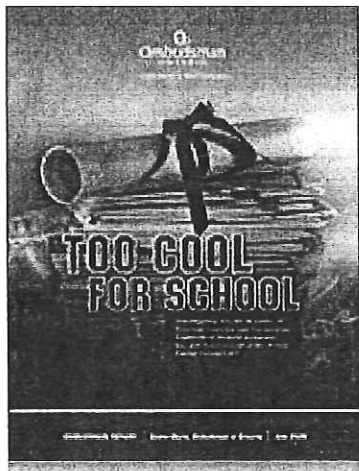
A Vast Injustice – Funding for the colorectal cancer drug Avastin – Ministry of Health and Long-Term Care



In his September 2009 report, *A Vast Injustice*, the Ombudsman called on the Ministry of Health and Long-Term Care to lift the arbitrary cap on the number of treatments it funded for patients taking the drug Avastin for metastatic colorectal cancer. The government agreed to lift the cap in November 2009, allowing patients who are responding well to treatment with Avastin to have it covered beyond 16 cycles.

In its latest update to the Ombudsman, the Ministry advised that as of September 2011, some 712 patients had received more than 16 cycles of treatment with Avastin since the change in the funding criteria. This represents 24% of all patients who have received Avastin for metastatic colorectal cancer.

***Too Cool for School* – Private career colleges – Ministry of Training, Colleges and Universities**



The Ombudsman's 2009 report, *Too Cool for School*, detailed the results of the SORT investigation into the Ministry of Training, Colleges and Universities' oversight of private career colleges – specifically, those that are unregistered and thus illegal, such as the former Bestech Academy, which had campuses in Stoney Creek and St. Catharines. Bestech closed down with no warning to students or staff.

In response to the Ombudsman's recommendations, the Ministry increased its enforcement and oversight efforts over private career colleges. It has also been working to address delays in its processes. In October 2011, Ministry officials reported to the Ombudsman that 944 private career college program applications had been approved in the past 12 months, and it is working toward

a six-month delivery standard for such approvals.

In his December 2011 Annual Report, the Ontario Auditor General also reported on problems with private career colleges – similar to those cited by the Ombudsman in *Too Cool for School*. He too called for stronger oversight of the sector by the Ministry, noting his audit revealed that some unregistered private career colleges continue to operate illegally and there is no system for checking whether colleges that the Ministry orders to close remain closed.

An ongoing area of concern for the Ombudsman has been complaints about the Ministry's Private Career Colleges Branch, from college operators and students. These were flagged to the Ministry and are discussed in the **Operations** section of this report. The Ombudsman continues to monitor similar complaints and the Ministry's progress in this area.

***Losing the Waiting Game* – Disability Adjudication Unit delays – Ministry of Community and Social Services**



After the Ombudsman's investigation in 2006 into severe delays at the Disability Adjudication Unit (DAU), the Ministry of Community and Social Services committed to processing DAU applications within 90 days. For years, it met this target consistently – until 2010, when the Ombudsman again began receiving complaints about delays. Even more complaints about this issue came in this past fiscal year – in 2011-2012, there were 54; up from 27 in 2010-2011.

Ombudsman staff alerted the Ministry to this trend and were advised that the DAU had experienced a 22% increase in applications since 2008. This caused processing times to grow steadily – by September 2011, the average was 98.5 days, while some applications were not dealt with for more than 120 days.

In an effort to bring the response time back within its 90-day target, the Ministry hired eight new adjudicators and plans to hire two or three more this summer. The Ministry continues to approve overtime for all staff and has at times brought in staff from other departments to assist with the initial adjudication and triage of cases.

In addition, the Ministry plans technological improvements this fall that will allow more efficient assessment of applications and streamline information sharing between the DAU and the Social Benefits Tribunal. At the time this report was written, the Ministry was also awaiting the final report of the Commission for the Review of Social Assistance in Ontario, due in June 2012, which could affect how this issue is addressed. The Ombudsman continues to monitor the Ministry's progress in dealing with the DAU case backlog.

Between a Rock and a Hard Place – Care and custody of children with severe special needs – Ministry of Children and Youth Services



In his 2005 report, *Between a Rock and a Hard Place*, the Ombudsman revealed the very disturbing problem of parents of children with severe special needs being forced to surrender them to custody of children's aid societies in order to obtain the care they needed. At that time, and several times since, the government committed to ensuring this would no longer happen. Nevertheless, parents continue to complain that they have been pushed to make this heart-wrenching choice. There were two such cases in 2011-2012.

In one case, a children's aid society case worker sought a court order for custody of a 14-year-old boy with severe autism and a seizure disorder in order to allow him to stay in the group home where he had been in care for a year. She told the boy's mother there were no concerns for

his welfare, but surrendering custody was the only way the mother could keep the boy in the home. Ombudsman staff flagged the case to the Ministry of Children and Youth Services, triggering a meeting between officials from the group home, the local service co-ordination agency and the children's aid society. The necessary funding was arranged for the boy's group home placement, while the mother retained custody of her son.

Similarly, in the second case, the mother of a severely disabled 13-year-old girl was told by a children's aid worker that the best way for her to have the girl's group home paid for was to surrender custody. There were no protection concerns for the child, but she has Down syndrome and significant special needs that required group home care. After Ombudsman staff alerted the Ministry to the case, its Complex Special Needs committee arranged funding so the mother could retain custody and the daughter could stay in the group home.

Ombudsman staff continue to monitor this issue closely and similar complaints are brought directly to the attention of senior Ministry officials.

Case Summaries

MINISTRY OF THE ATTORNEY GENERAL

Criminal Injuries Compensation Board

Beyond borders

A woman who had been physically and sexually abused as a child in foster care in both Alberta and Ontario complained to the Ombudsman that the Ontario Criminal Injuries Compensation Board (CICB) had denied her compensation because she had already been compensated by the Alberta Criminal Injuries Review Board. The woman produced a letter from the Alberta board that clearly stated its award was only for injuries suffered in that province, but to no avail.

Ombudsman staff reviewed the CICB decision and found it had not actually decided whether or not the woman had been the victim of a crime in Ontario or if she was entitled to compensation. It simply concluded that the Alberta board had already dealt with the matter. Ombudsman staff also advised the CICB that the Alberta board's mandate did not extend to awarding compensation for injuries incurred in crimes outside of Alberta. It was also noted that the woman had submitted medical information to the CICB that was never considered by either board.

The CICB ultimately agreed to have a new panel hear the woman's claim and she was awarded \$12,000 in compensation for the Ontario crimes and \$3,600 for therapy.

Office of the Public Guardian and Trustee

Unaccounted for

A man who felt he no longer needed the Office of the Public Guardian and Trustee (OPGT) to manage his financial affairs for him contacted the Ombudsman when his request for an assessment to determine whether or not he was capable was refused. Because previous assessments in the past two years had found him not capable, the OPGT advised him he would have to arrange and pay for any new assessment himself.

Ombudsman investigators discovered that the OPGT's policy actually provided for assessments for clients who had not been assessed within the past six months – and that, in cases of financial hardship, financial assistance was available through the OPGT's Capacity Assessment Office. In response, the OPGT agreed to pay for the man's assessment, which found that he was in fact capable of managing his affairs.

Investigators also revealed that the OPGT had been holding about \$4,000 in a Registered Disability Savings Plan on the man's behalf – but had not told him about it because he could not access it before age 65 and his case worker did not want to have to answer his requests if he asked for the money.

Senior OPGT officials acknowledged that the man should have been made aware of the savings and agreed to clarify with all OPGT staff that it is not acceptable to withhold information from clients about their funds.

Case Summaries

Lack of consciousness

A man had a heart attack in July 2009 and went into a coma, leaving his wife and two children, aged 17 and 20, struggling to deal with his affairs. His wife thought she had power of attorney over his estate, but there was no paperwork specifying that she should have that power if he became mentally incapable. Instead, the OPGT took over management of the man's financial affairs in December 2010.

When the wife applied for her husband's Canada Pension Plan disability benefits, 15 months' worth of payments were sent to the OPGT. The OPGT also froze the couple's line of credit, leaving the family with no access to funds to pay monthly bills and debts. The rehabilitation hospital where her husband was being cared for sent her costly bills – the OPGT had not advised the hospital that it was in charge of the man's finances. The woman complained to the Ombudsman that the OPGT was of no help and treated her with disrespect, not seeming to care how its actions affected her and her children.

The OPGT asked the wife to provide a copy of her last income tax assessment in order to get the hospital to waive its residency fees based on the family's income. Fearful that the OPGT might try take over her financial affairs as well, she and her adult son offered to send the information directly to the hospital instead, but the OPGT did not respond.

Ombudsman staff met with OPGT officials and they agreed to let her send the income information to the hospital, which then waived about \$10,000 in fees.

The OPGT also agreed to provide some income from the man's funds to the family to pay outstanding bills. Subsequently, it returned guardianship of the man's estate to his son. The Ombudsman continues to monitor the case, as the OPGT retains some involvement with the family home and the couple's line of credit.

MINISTRY OF CHILDREN AND YOUTH SERVICES

Hours of need

The parents of a 10-year-old girl, diagnosed with a genetic disorder for which there is no cure, complained to the Ombudsman that they were not receiving enough support or funding to allow them to continue to care for her at home. They had nine hours a week of nursing care provided through the local Community Care Access Centre and some funding from the Special Services at Home and Assistance for Children with Severe Disabilities programs, but it was not enough. The girl was having an average of 10 seizures per day, had trouble swallowing and needed constant suctioning to breathe.

An Ombudsman investigator contacted staff at the Ministry of Children and Youth Services, who said it wasn't clear to them what the parents were asking for. When this was shared with the parents, they contacted their case manager to discuss and clarify their needs. The Ministry arranged for the Community Care Access Centre to increase the nursing care for the girl to 40 hours a week, including physiotherapy and occupational therapy.

Welcome respite

The mother of a 15-year-old boy with a rare genetic disorder called the Ombudsman after she was unsuccessful in getting her son into a residential facility. The youth was blind, incontinent, in a wheelchair, had daily seizures, slept very little at night and sometimes harmed himself. He had been on a waiting list for a group home for more than five years.

The mother was also undergoing treatment for cancer that left her very weak, and had two other children at home. Although she had respite care every other weekend, it was not enough.

Ombudsman staff contacted the Ministry of Children and Youth Services, which immediately provided emergency funding for increased respite care to help the mother at home. The Ministry also approved funding for the youth to be placed in a residential facility for one year, with a commitment for the placement to continue as needed.

Taking it upstairs

The mother of a developmentally disabled 16-year-old girl in northern Ontario turned to the Ombudsman for help when she became ill and could not continue to care for her daughter at home. The teen could not speak or walk, had a severe respiratory problem and was prone to pneumonia. Because the family lived in a small, isolated community, they could only get 8-10 hours per week of assistance from a personal support worker, provided by their local Community Care Access Centre.

A case worker from the local service co-ordination agency had tried to place the girl in the only appropriate group home in the area – two hours away from her home – but was told there were no beds available. Regional officials from the Ministry of Children and Youth Services confirmed this, but told Ombudsman staff they would continue looking for ways to help the family.

After three months, when there was no change in the girl's circumstances, Ombudsman investigators brought the case to the attention of more senior Ministry officials, who worked with regional staff to obtain a permanent group home placement for her.

Case Summaries

MINISTRY OF COMMUNITY AND SOCIAL SERVICES

Nowhere to go

A 19-year-old developmentally disabled man who is unable to live independently contacted the Ombudsman when his placement in a private youth group home was about to end. He is estranged from his family, and as a child was frequently in and out of the care of a local children's aid society. Officials from the Ministry of Community and Social Services and the local service co-ordination agency were having trouble finding a Ministry-funded placement for him because he had a tendency for aggressive behaviour.

With only two weeks left in his private group home placement, the service co-ordination agency advised that its only option would be to bring him to a municipal shelter – and there was a good chance he could become homeless if he exhibited aggressive behavior there.

Ombudsman staff brought the young man's plight to the attention of the Assistant Deputy Minister. As a result, staff at the Ministry and the service co-ordination agency arranged for him to remain in the private group home month-to-month until an appropriate placement could be found for him.

Three weeks after the Ministry made this commitment, funds became available to keep the young man at the private group home for another year, during which staff will prepare him for semi-independent living in future.

Family Responsibility Office

Made to pay

A mother of two turned to the Ombudsman for help because she was not receiving child support payments from her ex-husband. She had a court order, registered with the Family Responsibility Office (FRO), that said her ex could be jailed for 10 days if he failed to pay. Despite this, she had only received one payment and was owed more than \$35,000. She had complained to the FRO numerous times over the past three years and was extremely frustrated.

An Ombudsman investigator followed up with FRO staff, who said some steps had been taken to enforce the court order, including reporting the ex-husband to a collection agency, suspending his driver's licence and garnishing any federal monies he might receive, such as an income tax refund. There was also a writ of seizure and sale placed on his property. In response to the Ombudsman's inquiries, the FRO also obtained an address for the ex-husband's employer and made arrangements to garnish his pay.

As a result, the woman began receiving payments for support of the children, and accumulated arrears. The FRO promised to report the ex-husband to the regulatory body of his profession, which could revoke his licence if he stopped payments again.

Caught in the middle

When the parents of a disabled girl split up, the father paid child support for her through the Family Responsibility Office. Although she began receiving benefits from the Ontario Disability Support Program (ODSP) when she turned 18 in 1995, the father continued to make monthly support payments for her through the FRO until 2008. In all, he overpaid \$17,000 over the years.

Both parents attempted to get the money reimbursed, dealing with both the ODSP and the FRO. They turned to the Ombudsman for help after each agency said the other was responsible.

Ombudsman staff contacted FRO officials, who said the support payments had been signed over to the ODSP and they could not direct it to reimburse the father. ODSP staff then indicated they were aware of the situation and would work on a solution. Within a month, the father was refunded \$17,421.47. The mother thanked the Ombudsman for "easing the communication" between the two agencies.

Ontario Disability Support Program

Debt and taxes

A British Columbia woman complained to the Ombudsman after the Canada Revenue Agency advised her it was withholding \$1,266 from her income tax refund because she owed money to the Ontario Disability Support Program (ODSP). The woman had received ODSP benefits while living in Ontario from 2000 to 2008. She had also received support payments from her ex-husband during that time, through the Family Responsibility Office.

In 2003, the ODSP advised the woman it had incorrectly calculated her ODSP benefits because she had not reported her spousal support payments. It demanded she repay \$8,881. She appealed this decision to the Social Benefits Tribunal, which determined that she had in fact provided the ODSP with a copy of her support order. Because the overpayment error was the ODSP's, the tribunal rescinded the decision to collect the money. Nevertheless, in 2011, Ontario began to collect from her through the federal government.

Ombudsman staff contacted ODSP officials and reminded them of their policy that allows overpayment debts to be written off if they are a result of ODSP's own administrative error. Normally, these cases are reviewed annually – but in the woman's case, no internal review was conducted.

As a result, the overpayment of \$8,881 was deemed uncollectible and the woman was reimbursed for the federal payments that had been withheld.

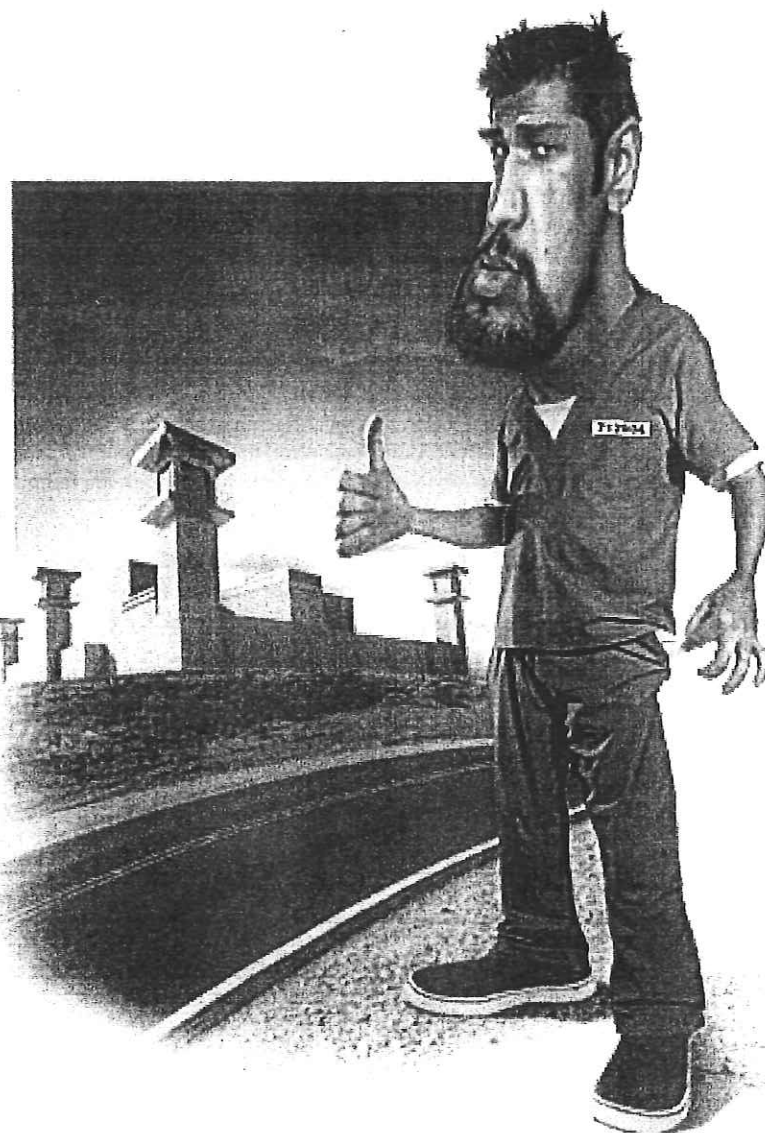
Case Summaries

MINISTRY OF COMMUNITY SAFETY AND CORRECTIONAL SERVICES

Ticket to ride

A young man who was about to be released from jail complained to the Ombudsman that due to lockdowns at the facility, he had not been able to phone his parents to obtain money to allow him to travel home. He had also not been able to speak to the jail's discharge planner to find out if he would be given a bus ticket upon his release. He was particularly concerned because his court-ordered curfew was 11 p.m. – if he was not home by that time, he could be arrested and sent back to jail.

Ombudsman staff spoke to the discharge planner who acknowledged that she hadn't yet had a chance to speak to the young man. She arranged to have a bus ticket and bag lunch provided to him, and offered to call his parents to arrange for him to be picked up at the bus station. The young man thanked the Ombudsman's Office for helping him make sure he could get home.



The red tape diet

A jail inmate with diabetes who required a 3,400-calorie daily diet for medical reasons complained to the Ombudsman that he was only receiving the jail's standard 2,800 calories per day. He said his blood sugar level was low and he was worried about his health.

Ombudsman staff spoke to the food services manager at the institution, who reviewed the inmate's file and discovered that although the jail's doctor had approved the special diet, the appropriate authorization form wasn't filled out. The manager made sure the paperwork was completed and the man's diet was changed immediately.

Pre-labour pains

After being in jail for three weeks without seeing a doctor, an inmate who was seven months pregnant called the Ombudsman, saying she was in increasing pain and discomfort and needed over-the-counter medication and medical attention.

Ombudsman staff called the jail's health care co-ordinator, who said that the doctor had missed the inmate on his last biweekly visit, and nurses were reluctant to provide the inmate with even over-the-counter medication because there was no authorization on her file.

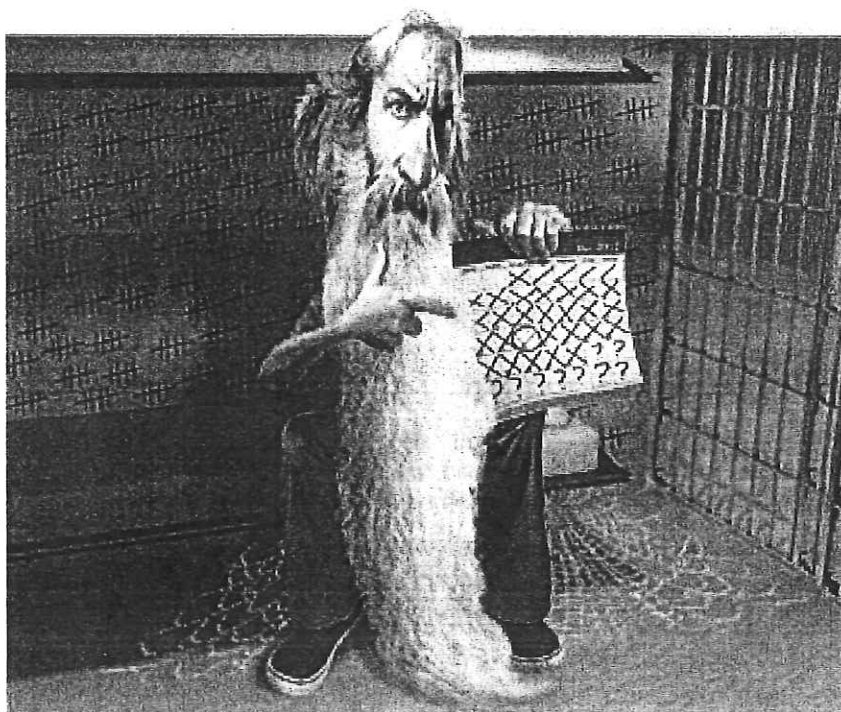
Arrangements were immediately made for the doctor to visit the inmate, and she was given a prescription for the medication she needed. Preparations were also made for her to be transferred to the jail's high-risk clinic in the later stages of her pregnancy; however, she subsequently made a plea bargain and was released from jail before giving birth.

Shrink slip

An inmate called the Ombudsman for help after making five requests to see the jail psychiatrist, whom he had not seen in two months. He was on methadone and an antidepressant, which he had stopped taking because he was having hallucinations and other side effects.

Ombudsman staff relayed the man's plight to the jail's health care staff and they discovered that he had missed an appointment with the psychiatrist because of a mistake in their records. A mental health nurse spoke with him immediately and he was booked for the soonest available appointment with the psychiatrist. Jail staff apologized to the inmate for the oversight.

Case Summaries



Counting the days

An inmate complained to the Ombudsman that he was being held in jail past his release date. Records staff at the jail advised him they could not confirm his release date because his warrant of committal was unclear.

Ombudsman staff contacted the jail's records department manager, who said the inmate's warrant of committal had been amended by a judge to credit him for time served – but the exact length of the sentence wasn't specified, and they hadn't been able to reach the judge. After speaking with Ombudsman staff, they called another judge, who immediately amended the inmate's warrant of committal to say he should be released the next day – and he was.

Looking for answers

The elderly mother of an inmate who committed suicide in a jail cell contacted the Ombudsman to complain that she did not have any information about how her son died. She was distraught about her inability to find out the details of what happened to her son. She wondered if it could have been prevented and whether there would be an investigation.

Ombudsman staff contacted Ministry officials, who confirmed that there was a full investigation into the inmate's death, but they had been unable to contact his next of kin. Once the situation was brought to the Ministry's attention, the jail superintendent travelled to meet with the mother and provided her with more information.

MINISTRY OF EDUCATION

Sign of compassion

A refugee assistance group contacted the Ombudsman on behalf of a profoundly deaf 20-year-old woman from a refugee family who had been denied entry into the Sir James Whitney School for the Deaf. This was an urgent complaint as the school year was just about to start.

After spending 18 years in a refugee camp, the young woman had been in Ontario two years, where she had taken classes and studied American Sign Language – but she had never been informed that she might be eligible to attend a school for the deaf. The Ministry of Education denied her entry to Sir James Whitney (an elementary and high school) because she was not apparently working toward a diploma and because she was too old. The Ministry had referred her to various college programs that either were unable to admit her or did not meet her needs.

After an Ombudsman investigator contacted Ministry officials to discuss the woman's situation further, she was admitted to Sir James Whitney for the 2011-2012 school year.

MINISTRY OF ENERGY

Hydro One

Here a meter, there a meter

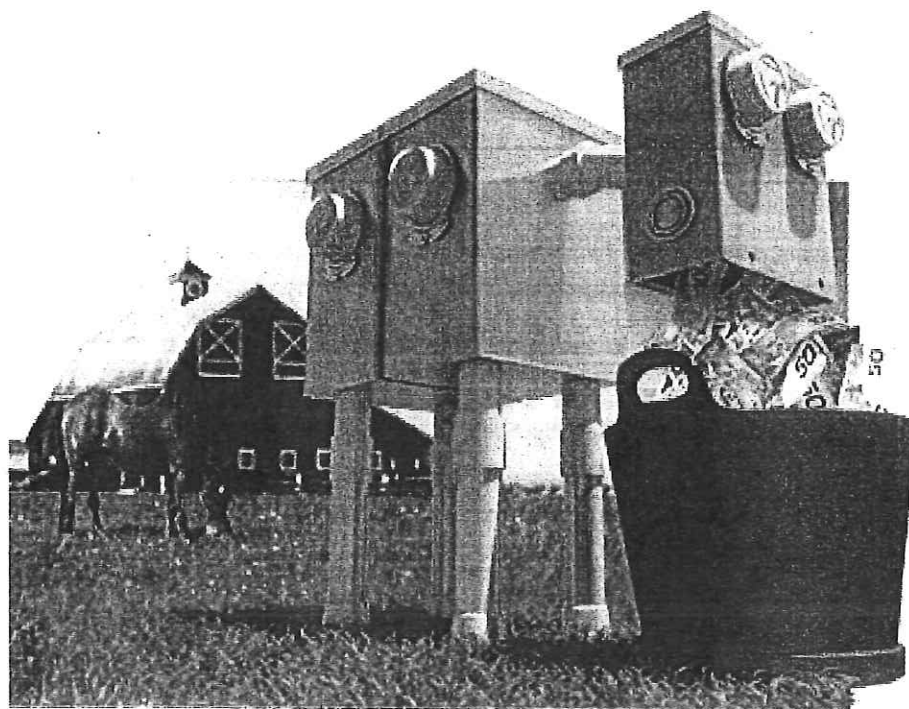
A man complained to the Ombudsman that Hydro One had overbilled him for electricity on his farm for 15 years. The utility had installed two meters on his property – one for his residence and the other for the other buildings – but they were incorrectly installed and as a result, he was billed twice for the power used in his home.

Hydro One had repeatedly dismissed the man's concerns. When he first complained in 2009, he was told the high bills were accurate. Unconvinced, he hired an independent electrician in 2011, who discovered the meters were wrongly connected. Hydro One then reviewed his billing history and agreed to reimburse him the amount he was overbilled for the past six years. The man insisted he should be reimbursed for the full 15 years.

After Ombudsman staff contacted Hydro One, it reviewed his file again. It acknowledged responsibility for the meter connection error and noted that it would have been difficult for the man to identify the error on his own. Still, Hydro officials would only reimburse him for the past six years – a credit of \$9,000 plus \$800 interest. They pointed to new Ontario Energy Board rules, effective April 2011, that only required them to reimburse him for two years. They suggested the six-year offer, based on 2009 rules, was "above and beyond" what was required.

Ombudsman staff then took the case to the executive management level at Hydro One, who ultimately conceded there was "no logical reason" to restrict the reimbursement to six years. They agreed to reimburse the man \$20,000 to cover the overbilling back to 1997.

Case Summaries



Horse power

A woman whose monthly hydro bill on her agricultural property was normally about \$34 complained to the Ombudsman when it shot up to \$500. She suspected Hydro One had charged her commercial rates on her barn, where she kept five horses for her grandchildren.

Ombudsman staff contacted Hydro One officials, who said the woman was being billed under their "general service" category. They then reviewed her bill and found her meter reading – which she had phoned in – had been wrongly transcribed. An agent had mistaken one digit, resulting in a bill that was about 15 times her normal rate.

Hydro One recognized the error and adjusted the bill to \$34.

MINISTRY OF FINANCE

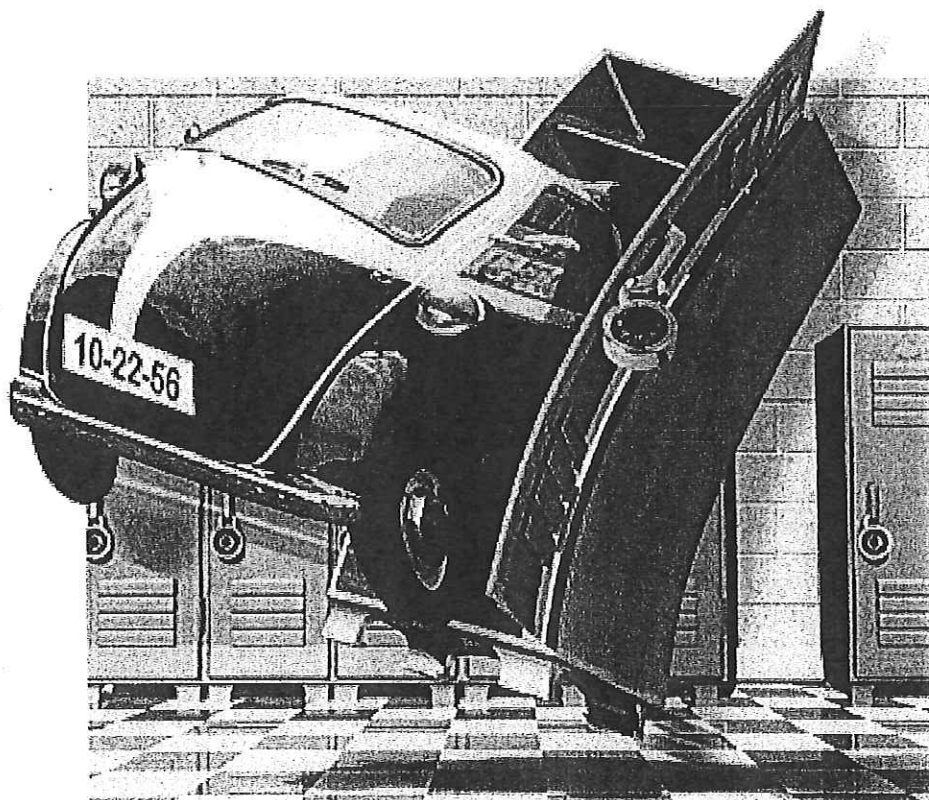
Municipal Property Assessment Corporation

Not-so-free parking

A woman complained to the Ombudsman about problems with the Municipal Property Assessment Corporation's (MPAC's) assessment of her condominium. In 2009 and 2010, MPAC assessed her for two parking spaces when she only owned one. It acknowledged the error after she requested a reconsideration of her assessment in 2011, but would not correct the error retroactively unless she appealed in writing to the Assessment Review Board (ARB). The woman filed an appeal but never heard back.

Ombudsman staff contacted the ARB, which confirmed her file had been lost. Meanwhile, upon reviewing the woman's case with MPAC officials, Ombudsman staff determined that the woman's purchase of a second storage locker for her condo had been mistakenly listed on MPAC's assessment as a second parking space.

MPAC reviewed its assessments of the property back to 2008 and confirmed the woman was wrongly assessed in 2009 and 2010. It agreed to file an adjustment to her municipal taxes and as a result, the woman was refunded \$226.76.



Case Summaries

MINISTRY OF GOVERNMENT SERVICES

Registrar General

Why wait?

A man who needed a new copy of his birth certificate to obtain a licence for work complained to the Ombudsman that it was taking too long, putting his employment in jeopardy.

One month after he applied for the new birth certificate, the Registrar General asked him for more information, because he had legally changed his name in the past. The man gave the necessary information over the phone, but was then told it would take a further six to eight weeks because the birth certificate process had to start again from scratch. When he complained about this, he was told he was now at the back of the line and would have to wait his turn.

Ombudsman staff asked Registrar General officials to review the man's file because he urgently needed the birth certificate for work. They responded that his birth certificate would be printed the next day and mailed to the man, who was very grateful to have his case expedited.

MINISTRY OF HEALTH AND LONG-TERM CARE

A moving complaint

A 56-year-old man on a disability pension through the Canada Pension Plan hoped to obtain a scooter through the Ministry of Health and Long-Term Care's Assistive Devices Program. When he was told by his local Community Care Access Centre (CCAC) that he would have to have an assessment that would cost \$200, he complained to the Ombudsman that he could not afford it. Because of his knee problems and pulmonary fibrosis, he said he could not get around without a scooter.

Ombudsman staff contacted a case manager at the CCAC who said they had determined the man wasn't eligible for a CCAC-funded assessment because he didn't need the scooter for "primary mobility." They suggested he could have the assessment paid for through Ontario Works or the Ontario Disability Support Program, but he didn't qualify for either program.

Ombudsman staff then followed up with the manager of the CCAC's client service centre and pointed out that in order for the man to receive CPP disability benefits, his disability had to have been deemed severe and prolonged. The CCAC agreed to send a case worker to meet with the man and assess his condition. As a result, the man was assessed at no charge and it was determined that the most appropriate device for his needs would be a wheelchair – which he received through the Assistive Devices Program.

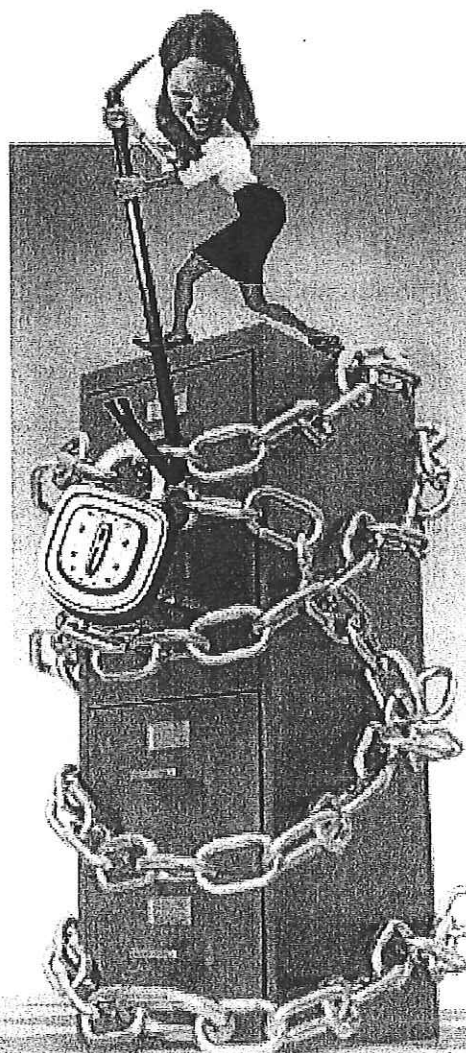
Closer to closure

A woman whose husband died while in the care of paramedics complained to the Ombudsman about the adequacy of an investigation conducted into the incident by the Emergency Health Services Branch of the Ministry of Health and Long-Term Care. She complained that she had been given no information about what the branch had done to address the findings it made in its investigation.

An Ombudsman investigator who contacted the branch learned it had made recommendations directly to the central ambulance communication centre and paramedics involved in the case, as part of an internal process separate from the investigation report.

According to branch policy, recommendations were released only to the subject organizations in order to assist them in improving their services – but not to the public. Branch officials said the widow would only be able to obtain a copy of the recommendations by filing a request under the *Freedom of Information and Protection of Privacy Act*.

Ombudsman staff raised the case with senior branch management, emphasizing the importance of providing as much information as possible to those affected by such investigations. The branch director agreed to send the widow a detailed letter about the recommendations and how they were linked to the findings in the investigation report. The woman thanked Ombudsman staff for helping her find some closure after the loss of her husband.



Case Summaries



Exceptional Access Program

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.

Reaction meets action

After his patient – a 20-year-old man who has autism and complex seizure disorder – experienced a severe reaction to the government's approved seizure medication, a neurologist prescribed two other drugs as an alternative. He applied to the Ministry of Health and Long-Term Care's Exceptional Access Program (EAP) for funding for the drugs but was turned down. The man's parents complained to the Ombudsman on his behalf after they had to pay \$500 for the drugs from their limited budget.

Ombudsman staff spoke with senior EAP officials. They acknowledged that the neurologist should have been advised that the alternative medication would be funded if he completed a "severe adverse reaction" form. Once this was done, the Ministry immediately faxed the neurologist its approval for funding.

The Ministry acknowledged that it had also omitted to review the physician's request for the second drug. The Ministry approved the second drug as well.

Ontario Health Insurance Program

Special delivery

A 92-year-old woman who misplaced her Ontario Health Insurance Program (OHIP) card called the Ombudsman for help, saying it would be impossible for her to travel to an OHIP office or a Service Ontario kiosk to replace it. She also wasn't sure if she had the documents OHIP would need to give her a new card.

Ombudsman staff explained the woman's plight to OHIP officials, who agreed to contact her. They arranged to send her a new card – without requiring her to have a photo taken – and assured her it would be valid for medical appointments. The woman thanked the Ombudsman when her card arrived in the mail.

No time to lose

The mother of a 10-year-old girl who needed medical attention applied for an OHIP card for her, but was turned down. Both mother and daughter were immigrants to Canada and had permanent resident status. OHIP rejected the daughter's application because there was no "client identification number" on her immigration paperwork.

The mother quickly obtained the eight-digit number from federal officials over the phone and went back to OHIP, but was told this wasn't sufficient – she would have to produce a hard copy of this information, which could take up to eight weeks. The mother was quite concerned, as her daughter was very ill.

Ombudsman staff spoke with OHIP officials about the family's situation, and they agreed to contact Citizenship and Immigration Canada and have the necessary paperwork faxed to them immediately. The mother was then directed to the nearest Service Ontario kiosk so she could get her daughter's health card the next day.

Put on the map

The mother of a 19-year-old man with Asperger's syndrome contacted the Ombudsman when she was unable to renew her son's OHIP card because she did not have any documentation of his address in order to prove he was a resident of Ontario.

An Ombudsman staff member contacted OHIP staff and learned that a guarantor's form could be completed on the son's behalf. Arrangements were then made for a Service Ontario representative to meet with a family member and have the form completed, and a photo OHIP card was issued.

Case Summaries

MINISTRY OF LABOUR

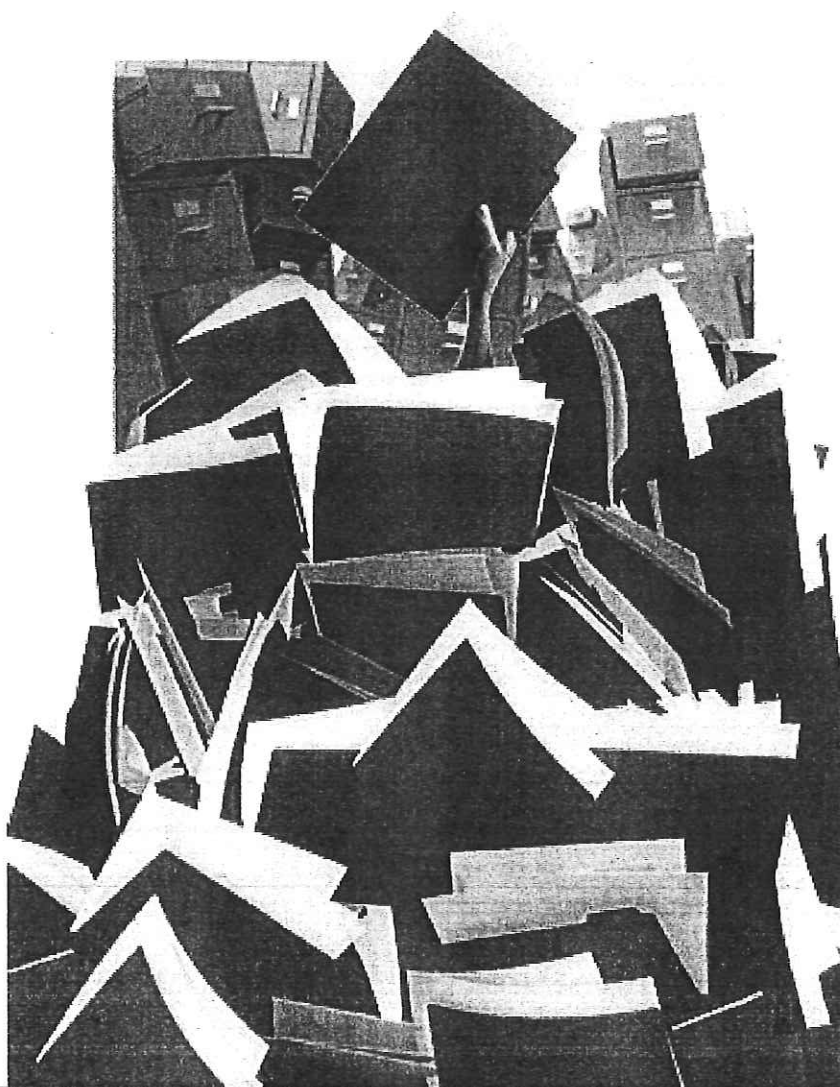
Workplace Safety and Insurance Board

Lost in the shuffle

A man who had suffered a workplace injury in 2009 wanted to appeal part of the Workplace Safety and Insurance Board's decision on his compensation. He turned to the Ombudsman for help after waiting more than 18 months for someone to contact him.

Ombudsman staff made several calls to the board and the Workplace Safety and Insurance Appeals Tribunal and discovered the man's file had been mistakenly designated as "unassigned." It had been sent from the tribunal to the board at around the same time as the man's case worker had moved to another position – and it was never transferred to a new worker.

A new case worker immediately took over the man's file and quickly referred it to the appeals branch, which agreed to expedite his case.



Fast relief

A widow receiving survivor benefits from the Workplace Safety and Insurance Board (WSIB) called the Ombudsman when her monthly payment of \$1,200 – her only source of income – didn't arrive.

She was in a desperate financial situation and said her WSIB case worker had been of no help. When Ombudsman staff contacted the WSIB, officials blamed a computer glitch for the error and offered to issue the cheque the next morning for the woman to pick up. However, the woman lived in Hamilton and could not even afford the trip to Toronto to get the cheque.

Once the case worker was made aware of this, she obtained approval from her manager to send the cheque to the woman by overnight courier. She received it the next day and thanked Ombudsman staff for their help.

MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING

Landlord and Tenant Board

Caught on tape

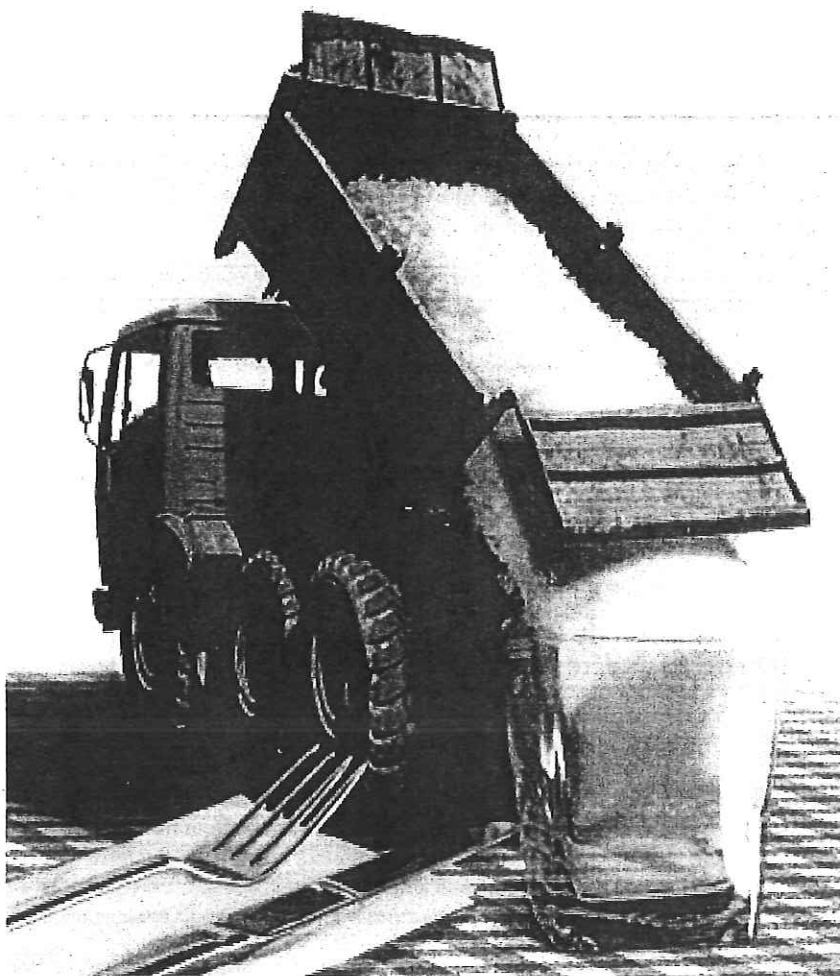
A man complained to the Ombudsman that the Landlord and Tenant Board had withdrawn his application against his former landlord without his consent. He had been out of the country when his case was heard, but a friend had attended in his place and told him the hearing had been adjourned. Instead, the man received an order from the board stating, "The parties agreed to withdraw their application."

The man complained to the board, but staff there dismissed his concerns, saying the friend must have misunderstood what happened at the hearing.

Ombudsman staff asked the board for a copy of the audio recording of the hearing, which confirmed it had in fact been adjourned to another date, and that the parties had been told they would receive a new hearing date in the mail.

As a result, the board set a new hearing date, at which the man won the decision against his former landlord.

Case Summaries



MINISTRY OF TRANSPORTATION

Salt of the earth

A young couple living in rural Ontario complained to the Ombudsman that road salt from the highway next to their property was affecting their drinking water. They had the water tested and found it had high levels of salt, so they asked the Ministry of Transportation to provide them with a water treatment system.

The Ministry hired a hydrogeologist, who found that elevated amounts of salt in the water were not due to road salt, but the natural composition of the shale bedrock – known for high salt content – under their property. The Ministry denied the couple's request.

Ombudsman staff learned that a specialist from the Ministry of the Environment had been testing the well water in the area for several months, and determined the source of the salt to be road salt. They then contacted the Ministry of Transportation, which agreed to arrange for isotope testing – the definitive test for establishing what kind of salt is in the water. This test showed the source was road salt.

The Ministry then agreed to arrange for a water filtration system to be installed and a replacement well to be drilled away from the highway, at a total cost of \$20,374.68.

Where did you come from?

A 67-year-old woman who was born in Britain but had been a licensed driver in Ontario for more than 40 years was shocked to discover that she could not renew her driver's licence after she inadvertently let it lapse for more than a year.

Although the Ministry accepted a marriage certificate to prove her legal name and a health card to prove her signature, she needed a document to prove her birth date. She did not have any original immigration documents or a passport to prove her birth date and the Ministry would not accept her United Kingdom birth certificate.

The woman's story was featured in an Ottawa newspaper, and Ombudsman staff contacted her to discuss her predicament. Ombudsman staff met with senior Ministry officials, who implemented a new interim policy to deal with drivers with expired licences who lack identification documents. The policy allows the person to use the expired licence to obtain a new one as long as it is within three years of the expiration date. As well, for those who no longer have their expired licence, the Ministry will retrieve the person's photo from its database as a means of identification.

The woman received her new licence, as did a man who later contacted the Ombudsman with a similar complaint. The Ministry also promised to conduct a full policy review on the issue of identification documents required for licence renewals.

Double jeopardy

A woman complained to the Ombudsman that a conviction for a traffic violation had been wrongly registered on her driving record. She had paid a traffic ticket for one offence but later discovered two convictions on her record. She recalled that she had sent two cheques to pay the fine – the first one had been incorrectly dated, so she had sent a second cheque to correct it.

Court records verified that there was only one violation, and only one of the two cheques had been applied to the fine. The provincial offences court told the woman it would send information confirming this to the Ministry of Transportation. But the Ministry told her it would take up to 15 days after this information was received before her driving record could be corrected.

The woman's auto insurance was about to expire in six days. She wanted to switch to a new provider before that date and worried that the incorrect driving record would affect her ability to switch insurance providers, or her future premiums.

Ombudsman staff contacted the Ministry's Driver Control Section, which confirmed that when the woman's second cheque was received, a second conviction for the same offence was wrongly entered on her record. The second conviction was deleted and Ministry officials advised the woman immediately. She thanked the Ombudsman's Office for resolving the issue in less than a week, in time for her to obtain new insurance.

Your Feedback

“ I have noted your recommendations with regard to fostering transparency in government organizations. My colleagues and I value your scrutiny and oversight, as do the citizens of Ontario. We will continue to work with you and the Ombudsman's Office to ensure that we meet Ontarians' priorities and deliver the results they deserve. ”

Premier Dalton McGuinty,
Editor of Ombudsman, July 2011

“ The loss of confidence in our public institutions has become an unfortunate – though understandable – and widespread phenomenon. Examples like yours, which become models for others, are encouraging and comforting. ”

Chief Ombudsman Leonaide Scott-Graham,
Editor of Ombudsman

“ It is extremely encouraging as both a taxpayer and Ontario citizen to see a government agency as efficient as yours and as dedicated to its mission. As unfortunate as it is that your office has to exist, it is comforting to know that there are options or avenues for citizens to voice their concerns with government services. ”

Continued...

“ The Premier values the Ombudsman's advice. In fact, he almost universally adopts all the Ombudsman's recommendations... The Ombudsman's work leads to real, systemic change, change that makes a real difference for the people of Ontario. I want to thank André and his team for their leadership... They're helping to strengthen public services in Ontario – and around the world. ”

Secretary of Cabinet Shelly Jameson, address to
Shaping Our Team, participants, November 30, 2011

“ Mr. Marin, you and your staff are indeed heroes to regular Ontario citizens that just want accountability and responsibility in this province. ”

Victim's Advocate

“ My wife and I would like to take this opportunity to thank your office for all the help you provided in getting [drug] funding ...reinstated for our son. Without it, it would have been a certain catastrophe for him. ”

Victim's Advocate

“ I just wanted to thank you for your report about the G20. It was about as hard-hitting as you can get away with in government. ”

Victim's Advocate

“ On behalf of the members, staff and management of the Board, I would like to express my appreciation for this opportunity to share with you the story of our efforts to transform our organization into one that provides adjudicative and administrative excellence to victims and the public at large. Your 2007 report *(Adding Insult to Injury)* was a catalyst for change... We welcome your feedback and appreciate the positive change your efforts have made in helping this agency deliver better service to the public. ”

“ It was a pleasure working with [your Office]. Without your intervention, I am certain this matter would not have been brought to a positive conclusion. On behalf of our constituent and this office, please accept our sincere gratitude. ”

Constituency assistant for PC MPP Bob Bailey
(Sarnia-Lambton)

“ I was quite impressed with your honesty, your straightforward manner and your commitment. Thanks so much for being there for Ontarians. ”

Complainant

“ Your effort to kick [ODSP] into motion ... is appreciated. The Ombudsman has big teeth and can bite, I see. ”

Complainant

“ I can't tell you how much your assistance was appreciated. I really would not have been able to accomplish what I did without the help of the Ombudsman and your tenacity! ”

Complainant

“ Knowing that there is someone out there like yourself giving a voice to people's concerns brings me a lot of relief. The Ombudsman's Office really is an important organization and meets so many needs of the public. ”

Complainant

“ I spoke to you last week regarding the Family Responsibility Office. They started doing what they were supposed to do quite a while ago now... they were on it right after you called them. ”

Complainant

“ Without your assistance... I feel my case would have dragged on far too long. With your dedication and professionalism I have been able to get back to living my life. ”

Complainant

“ You did in one month what no one could do in six, and for that I am grateful. I hope that you can help all the other people that are in the same situation as I was. Excuse my language, but you kicked ass! ”

Complainant

“ I appreciate your dedication to help people in a disadvantaged position. You do it with warmth and I know that you really care. ”

Complainant

Your Feedback

Your Feedback

In the media

“ [Ombudsman] André Marin... keeps everybody honest in Ontario and backs down from no one... The name Marin is synonymous with fearless honesty and unshakable integrity. ”

*Joe Wernington, Toronto Sun,
December 2011*

“ The Ombudsman's office is our last line of defence. Its budget is money well spent to protect us all. ”

*Ian Harvey, freelance columnist,
Law Times, June 2011*

“ To date, close to 90% of the recommendations he has made thus far have been adopted. So why not let the Ombudsman in to investigate these institutions otherwise known as the MUSH sector? ”

*Phil Paquette, letter to the editor,
Stoney Creek News, June 2011*

“ With an aging population and young families who use the services these institutions provide (and their tax dollars fund), many still find themselves vulnerable and defenceless when something goes wrong. When in need of assistance they have nowhere to turn, and no independent body exists to help those in need. This is precisely what the Ombudsman's role is intended to be. ”

*Ned Haskett, letter to the editor,
Stirling Star, June 2011*

“ Expanding Marin's mandate would be a good step toward a more open provincial government. He has demonstrated over and over again the value of his position to public policy.... Besides, individuals who deal with the multifarious arms of the provincial government deserve a powerful advocate and a recourse in times of disagreement. ”

Orion Glass, editorial, June 23, 2011

Comments from Twitter

“Wow, look at that – substantive engagement from a public official on social networks. That’s transparency.”

@adriandz

“Congrats on being approachable, interactive & transparent in your role as Ombudsman! An example for all of us to emulate!”

@NatriceR

“Thank you for helping to relieve my anger at Service Ontario. It’s nice to have a rant fall on not-deaf ears for once.”

@meljennings

“Truly respect the fact that you’re available and open to ideas.”

@HelenWattman

“Makes me proud to be Canadian to read about action at this level with fairness, justice and equity. Keep up the good work!”

@davehellrave371

“We’re lucky to have an Ombudsman in Ontario. An advocate for we, the citizens.”

@timatley

Comments from Facebook

“An update: After contacting the Ombudsman’s Office, I have received results within a one-week period.”

Compliment

“All the good work you and your Office have done has made Ontario a better place to live in for citizens. Only wish your mandate can expand (like the rest of Canada’s provinces) into the MUSH sector.”

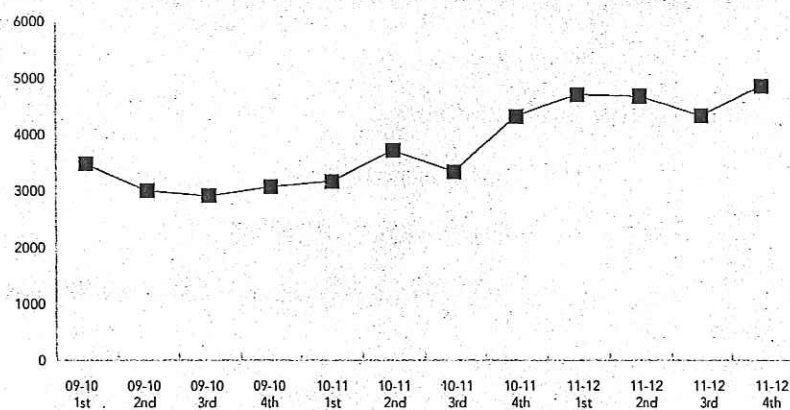
Gina Kuznetsov

Your Feedback

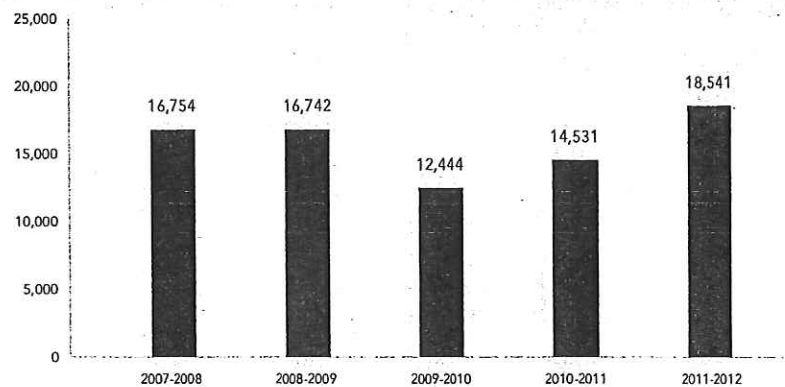
APPENDIX 1

Complaint Statistics

**CASES RECEIVED BY QUARTER
2009-2010 TO 2011-2012**



**TOTAL CASES RECEIVED
FISCAL YEARS 2007-2008 TO 2011-2012**

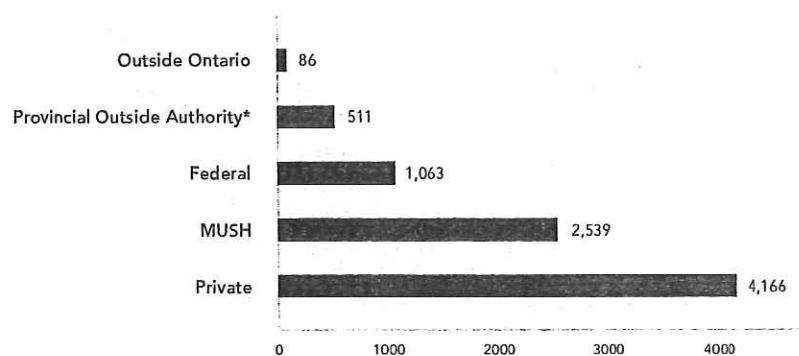


APPENDIX 1

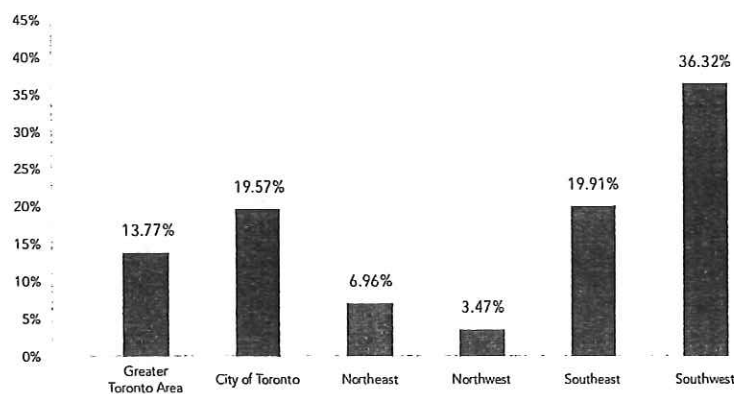
Complaint Statistics

CASES OUTSIDE THE OMBUDSMAN'S AUTHORITY
RECEIVED 2011-2012

TOTAL: 8,365



* For example cases received about Courts, Stewardship Ontario and Taron

REGIONAL DISTRIBUTION OF COMPLAINANTS*
2011-2012

* Excluding inmates of correctional facilities

Greater Toronto Area: Bounded by Oakville, Lake Simcoe and Oshawa, but excluding the City of Toronto

City of Toronto: Bounded by Etobicoke, Steeles Avenue and Scarborough

Northeast: Bounded by Ottawa, Penetanguishene and Marathon north to Hudson's Bay

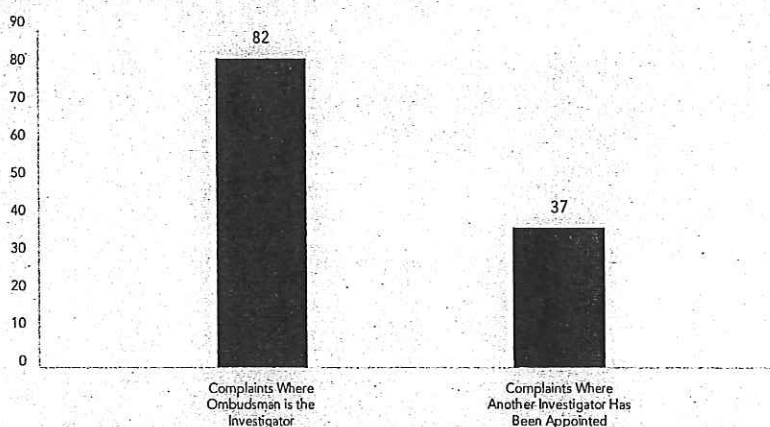
Northwest: West of the Marathon/Hudson's Bay boundary

Southeast: Bounded by the GTA, Penetanguishene and Ottawa

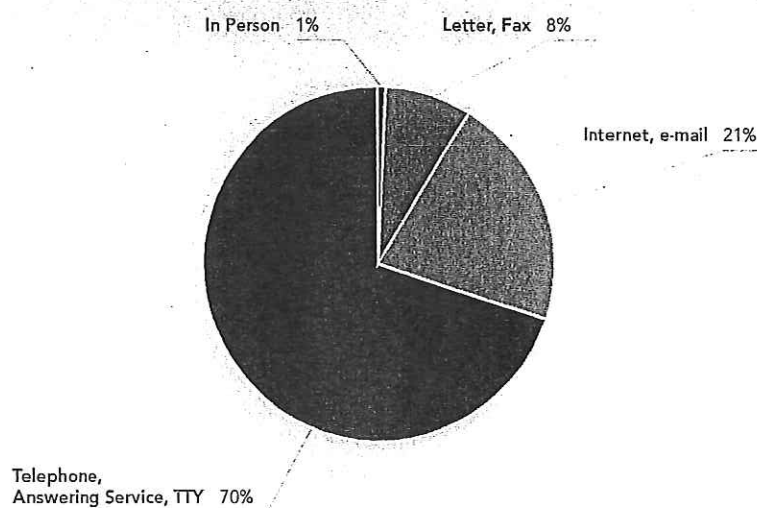
Southwest: Bounded by the GTA, Barrie and Penetanguishene

APPENDIX 1

Complaint Statistics

CASES RECEIVED ABOUT CLOSED MUNICIPAL MEETINGS
2011-2012*

* Note: Details of these cases will be released in a separate Annual Report later this year.

HOW CASES WERE RECEIVED
2011-2012

APPENDIX 1

Complaint Statistics

TOP 15 PROVINCIAL GOVERNMENT ORGANIZATIONS
AND PROGRAMS COMPLAINED ABOUT IN 2011-2012

		Number of Cases	Percentage of All Cases Within Authority
1	FAMILY RESPONSIBILITY OFFICE	759	7.55%
2	WORKPLACE SAFETY AND INSURANCE BOARD	582	5.79%
3	ONTARIO DISABILITY SUPPORT PROGRAM	575	5.72%
4	DRIVER LICENSING	351	3.49%
5	HYDRO ONE	232	2.31%
6	LEGAL AID ONTARIO	159	1.58%
7	OFFICE OF THE PUBLIC GUARDIAN AND TRUSTEE	130	1.29%
8	LANDLORD AND TENANT BOARD	128	1.27%
9	ONTARIO STUDENT ASSISTANCE PROGRAM	120	1.19%
10	ONTARIO PROVINCIAL POLICE	110	1.09%
11	ONTARIO HEALTH INSURANCE PLAN	97	0.96%
12	WORKPLACE SAFETY AND INSURANCE APPEALS TRIBUNAL	96	0.95%
13	REGISTRAR GENERAL	89	0.88%
14	HUMAN RIGHTS TRIBUNAL OF ONTARIO	86	0.86%
15	COMMUNITY CARE ACCESS CENTRES	83	0.83%

TOP 10 CORRECTIONAL FACILITIES
COMPLAINED ABOUT IN 2011-2012

		Number of Cases	Percentage of All Cases Within Authority
1	CENTRAL NORTH CORRECTIONAL CENTRE	654	6.50%
2	CENTRAL EAST CORRECTIONAL CENTRE	611	6.08%
3	MAPLEHURST CORRECTIONAL COMPLEX	319	3.17%
4	OTTAWA-CARLETON DETENTION CENTRE	300	2.98%
5	TORONTO WEST DETENTION CENTRE	279	2.77%
6	HAMILTON-WENTWORTH DETENTION CENTRE	231	2.30%
7	ELGIN-MIDDLESEX DETENTION CENTRE	209	2.08%
8	TORONTO JAIL	178	1.77%
9	NIAGARA DETENTION CENTRE	174	1.73%
10	VANIER CENTRE FOR WOMEN	138	1.37%

APPENDIX 1

Complaint Statistics

CASES EXCLUDING CORRECTIONAL FACILITIES
RECEIVED 2011-2012 BY PROVINCIAL RIDING*

Ajax-Pickering	70	Niagara West-Glanbrook	73
Algoma-Manitoulin	128	Nickel Belt	85
Ancaster-Dundas-Flamborough-Westdale	78	Nipissing	138
Barrie	172	Northumberland-Quinte West	140
Beaches-East York	83	Oak Ridges-Markham	70
Bramalea-Gore-Malton	64	Oakville	57
Brampton-Springdale	55	Oshawa	139
Brampton West	92	Ottawa Centre	66
Brant	73	Ottawa-Orleans	58
Bruce-Grey-Owen Sound	129	Ottawa South	53
Burlington	125	Ottawa-Vanier	62
Cambridge	126	Ottawa West-Nepean	65
Carleton-Mississippi Mills	41	Oxford	69
Chatham-Kent-Essex	103	Parkdale-High Park	88
Davenport	55	Parry Sound-Muskoka	120
Don Valley East	70	Perth-Wellington	99
Don Valley West	48	Peterborough	89
Dufferin-Caledon	128	Pickering-Scarborough East	31
Durham	96	Prince Edward-Hastings	165
Eglinton-Lawrence	60	Renfrew-Nipissing-Pembroke	59
Elgin-Middlesex-London	95	Richmond Hill	34
Essex	122	Sarnia-Lambton	156
Etobicoke Centre	41	Sault Ste. Marie	174
Etobicoke-Lakeshore	106	Scarborough-Agincourt	45
Etobicoke North	58	Scarborough Centre	60
Glengarry-Prescott-Russell	65	Scarborough-Guildwood	101
Guelph	114	Scarborough-Rouge River	25
Haldimand-Norfolk	70	Scarborough Southwest	74
Haliburton-Kawartha Lakes-Brock	128	Simcoe-Grey	119
Halton	85	Simcoe North	168
Hamilton Centre	115	St. Catharines	80
Hamilton East-Stoney Creek	100	St. Paul's	152
Hamilton Mountain	99	Stormont-Dundas-South Glengarry	87
Huron-Bruce	97	Sudbury	158
Kenora-Rainy River	108	Thornhill	52
Kingston and the Islands	59	Thunder Bay-Atikokan	95
Kitchener Centre	44	Thunder Bay-Superior North	85
Kitchener-Conestoga	47	Timiskaming-Cochrane	122
Kitchener-Waterloo	64	Timmins-James Bay	74
Lambton-Kent-Middlesex	75	Toronto Centre	152
Lanark-Frontenac-Lennox and Addington	81	Toronto-Danforth	76
Leeds-Grenville	101	Trinity-Spadina	86
London-Fanshawe	110	Vaughan	58
London North Centre	89	Welland	130
London West	89	Wellington-Halton Hills	69
Markham-Unionville	24	Whitby-Oshawa	93
Mississauga-Brampton South	44	Willowdale	73
Mississauga East-Cooksville	39	Windsor-Tecumseh	89
Mississauga-Erindale	59	Windsor West	85
Mississauga South	70	York Centre	66
Mississauga-Streetsville	57	York-Simcoe	79
Nepean-Carleton	46	York South-Weston	67
Newmarket-Aurora	65	York West	37
Niagara Falls	195		

* Where a valid postal code is available.

Note: Breakdown of organizations complained about in each riding is available online at www.ombudsman.on.ca.

APPENDIX 1

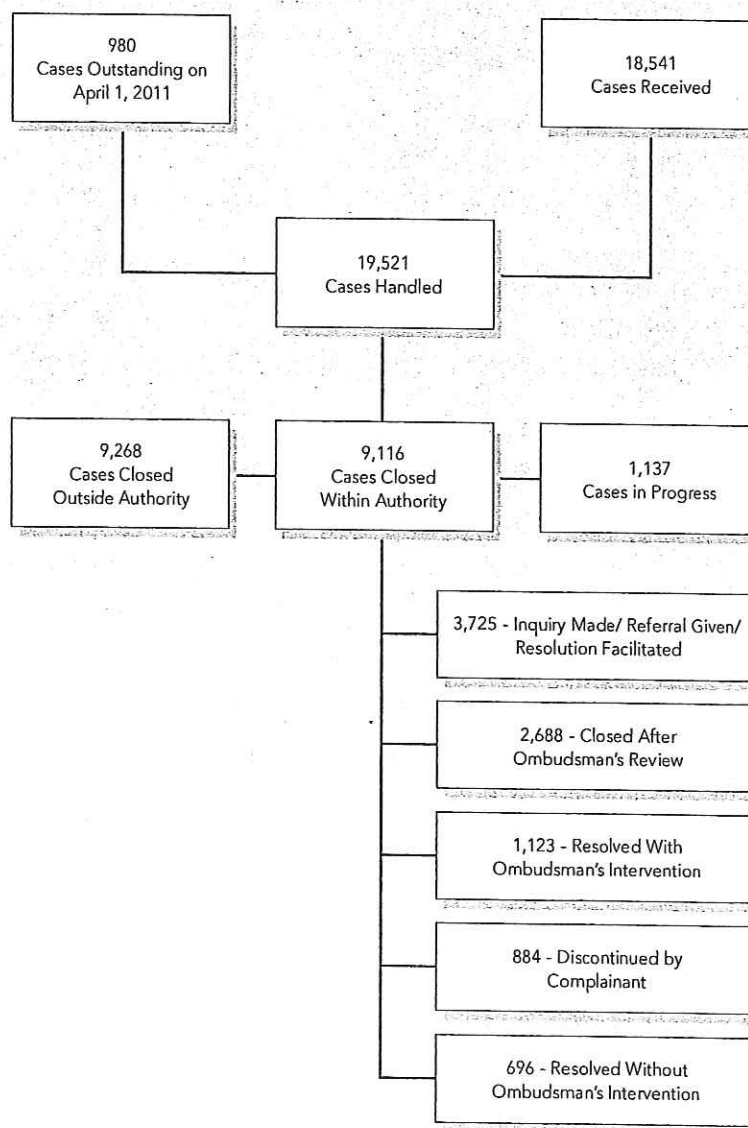
Complaint Statistics

MOST COMMON TYPES OF CASES RECEIVED
DURING 2011-2012

1	Decision wrong, unreasonable or unfair
2	Access to, or denial of services; inadequate or poor service
3	Delay
4	Wrong or unreasonable interpretation of criteria, standards, policy, procedures, guidelines, regulations, laws, information or evidence
5	Communication inadequate, improper or no communication
6	Enforcement unfair or failure to enforce
7	Government policy and/or procedures
8	Failure to adhere to policies, procedures or guidelines or to apply them consistently; unfair policy/ procedure
9	Internal complaint process; lack of a process, unfair handling of complaint
10	Legislation and/or regulations
11	Failure to provide sufficient or proper notice
12	Broader public policy issue
13	Insufficient reasons or no reasons provided for a decision
14	Government funding issue
15	Improper use of discretion

APPENDIX 1

Complaint Statistics

DISPOSITION OF CASES
2011-2012

APPENDIX 1

Complaint Statistics

TOTAL CASES RECEIVED 2011-2012
FOR PROVINCIAL GOVERNMENT MINISTRIES AND SELECTED PROGRAMS*

MINISTRY OF AGRICULTURE, FOOD AND RURAL AFFAIRS		19
MINISTRY OF THE ATTORNEY GENERAL		854
ALCOHOL AND GAMING COMMISSION OF ONTARIO	19	
ASSESSMENT REVIEW BOARD	31	
CHILD AND FAMILY SERVICES REVIEW BOARD	18	
CHILDREN'S LAWYER	33	
CRIMINAL INJURIES COMPENSATION BOARD	42	
HUMAN RIGHTS LEGAL SUPPORT CENTRE	16	
HUMAN RIGHTS TRIBUNAL OF ONTARIO	85	
LANDLORD AND TENANT BOARD	128	
LEGAL AID ONTARIO	159	
OFFICE OF THE INDEPENDENT POLICE REVIEW DIRECTOR	37	
ONTARIO MUNICIPAL BOARD	20	
OFFICE OF THE PUBLIC GUARDIAN AND TRUSTEE	130	
SOCIAL BENEFITS TRIBUNAL	32	
SPECIAL INVESTIGATIONS UNIT	13	
MINISTRY OF CHILDREN AND YOUTH SERVICES		122
CHILDREN'S AID SOCIETY - HURON PERTH	11	
SECURE CUSTODY FACILITIES FOR YOUTH	26	
SPECIAL NEEDS PROGRAMS - CHILDREN	47	
MINISTRY OF CITIZENSHIP AND IMMIGRATION		1
MINISTRY OF COMMUNITY AND SOCIAL SERVICES		1388
FAMILY RESPONSIBILITY OFFICE	759	
ONTARIO DISABILITY SUPPORT PROGRAM	575	
SPECIAL NEEDS PROGRAMS - ADULT	28	
MINISTRY OF COMMUNITY SAFETY AND CORRECTIONAL SERVICES		4421
CORRECTIONAL FACILITIES	4135	
OFFICE OF THE CHIEF CORONER	18	
ONTARIO CIVILIAN POLICE COMMISSION	11	
ONTARIO PROVINCIAL POLICE	110	
PRIVATE SECURITY AND INVESTIGATIVE SERVICES BRANCH	26	
PROBATION AND PAROLE SERVICES	38	
MINISTRY OF CONSUMER SERVICES		38
MINISTRY OF EDUCATION		27
MINISTRY OF ENERGY		275
HYDRO ONE	232	
ONTARIO ENERGY BOARD	17	
MINISTRY OF THE ENVIRONMENT		101

* Total figures are reported for each provincial government ministry including all agencies and programs falling within its portfolio. Each government agency or program receiving 10 or more cases is also included.

APPENDIX 1

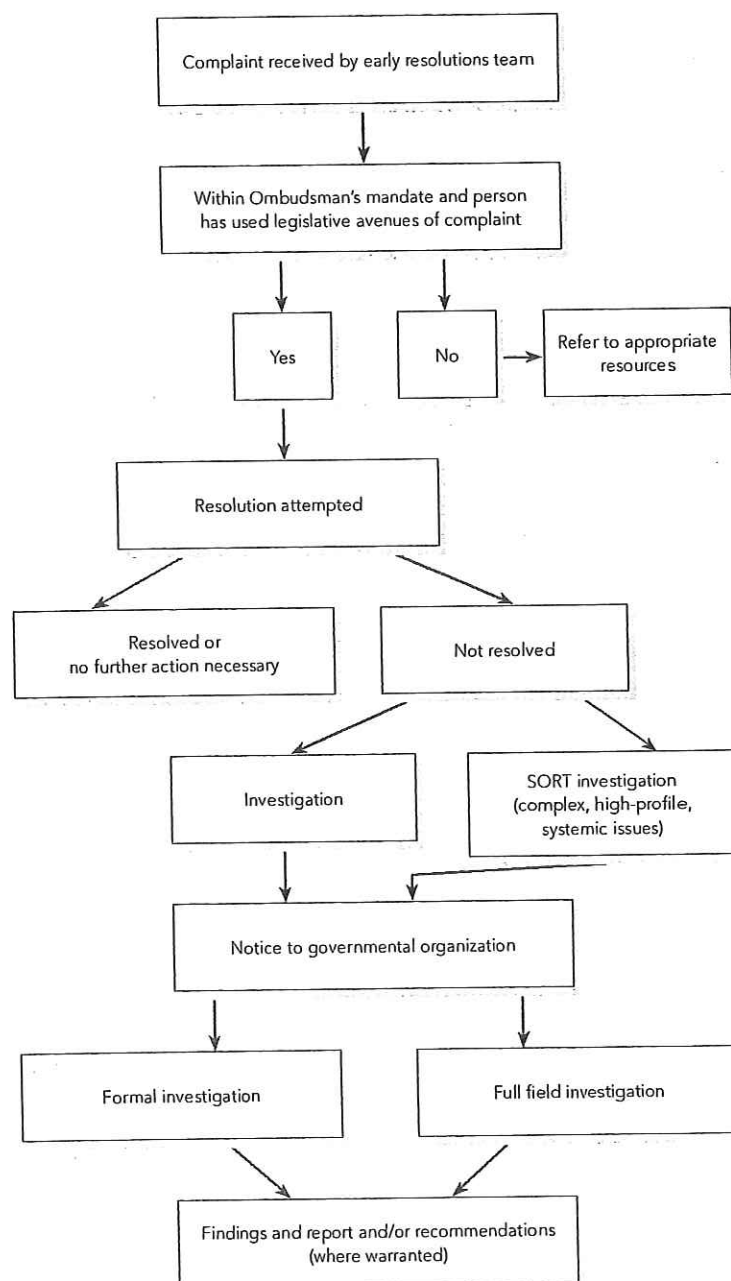
Complaint Statistics

TOTAL CASES RECEIVED 2011-2012 FOR PROVINCIAL GOVERNMENT MINISTRIES AND SELECTED PROGRAMS*		
MINISTRY OF FINANCE		282
FINANCIAL SERVICES COMMISSION	44	
LIQUOR CONTROL BOARD OF ONTARIO	16	
MUNICIPAL PROPERTY ASSESSMENT CORPORATION	66	
ONTARIO LOTTERY AND GAMING CORPORATION	64	
MINISTRY OF GOVERNMENT SERVICES		213
LICENCE APPEAL TRIBUNAL	14	
REGISTRAR GENERAL	89	
SERVICEONTARIO	64	
MINISTRY OF HEALTH AND LONG-TERM CARE		616
ASSISTIVE DEVICES / HOME OXYGEN PROGRAMS	17	
COMMUNITY CARE ACCESS CENTRES	83	
DRUG PROGRAMS BRANCH	74	
HEALTH PROFESSIONS APPEAL AND REVIEW BOARD	30	
HEALTH SERVICES APPEAL AND REVIEW BOARD	14	
HÔTEL-DIEU GRACE HOSPITAL	16	
LOCAL HEALTH INTEGRATION NETWORKS	13	
LONG-TERM CARE BRANCH	39	
NIAGARA HEALTH SYSTEM	81	
ONTARIO HEALTH INSURANCE PLAN	97	
PSYCHIATRIC PATIENT ADVOCATE OFFICE	18	
MINISTRY OF INFRASTRUCTURE		4
MINISTRY OF LABOUR		797
EMPLOYMENT PRACTICES BRANCH	30	
OFFICE OF THE WORKER ADVISOR	14	
ONTARIO LABOUR RELATIONS BOARD	42	
WORKPLACE SAFETY AND INSURANCE APPEALS TRIBUNAL	96	
WORKPLACE SAFETY AND INSURANCE BOARD	582	
MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING		27
MINISTRY OF NATURAL RESOURCES		65
CROWN LAND	12	
MINISTRY OF NORTHERN DEVELOPMENT AND MINES		8
MINISTRY OF ECONOMIC DEVELOPMENT AND INNOVATION		1
MINISTRY OF TOURISM, CULTURE AND SPORTS		7
MINISTRY OF TRAINING, COLLEGES AND UNIVERSITIES		293
APPRENTICESHIPS / WORK TRAINING	35	
COLLEGES OF APPLIED ARTS AND TECHNOLOGY	79	
ONTARIO STUDENT ASSISTANCE PROGRAM	120	
MINISTRY OF TRANSPORTATION		422
DRIVER LICENSING	351	
VEHICLE LICENSING	27	

* Total figures are reported for each provincial government ministry including all agencies and programs falling within its portfolio. Each government agency or program receiving 10 or more cases is also included.

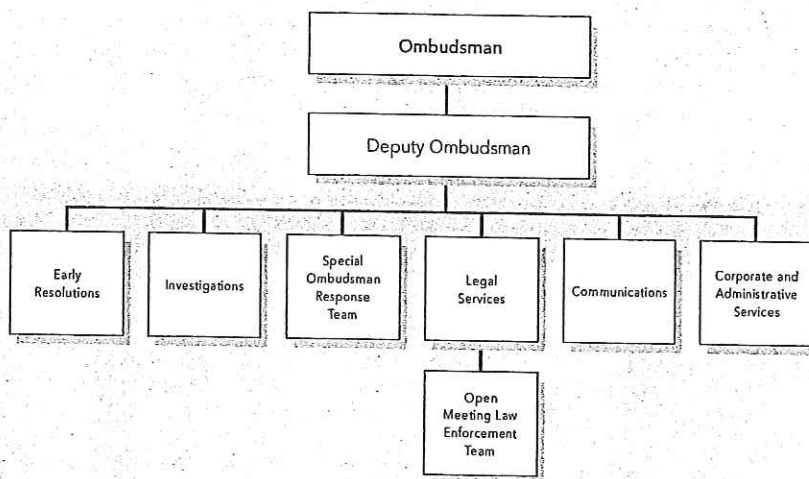
APPENDIX 2

How We Work



APPENDIX 3

About the Office



Early Resolutions: The Early Resolutions team operates as the Office's front line for receiving, triaging and assessing complaints, providing advice, guidance and referrals to complainants. Early Resolution Officers use a variety of conflict resolution techniques to resolve complaints that fall within the Ombudsman's jurisdiction.

Investigations: Complaints that cannot be easily resolved are referred to Investigations. The Investigations team conducts issue-driven, focused and timely investigations of individual complaints and systemic issues.

Special Ombudsman Response Team (SORT): The Special Ombudsman Response Team conducts extensive field investigations into complex, systemic, high-profile cases. SORT investigators work in collaboration with Early Resolutions, Investigations and Legal Services, and additional staff are assigned to SORT as needed.

Legal Services: The Legal Services team ensures that the Office functions within its legislated mandate and provides expert advice to the Ombudsman and staff in support of the resolution and investigation of complaints, the review and analysis of evidence and the preparation of reports and recommendations.

Open Meeting Law Enforcement Team (OMLET): OMLET investigates complaints about closed municipal meetings (received pursuant to the *Municipal Act*) and engages in education and outreach with municipalities and the public with regard to open meetings.

Communications: In addition to co-ordinating the Ombudsman's reports, brochures, other publications and videos, the Communications team maintains the Ombudsman's website and social media presence, assists in outreach activities, and provides support to the Ombudsman and staff in media interviews, press conferences, speeches, presentations and public statements.

Corporate and Administrative Services: The Corporate and Administrative Services team supports the Office in the areas of finance, human resources, administration and information technology.

APPENDIX 4

Financial Report

During the fiscal year 2011-2012, the total operating expenditures for the Office were **\$10.774 million**. Miscellaneous revenue returned to the government amounted to \$27,000, resulting in net expenditures of **\$10.747 million**. The largest categories of expenditures relate to salaries, wages and employee benefits at \$8.249 million, which accounts for 76.6% of the Office's annual operating expenditures.

SUMMARY OF EXPENDITURES 2011-2012

	(In thousands)
Salaries and wages	\$6,707
Employee benefits	\$1,542
Transportation and communications	\$335
Services	\$1,510
Supplies and equipment	\$680
Annual Operating Expenses	\$10,774
Less: Miscellaneous revenue	\$27
Net Expenditures	\$10,747

2011-2012



ONTARIO'S WATCHDOG

2011-2012 **ANNUAL REPORT**

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This is Exhibit "J" referred to in the
Affidavit of Jeffrey Bogaerts
sworn before me, this 31st day of July, 2014.



Commissioner for Taking Oaths




Ombudsman
ONTARIO

ONTARIO'S WATCHDOG

2012-2013
Annual Report



July 16, 2013

The Honourable Dave Levac
Speaker
Legislative Assembly
Province of Ontario
Queen's Park

Dear Mr. Speaker,

I am pleased to submit my Annual Report for the period of April 1, 2012 to March 31, 2013, pursuant to section 11 of the *Ombudsman Act*, so that you may table it before the Legislative Assembly.

Yours truly,



André Marin
Ombudsman

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Table of Contents

Ombudsman's Message.....	5
The Multipurpose Ombudsman.....	5
The Barometer	6
The Horsefly.....	6
The Oil Can.....	6
The Safety Valve	7
Our Indoor Voice	7
Special Weapons and Tactics.....	7
Unfinished Business	9
No Rush for MUSH.....	10
Anybody but the Ombudsman.....	10
Hospital horrors.....	12
Long-term care lapses.....	12
Orange air ambulances – flying out of reach	13
Give us a "C" – children's aid societies.....	14
OMLET still cooking.....	15
Closing Thoughts.....	16
The Year in Review	17
Beyond Scrutiny: The push for MUSH.....	17
"M" – Municipalities	18
"U" – Universities.....	18
"S" – School Boards.....	19
"H" – Hospitals	19
Long-Term Care Homes	21
Children's Aid Societies.....	21
Police	22
Operations Overview.....	23
Complaint Trends and Significant Cases in 2012-2013	24
Ministry of the Attorney General	24
Ministry of Community Safety and Correctional Services	24
Ministry of Community and Social Services	26
Ministry of Children and Youth Services	28
Ministry of Energy	29
Ministry of Health and Long-Term Care	30
Ministry of Government Services / Ministry of Health and Long-Term Care	31
Ministry of Natural Resources.....	32
Ministry of Training, Colleges and Universities	32
Ministry of Transportation	33
Training and Consultation.....	35
Communications and Outreach	39

Special Ombudsman Response Team	44
SORT investigations completed in 2012-2013.....	44
<i>The Code</i> – Ministry of Community Safety and Correctional Services	44
<i>In the Line of Duty</i> – Ontario Provincial Police and Ministry of Community Safety and Correctional Services	46
Dental implants – Ministry of Health and Long-Term Care	48
Ongoing SORT investigations.....	49
Adults with developmental disabilities in crisis – Ministry of Community and Social Services	49
Monitoring of drivers with uncontrolled hypoglycemia – Ministry of Transportation	50
Completed SORT assessments in 2012-2013	50
Slots at Racetracks program – Ontario Lottery and Gaming Corporation.....	50
Updates on previous SORT investigations.....	51
Non-emergency medical transportation services – Ministry of Health and Long-Term Care, Ministry of Transportation	51
<i>Caught in the Act</i> – Expansion of police powers for Toronto G20 summit – Ministry of Community Safety and Correctional Services	52
Monitoring of long-term care homes – Ministry of Health and Long-Term Care	52
<i>Oversight Undermined and Oversight Unseen</i> – Ministry of the Attorney General and Special Investigations Unit	53
<i>Between a Rock and a Hard Place</i> – Care and custody of children with severe special needs – Ministry of Children and Youth Services	55
 Case Summaries.....	 56
Ministry of the Attorney General.....	56
Ministry of Community and Social Services.....	59
Ministry of Energy	66
Ministry of Finance	66
Ministry of Government Services	68
Ministry of Health and Long-Term Care.....	69
Ministry of Labour.....	71
Ministry of Natural Resources	72
Ministry of Training, Colleges and Universities	72
Ministry of Transportation	73
 Your Feedback.....	 74
 Appendix 1 – Complaint Statistics.....	 78
 Appendix 2 – How We Work.....	 86
 Appendix 3 – About the Office.....	 87
 Appendix 4 – Financial Report	 88

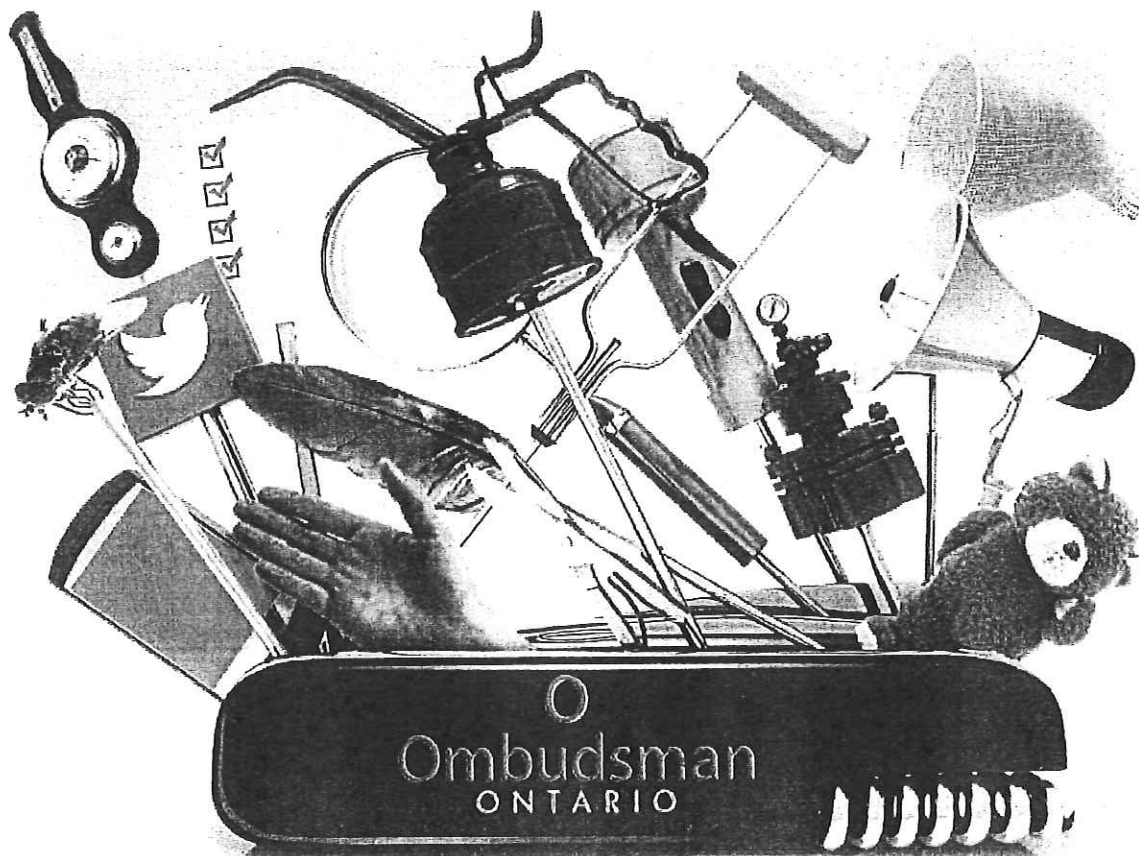
Ombudsman's Message

The Multipurpose Ombudsman



PHOTO BY BRIAN WILLET

The stories in this report, arising from the 19,726 cases we received in 2012-2013, demonstrate how my Office uses a variety of tools to resolve individual and systemic concerns. Picture a "Swiss Army"-style knife with all sorts of useful accountability gadgets: A barometer, a horsefly, an oil can, a safety valve and more. Like a barometer, my Office alerts citizens, legislators, and government organizations to trending complaints before problems escalate into crises. Like a horsefly, we nip at bureaucratic heels and nudge officials to change direction. Like an oil can, we reduce friction, facilitate resolution and smooth over bureaucratic tangles. And like a safety valve, we act as a last resort to protect citizens' rights, health and welfare – and forestall systemic disaster.



The Barometer

In 2012-2013, we continued to work proactively with government organizations – particularly those that generate a large volume of complaints – to address systemic issues. A case in point is the **Family Responsibility Office (FRO)**, which once again topped the list as the most complained-about Ontario agency. We met regularly with FRO officials to discuss persistent problems such as a lack of aggressive enforcement, poor record keeping and administrative errors. Our efforts were inspired by people like one woman who was owed nearly **\$35,000** in child support that the FRO unwittingly held in a generic account, and another who finally received more than **\$12,000** after we persuaded the FRO to step up its enforcement efforts. These and similar cases can be found in the **Case Summaries** section of this report.

We also kept close watch on the Ministry of Transportation's progress in tackling the "ghost licence" issue that we revealed last year. A single complaint from a man convicted of drunk driving led to the discovery that the Ministry had generated more than **1,000,000** dummy licence records since 1966 – whenever it could not match notices of driving offences, collisions or medical suspensions with existing Ontario driver licences. We alerted the Ministry to the risk that some of what it calls "master" licences could be duplicates, meaning some individuals who were supposed to be under suspension might still be on the roads with valid licences. Our red flag prompted the Ministry to review and reconcile its records to better protect public safety. More on this case and others can be found in the **Operations Overview** section of this report.

The Horsefly

Many complaints that we receive require the "horsefly" approach - direct and focused prodding to wake officials up and get them to move in the right direction. This technique is often successfully applied to stand up for the "little guy" – those too vulnerable and without the means to make themselves heard.

For instance, we uncovered a computer glitch that shortchanged a man thousands of dollars in Ontario Disability Support Program benefits. We also convinced the Office of the Public Guardian and Trustee to do the right thing after it wrongly charged legal fees to a client for talking to our Office about his complaint.

The horsefly technique is well suited to cases of **rulitis** – slavish bureaucratic devotion to the rules, to the exclusion of good judgment. We used it in a particularly acute case this year, where the Office of the Registrar General was refusing to issue a birth certificate for a man's baby daughter without an application from the mother, who had died shortly after childbirth.

The Oil Can

By contrast, many cases are resolved through a smoother approach, where bureaucratic machinery is lubricated by an injection of compassion, common sense and creative solutions.

We continued to help many families of adults with developmental disabilities, by facilitating communication between them, the Ministry of Community and Social Services, the Ministry of Children and Youth Services and the host of agencies involved in their services and care. Our case-by-case efforts paid off with enhanced protocols and practices to help children with severe disabilities transition from the child benefit system to services for adults, even as we launched a broader systemic investigation on this issue.

Our oil can was also applied to convince Hydro One to address unfair overbillings and to help students with disability grants through the Ministry of Training, Colleges and Universities.

The Safety Valve

In cases where life, health and welfare are at stake, my Office is often the last resort for desperate citizens. This year, we helped a 72-year-old man with a rare form of cancer get money for specialized out-of-country treatment after his request was denied, even though the Ministry of Health and Long-Term Care had paid for similar therapy for others. Our efforts also sparked the Ministry to improve its processes to ensure proper tracking of these cases in future.

In another case, although Ontario Health Insurance Plan coverage was provided for genetic testing in the U.S. to benefit siblings of a 14-year-old boy who had died suddenly, the Ministry of Health and Long-Term Care denied coverage for families in similar circumstances while it pondered its funding policy. Through escalating discussions up the chain of command at the Ministry, we were able to coax it to change its practice and review such requests on a case-by-case basis.

Our Indoor Voice

While my Office is best known for its “outside” voice – that is, our reports on systemic investigations by our Special Ombudsman Response Team – a great deal of our work is accomplished through a subtle and collaborative approach. We help thousands of Ontarians with straightforward, sensitive or complex issues through confidential, informal dispute resolution.

For instance, since 2009, we have had discussions with the Ministry of Health and Long-Term Care about developing a program for people who need dental implants for medical reasons, often as a result of severe conditions such as cancer. The Ministry had always considered all dental implants to be cosmetic and thus ineligible for Ontario Health Insurance Plan coverage. But this past April, it launched its new Oral and Maxillofacial Reconstruction Program to fund certain prostheses to restore oral function for patients who have no treatment alternatives. This quiet victory for vulnerable people represents the culmination of three years of behind-the-scenes talks, informal investigation and exertion of moral suasion.

In a similar fashion, we encouraged the Ministry of Community Safety and Correctional Services to address delays and inefficiencies in its private security licence application and complaint processes, and we prompted the Death Investigation Oversight Council to improve its communication strategies and use clear, evidence-based reasons in its decisions.

Special Weapons and Tactics

There are cases, however, where shuttle diplomacy and alternative dispute resolution will simply not get the job done. These are the cases where our Special Ombudsman Response Team, or SORT – our systemic field investigation unit – excels.

Our latest ongoing SORT investigation – into how the Ministry of Community and Social Services responds to an apparent lack of services for adults with developmental disabilities who are in crisis – had drawn well over 800 complaints as of the writing of this report. These cases, which we first identified as a trend in 2011-2012, include many heart-rending stories of families with nowhere to turn and young adults with severe special needs ending up in shelters, hospitals and even jail.

SORT also tackled difficult and thorny issues in the two major investigations that resulted in reports in 2012-2013 – operational stress injuries among police, and the use of excessive force against inmates in correctional facilities.



Ombudsman André Marin is greeted by former OPP Detective-Inspector Bruce Kruger (right) after the release of the Ombudsman's report, *In the Line of Duty*, October 24, 2012.

My report *In the Line of Duty*, issued in October 2012, revealed serious gaps in how the Ontario Provincial Police and the Ministry of Community Safety and Correctional Services address operational stress injuries among police, including depression, addictions, anxiety and post-traumatic stress disorder. The SORT investigation uncovered a persistent stigma against affected officers and a lack of support services for them and their families. The OPP and the Ministry have taken my recommendations seriously, and SORT will monitor their progress as they work towards substantive reform.

§§ Please convey to the complete investigative team who participated in this inquiry how gratifying their work has been to the policing community. Generations of police officers will have their lives greatly enriched because of their efforts... I know that through your efforts, lives will be saved. §§

Retired OPP Detective-Inspector Bruce Kruger, whose complaint sparked the *In the Line of Duty* investigation

Last month, I released *The Code*, my report on SORT's investigation into how the Ministry of Community Safety and Correctional Services responds to allegations of excessive use of force. This investigation arose from a disturbing trend we identified in 2010 involving cases where correctional staff assaulted inmates and covered up the incidents. We discovered an entrenched "code of silence" amongst some correctional officers who helped colleagues hide brazen acts of assault against vulnerable inmates. The Ministry has undertaken to implement my recommendations, and I will monitor its progress closely.

Unfinished Business

Political events in the past year – including the prorogation of the Legislative Assembly after Premier Dalton McGuinty resigned his post – have unfortunately delayed implementation of reforms arising from some of our earlier investigations. For example, in June 2011, the ministers of Transportation and Health and Long-Term Care jointly announced they would introduce legislation to address non-emergency medical transportation services. This was in response to my investigation into serious concerns about the lack of regulation of these private companies, which are responsible for transporting hundreds of thousands of non-critical patients each year. With the issue apparently resolved, I opted not to release a report on the investigation at that time. But after an election, a prorogation and the elevation of one of the ministers to the Premier's chair, there has been little progress. We continue to receive updates from the ministries to ensure this initiative moves forward.

Similarly, in the wake of my December 2010 report *Caught in the Act*, concerning the exceptional police powers exercised during the Toronto G20 summit in June 2010, the government moved to replace the outdated *Public Works Protection Act*. It introduced Bill 34, the *Security for Courts, Electricity Generating Facilities and Nuclear Facilities Act*, in February 2012, but it died on the order paper when the Legislature was prorogued. It was reintroduced as Bill 51 on April 2013 and has yet to pass, more than three years after that infamous June weekend. I am hopeful the bill will be implemented soon, to better safeguard civil rights in the province.

Regrettably, the Ministry of the Attorney General has still not moved forward on my recommendations for new legislation to strengthen the Special Investigations Unit (SIU), the independent body responsible for investigating when police are involved in incidents of serious injury or death. My reports *Oversight Unseen* (2008) and *Oversight Undermined* (2011) extensively detailed the shortcomings of the present system. As well, the Law Society of Upper Canada has discouraged lawyers from jointly representing police witnesses in SIU cases, and the Supreme Court of Canada is considering the issue of lawyers vetting police notes before they are submitted to the SIU. Meanwhile, a lack of police co-operation persists in many SIU investigations, frustrating the public interest. I will continue to observe developments in this area, and consider whether a third investigation and report may be necessary to incite the Ministry into action.



Ombudsman André Marin addresses the 10th World Conference of the International Ombudsman Institute in Wellington, New Zealand, discussing his report *Caught in the Act*, November 8, 2012.



NDP MPP France Gélinas (Nickel Belt) speaks to Ombudsman André Marin at a "Meet the Ombudsman" event at Queen's Park, May 1, 2012.

No Rush for MUSH

Public debate continued to rage this year over whether my Office's mandate should be extended to the MUSH sector – municipalities, universities, school boards and hospitals and long-term care homes, as well as children's aid societies, police and other organizations collectively receiving tens of billions of dollars annually in public funds.

We were forced to turn away 2,541 cases relating to these organizations in 2012-2013, many of them raising serious issues involving the health and welfare of Ontario's most vulnerable citizens – the sick, the elderly, children and youth. No other ombudsman in Canada has such a limited mandate.

I am not the first Ontario Ombudsman to recommend elimination of the arbitrary historical exceptions shielding the MUSH sector from my Office's scrutiny. The effort began with the first Ombudsman, Arthur Maloney, who observed in his 1979 *Blueprint for the Office of the Ombudsman of Ontario*:

...it is my considered view that the Ombudsman's jurisdiction should similarly be extended to include such organizations as hospitals, universities, boards of education, nursing homes and other such bodies financed in whole or in substantial part with public funds.

Popular grassroots opinion appears solidly behind extending Ombudsman jurisdiction into the MUSH sector. Many MPPs have also shown strong support for this change. The Standing Committee on Government Agencies is poised to consider Bill 42, the *Ombudsman Amendment Act (Children's Aid Societies), 2013*, introduced by NDP MPP Monique Taylor, which would bring children's aid societies within this Office's jurisdiction. And since 2005, more than 100 petitions and 14 private member's bills have supported modernization of my Office's mandate to include the MUSH sector.

Anybody but the Ombudsman

Last June, I was extremely encouraged by the comments of then Premier McGuinty, who initiated discussions with my Office about opening the MUSH sector up to Ombudsman oversight, and told me, "It is not a matter of if, but when" this new jurisdiction would be granted. However, less than a year later, his successor Premier Kathleen Wynne rejected the overture made by the leader of the New Democratic Party to extend my Office's authority over hospitals and long-term care homes. The result was an accountability compromise –

no independent external oversight in this area, but the promise of some other, as-yet-undefined accountability measures in future. However, the Deputy Premier, the Minister of Health and Long-Term Care, was later quoted as saying she “wouldn’t close the door on the Ombudsman” as a means of addressing complaints in the health and long-term care system.

Political wrangling aside, there is simply no well-articulated, rational justification for barring Ombudsman oversight in the MUSH sector. Sadly, it seems that “anybody but the Ombudsman” is the rallying cry for some government insiders. Perhaps the most vehement and fever-pitched example of this came from Transportation Minister Glen Murray, who spoke heatedly against Bill 42’s proposal to extend Ombudsman oversight to children’s aid societies, saying such cases require sensitivity and prudence:

“The Ombudsman is someone who is on the front page of the paper, whose tactics are to advocate for an individual, and hardly an office that shows that kind of discretion.”

From Hansard, April 11, 2013

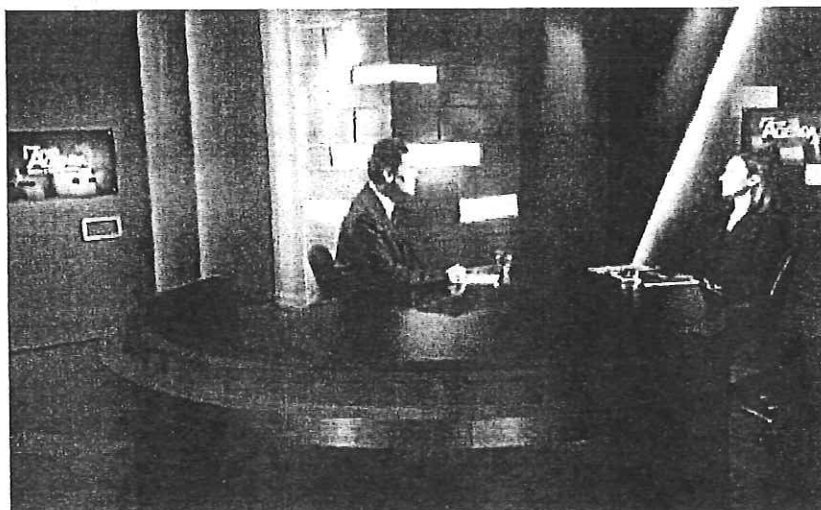
The Minister later apologized for this inaccurate public attack on my Office’s integrity.

The fact is, since I took office in April 2005, I have deliberately worked to enhance public awareness of the Ombudsman’s Office and how it can assist Ontarians. It is through demonstrating our value openly, often and in clear language, that we have been able to influence positive changes in the law, policy and practices for the benefit of Ontario’s citizens.

When I issue official reports, answer journalists’ questions or use social media, I am using the tools at my disposal to get the job done as effectively as possible, just as a carpenter uses a hammer. The style of our reports, the compelling personal stories that are included, and the clear language of our communications all help engage the interest and imagination of citizens and legislators, which is essential for an office that relies on both public input and political will to spark systemic reforms.

Our approach has not only allowed us to achieve results for the thousands of people who come to us confidentially – it has also been emulated around the world by the hundreds of watchdog organizations that have sent their staff to us for training.

More on this can be found in the **Communications and Outreach** and **Training and Consultation** sections of this report.



Deputy Ombudsmen Barbara Finlay appears with host Steve Peikin on TVO’s *The Agenda* to discuss *In the Line of Duty*, November 6, 2012.

Hospital horrors

Ontarians put their faith in hospitals to treat the sick and injured with competence, sensitivity, and professionalism. Regrettably, a year does not go by without some systemic scandal erupting in the hospital sector, whether it is an outbreak of *C. difficile*, prolonged emergency room wait times, or this year's controversy over monitoring of chemotherapy doses for cancer patients.

In 2012-2013, according to news reports, a 22-year-old man lapsed into a coma, 12 hours after being released with head injuries from Toronto Western Hospital. An 82-year-old grandmother died at Mount Sinai Hospital after falling out of bed unsupervised. A newborn baby at Humber River Regional Hospital was pronounced dead, only to be discovered alive some 90 minutes later.

Hospitals routinely respond to these horrific cases by launching internal inquiries. Typically, the results of these reviews remain confidential, leaving the public with unanswered questions and diminished confidence in the health care system. Unlike every other province in Canada, Ontario has left its 150 hospital corporations immune from Ombudsman oversight.

Internal patient relations officials owe their allegiance to their employers and do not have the means or the will to carry out credible independent investigations or report on maladministration. Consider the recent news story of the 80-year-old patient of the London Health Sciences Centre who claims he was told to clean his own messy toilet – and was chastised by an official in the hospital's complaints department for going to the media. The hospital officially denied the report, but without an independent, impartial inquiry, the truth will never be confirmed. And even if existing internal complaint mechanisms are enhanced, as the Premier has implied they might be, they will not replace the need for external investigative oversight under the *Ombudsman Act*.

Our Office has the unique ability to observe systems holistically and identify trends and best practices. We have the statutory powers, the experience, and proven track record of success to promote necessary changes.

This past year, the Ontario Hospital Association board of directors considered proposals to extend my Office's mandate to hospitals. While there may be some angst expressed about this prospect, I believe with time there may also be acceptance. In cases where government has taken over hospitals by appointing supervisors (thereby giving us temporary oversight of those facilities), we have always worked productively with these officials. Not only do we assist citizens in resolving concerns, we are also a safety valve for often beleaguered administrators, who can refer cases to us to facilitate resolution. In our experience, citizens are much more likely to accept our assessment that administrators have acted reasonably or lawfully than to take the word of involved officials.

Long-term care lapses

Ontario will soon be the only province whose Ombudsman has no authority to investigate long-term care homes, leaving the 76,000 residents of some 640 homes with no recourse to independent oversight. The only other holdout, New Brunswick, has passed new legislation and will soon extend its ombudsman's mandate.

As with hospitals, we continue to hear nightmare tales of abuse and neglect arising from Ontario long-term care homes, but are powerless to act. Among the many stories that made headlines, an 87-year-old woman was trapped in an out-of-service elevator in a long-term care centre in Mississauga for more than 29 hours. A 72-year-old woman was beaten to death, and a 91-year-old assaulted, by a fellow resident in a Scarborough long-term care home.

And Camille Parent, concerned about his 85-year-old mother's unexplained injuries, hid a video camera in her room at a long-term care home in Peterborough. The video revealed egregious, degrading treatment by several workers, who have since been fired. The Ministry of Health and Long-Term Care launched an investigation, but Mr. Parent said he would prefer independent oversight:

Number one thing I'd like to see is the Ombudsman get involved and take the whole investigation away from the Crown.

Camille Parent, speaking to CTV National News, May 19, 2013

Ornge air ambulances – flying out of reach

Ornge is a federally incorporated non-profit company. As such, it does not come within my jurisdiction. But Ornge carries out an essential public service, transporting about 18,000 patients each year by land and air ambulance, and receiving \$150 million in taxpayer dollars annually to do so.

Since 2005, my Office has received 29 complaints about Ornge – five of them from whistleblowers. The issues identified were extremely serious and reflective of the flagrant breach of public trust committed by Ornge administrators, the extent of which only came to light in December 2011. Twelve of these complaints were received in 2012-2013, including claims of inadequate equipment maintenance and inspection, and problematic dispatch practices.

Over the years, we have heard complaints about the purchase of inappropriate helicopters, stonewalling of investigators, poor service, inadequate infection control, misappropriation of funds, muzzling of Ornge staff and conflicts of interest involving Ornge administrators. We referred complainants to the Ministry of Health and Long-Term Care or the Auditor General when appropriate, although many expressed dissatisfaction with the quality of the Ministry's supervision of Ornge. Had we been able to delve into the issues they raised, we might have been able to address some of the problematic practices that were eventually uncovered.

On May 15, 2013, I was invited to speak to the Standing Committee on General Government about Bill 11, the *Ambulance Amendment Act (Air Ambulances)*, 2013. The bill calls for increased accountability measures relating to designated air ambulance service providers like Ornge.

During my presentation, I observed that it is not sufficient to replace the truly independent external oversight that the Ombudsman's Office provides with the "innersight" of internal mechanisms. Ornge's own history demonstrates this dramatically, and new accountability measures so far have fallen short.



Ombudsman André Marin and Deputy Ombudsman Barbara Finlay appear before the Standing Committee on General Government regarding Bill 11 and oversight of Ornge, May 15, 2013.

Now, what's wrong with Bill 11? Nothing – and everything. It consists of an elaborate series of baby steps that will improve internal checks and balances – not a bad thing, but falling short of true oversight. We are ahead by a few yards, but far from a touchdown.

Ombudsman André Marin, submission to the Standing Committee on General Government, May 15, 2013

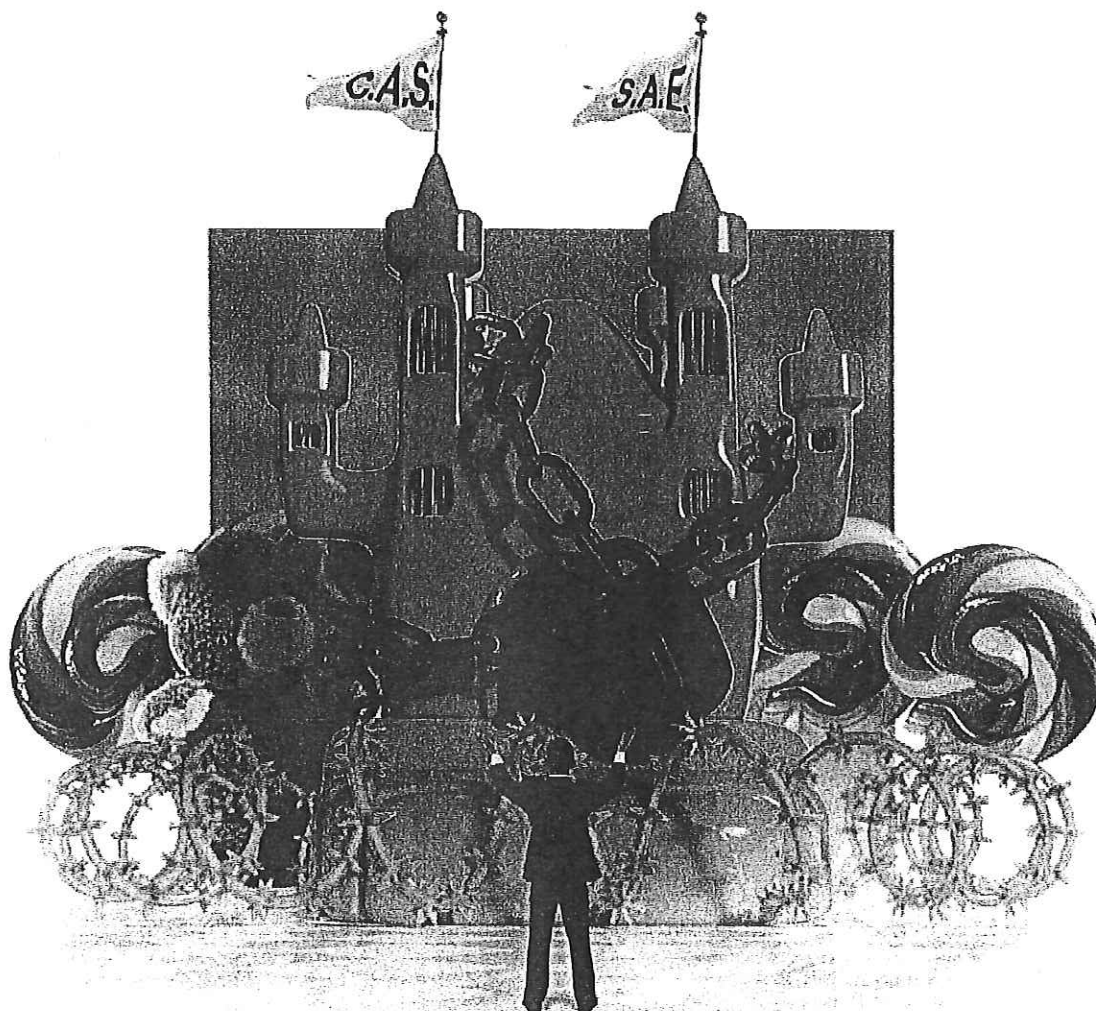
Ornge's new Patient Advocate, for example, is a staff position, responsible for dealing with "compliments" and complaints. Similar to patient relations staff in hospitals, this individual is an employee without any effective authority. While internal complaints processes serve a useful purpose, they are a poor substitute for an independent parliamentary Ombudsman with robust powers of investigation and public reporting. Bill 11 proposes authorizing government to appoint special investigators – but again, they would report through the Ministry.

The Ombudsman is the watchdog for the elected members of the Legislative Assembly and an advocate for fairness, not the Ministry's pet on a ministerial leash.

The Auditor General was given the ability to monitor Ornge's finances and the Information and Privacy Commissioner will soon have authority over related information and privacy issues. There is no justification for denying potential complainants recourse to my Office as well, which performs a complementary but entirely separate role from these officers.

Give us a "C" – children's aid societies

The province of Ontario is the legal guardian to more than 8,300 children and youth connected to child protection services, which are delivered by 46 independent, non-profit organizations run by locally elected boards of directors. Protection of children is a grave responsibility, and one that everywhere else in Canada is carried out by government. Ontario's system is unique.



Since 2005, my Office has received 3,550 complaints and inquiries about children's aid societies. Ontario's children's aid societies receive provincial funds in excess of \$1.4 billion each year, but since they are considered private agencies, they fall outside of my mandate.

Media stories chronicling the deaths and abuse suffered by children involved with Ontario's child protection system have inspired advocacy groups and successive parliamentarians to call for Ombudsman oversight of children's aid societies. Since April 2005, some 60 petitions and 7 private member's bills have been tabled in the Legislative Assembly to this effect. Support for Ombudsman involvement in this area is strong, as evidenced by NDP MPP Monique Taylor's Bill 42, the *Ombudsman Amendment Act (Children's Aid Societies)*, 2013, passing second reading in April 2013.

Within the child welfare community, the possibility of Ombudsman oversight is a live issue. This was evident this year, when our Office was asked to do a presentation for the Ontario Association of Children's Aid Societies on what Ombudsman oversight might mean for them.

The argument against Ombudsman oversight of children's aid societies has always been feeble. None of the existing oversight mechanisms – the Ministry of Children and Youth Services, the Provincial Advocate for Children and Youth, the Child and Family Services Review Board, the courts, the Office of the Chief Coroner and the Pediatric Death Review Committee – provide for broad-based investigation into systemic and individual issues of fairness and administration. What's more, the latter two only become involved after a child dies.

Admittedly, Ombudsman oversight is not a cure-all. But it is a powerful and proven method for promoting accountability and transparency. As we do for hundreds of other provincial organizations, my Office can act as an early warning system, proactively monitor complaint trends, expose systemic flaws and obtain speedy resolutions, before a crisis hits. This important resource should not be barred to children and youth in care, their families, and concerned members of the public.

I know it's too late for me, but I want future generations to be protected.... There are too many kids being abused and nobody is being held accountable for it. The Ombudsman should be able to investigate this.

Former CAS ward who was abused by foster father, quoted in the *Toronto Sun*, March 21, 2013

Children's aid societies in Ontario also face serious financial pressures, and there is growing recognition that the system requires an overhaul. In recognition of the public funding that they receive, they are already subject to financial monitoring by the Auditor General. The time is ripe to make them accountable to the Ombudsman as well, to give vulnerable children in care and their families the same access to independent oversight as those involved with provincial agencies.

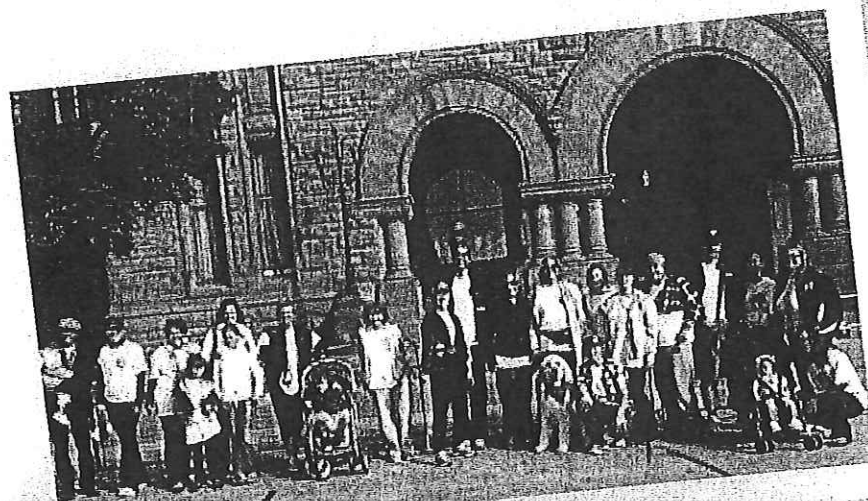
OMLET still cooking

Although municipalities remain outside of my Office's mandate, we are the investigator for complaints about closed municipal meetings in all municipalities that have not appointed their own investigators. In 2012-2013, our Open Meeting Law Enforcement Team (OMLET) – which investigates whether municipalities have complied with the open meeting requirements of the *Municipal Act, 2001* – dealt with 305 complaints, more than double last year's 119. Due to the volume of these cases, I released my first separate OMLET Annual Report in October 2012. I will release my next one this coming fall. Among the issues it will address are the legislative loophole that allows municipalities to reject the independent oversight of my Office in favour of investigators of their choosing, and the lack of consequences for those that hold illegal closed meetings.

Closing Thoughts

Ombudsman oversight is an established, efficient, multipurpose accountability tool, effective in helping citizens navigate Ontario's government programs, policies and practices, shining light on unfairness and maladministration, and promoting positive systemic change and good governance.

I remain hopeful that, rather than resorting to inferior internal accountability devices, the government of Ontario will recognize the benefits of putting the Ombudsman's Office to use in all areas that sorely need our intervention.

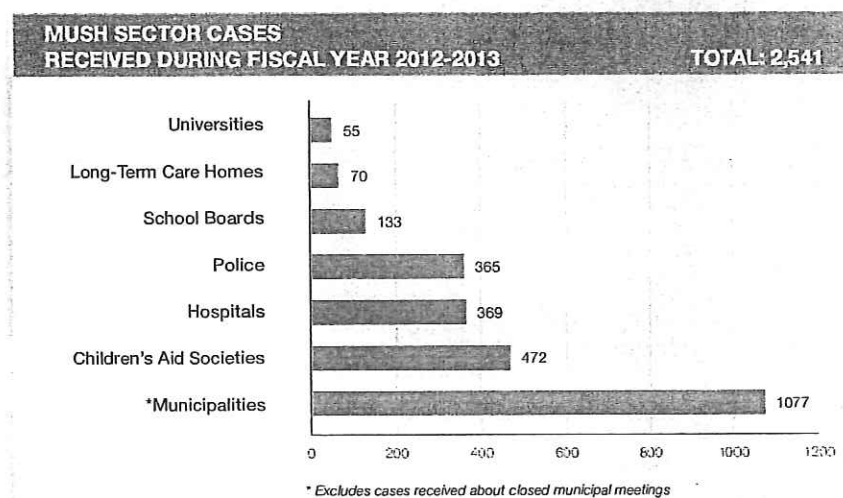


Ombudsman staff participated in a number of charitable events in 2012-2013, notably the Canadian Breast Cancer Foundation Run for the Cure in October (for breast cancer research) and November (for prostate cancer research and men's health awareness).

The Year in Review

Beyond Scrutiny: The push for MUSH

As the accompanying chart reflects, the Ombudsman received 2,541 complaints and inquiries in 2012-2013 about the MUSH sector, comprising municipalities, universities, school boards and hospitals, as well as long-term care homes, children's aid societies and police. Although MUSH organizations deliver essential public services directly affecting Ontario citizens, they continue to operate without Ombudsman oversight – unlike in most other provinces. Ontario remains dead last in Canada in allowing its Ombudsman authority over this sector.



DEAD LAST
How Ontario's Ombudsman mandate compares to others in key areas of jurisdiction

	Municipalities	Universities	School Boards	Public Hospitals	Long-Term Care Homes	Child Protection Services	Police Complaints Review Mechanism
ONTARIO	NO	NO	NO	NO	NO	NO	NO
British Columbia	Yes	Yes	Yes	Yes	Yes	Yes	No
Alberta	No	No	No	Yes	Yes	Yes	Yes
Saskatchewan	No	No	No	Yes	Yes	Yes	Yes
Manitoba	Yes	No	No	Yes	Yes	Yes	Yes
Quebec	No	No	No	Yes	Yes	Yes	Yes
New Brunswick	Yes	No	Yes	Yes	No	Yes	Yes
Newfoundland and Labrador	No	Yes	Yes	Yes	Yes	Yes	Yes
Nova Scotia	Yes	No	Yes	Yes	Yes	Yes	Yes
Yukon	Yes	No	Yes	Yes	Yes	Yes	No

This situation reflects a serious accountability gap. Most MUSH agencies are subject to information and privacy legislation and financial oversight by the Auditor General. But Ontarians concerned about general maladministration and unfairness cannot complain to us about MUSH organizations – unlike the hundreds of other provincial bodies we do oversee.

This anomaly has not escaped the notice of citizens and parliamentarians. The push for Ombudsman oversight in the MUSH sector has continued to gain traction. Since 2005, some 14 private member's bills have called for Ombudsman scrutiny of various MUSH organizations. The most recent, Bill 42, the *Ombudsman Amendment Act (Children's Aid Societies)*, 2013, introduced by NDP MPP Monique Taylor, was referred to the Standing Committee on Government Agencies after second reading on April 11, 2013. A previous version of this bill also received second reading, but died when the Legislature was prorogued in October 2012.

As well, a record 41 petitions calling for increased Ombudsman authority in the MUSH sector were presented in the Legislature in 2012-2013, bringing the total number of such petitions since 2005 to 106.

Despite our limited mandate, our Office assists complainants with MUSH sector issues by referring them to help where possible. Although we cannot investigate them, we track the complaints and the issues raised, and summarize them each year in this report.

"M" – Municipalities

The City of Toronto remains the only municipality in the province with its own in-house Ombudsman. However, across the province, citizens have no recourse to external, independent investigative scrutiny of municipal matters.

While we can address complaints about improperly closed meetings for some 189 municipalities that use our services as a closed meeting investigator, we were forced to turn away 1,077 complaints and inquiries about other municipal issues.

These included living conditions in public housing, the calculation and collection of property taxes, sewer and water charges, the state of roads, parks and recreational facilities, the adequacy of bylaw enforcement, local procurement practices and garbage collection services, and allegations of conflicts of interest.

There are four provinces and one territory whose ombudsmen have the authority to investigate municipal matters. For example, in 2011-2012, the Ombudsman of Nova Scotia found nine municipalities had made unauthorized expenditures of public funds, and the B.C. Ombudsperson sparked a municipal bylaw change to ensure interested property owners were notified about proposed gravel pits.

"U" – Universities

In 2012-2013, our Office received 55 complaints and inquiries about universities. Although colleges of applied arts and technology come within the Ombudsman's investigative authority, universities do not, because of their governance structure.

Students complained to us about a variety of issues including fees, the quality of instruction, internal academic appeals, complaint processes and grade disputes.

Two provincial ombudsmen have authority in this area. For example, in 2011-2012, the B.C. Ombudsperson's intervention led to a revised appeal policy for students facing suspension.

"S" – School Boards

We received 133 complaints and inquiries about Ontario school boards in 2012-2013, including concerns about student suspensions, lack of adequate special education supports, the use of "blocker shields" on students with autism, inadequate response to bullying, and busing problems.

Ombudsman offices in four provinces and one territory can deal with complaints about schools. For example, in 2011-2012, the Nova Scotia Ombudsman reviewed the process for selecting school bus stops, and the B.C. Ombudsperson helped improve a school district's process for responding to complaints about bullying.

Some Ontario school board officials have begun to recognize the value of Ombudsman oversight. In spring 2012, the Toronto Catholic District School Board considered (but later rejected) creating an independent third-party ombudsman. In 2013, a school trustee sought support from the Ottawa-Carleton District School Board to extend our Office's mandate to school boards, as well as other **MUSH** bodies, but was unsuccessful.

Under supervision: Although the Ombudsman does not normally have jurisdiction over school boards, that changes when the Ministry of Education appoints a supervisor to take control of a board. On August 28, 2012, it appointed a supervisor for the Windsor-Essex Catholic District School Board. We received 7 complaints about this board in 2012-2013, primarily about employment-related issues. We made regular inquiries with the supervisor to monitor the board's progress in implementing administrative improvements.

"H" – Hospitals

Our Office was forced to turn away 369 cases involving hospitals in 2012-2013. These covered an array of issues, including emergency room, surgery and cancer treatment wait times, billing practices, breaches of patient confidentiality, poor infection control, discharge planning, and inadequate communication.

Ontario is alone in barring its Ombudsman from considering complaints relating to hospitals. Meanwhile, Saskatchewan provided its Ombudsman with authority to review decisions of a broader range of publicly funded health entities in 2012, including some privately owned health care organizations. Other ombudsmen obtained concrete results for citizens who complained about hospital administration. For example, in 2011-2012, the Ombudsman of Nova Scotia tackled concerns about patient charting and autopsy report delays. The B.C. Ombudsperson's work led to improvements in a hospital's admission practices. Quebec's Ombudsman addressed emergency room wait times, quality of services in addiction treatment facilities, and the transfer of elderly residents to long-term care facilities in a bid to unclog a hospital's emergency services.

Your personal interest, the dedication of your management team, and the quality of your actions demonstrate – yet again – your commitment to work with complete impartiality in the defence of citizens' rights and to improve the quality of public services. I sincerely hope that this additional authority will be granted to the Ombudsman of Ontario.

Quebec Ombudsman Raymonde Saint-Germain, letter to Ombudsman, April 2013



Quebec Ombudsman Raymonde Saint-Germain speaks to Ontario Ombudsman managers about her office's mandate to investigate hospitals, April 10, 2013.

And in the U.K., the Parliamentary and Health Service Ombudsman released a report about systemic problems in that country's hospitals in April 2013, after looking at 400 serious cases. The Ombudsman found that hospitals routinely treated patients and their families insensitively and without compassion.

But in Ontario, opponents to Ombudsman oversight continue to argue that it would duplicate such existing mechanisms as public reporting on patient safety measures, quality indicators and wait times, compliance with accreditation standards and accountability agreements, internal patient relations processes, freedom of information obligations and reviews by the Auditor General.

All of these measures have value, but they do not replace the need for Ombudsman oversight, nor do the "patient relations" officials at some 150 Ontario hospital corporations. Indeed, we continue to receive complaints about the internal complaints processes established by hospitals, particularly about their lack of responsiveness and objectivity. And while hospitals have been subject to the *Freedom of Information and Protection of Privacy Act* since 2012, quality of care information remains shielded from disclosure.

None of the existing accountability tools in the hospital sector provides recourse to an independent, external overseer with the Ombudsman's statutory mandate and powers to conduct impartial investigations of individual and systemic issues, publicize results, and exert moral suasion to correct unfairness and maladministration.

It's really troubling that there is no ombudsman for health-care issues in Ontario. If there was more accountability, we'd all be safer.

Richard Kadziewicz, letter to *Toronto Star*, April 15, 2012

Under supervision: Our Office does have temporary jurisdiction to accept complaints about hospitals where the province has taken direct control and appointed a supervisor. The Hotel-Dieu Grace Hospital in Windsor was under supervision until July 20, 2012, and we received 2 complaints about it, which were resolved. The Niagara Health System also remained under supervision in 2012-2013 and was the subject of 31 cases received by our Office, a significant decrease from last year's 81. These included concerns about poor communication, breach of privacy, inadequate response to complaints, and a need for repairs in some facilities. Our Office triaged all of these complaints, obtained relevant facts, and followed up with the supervisor where necessary.

Long-Term Care Homes

In 2012-2013, our Office received 70 complaints and inquiries about Ontario's long-term care homes, most from relatives of residents concerned about everything from inadequate care and understaffing to poor record keeping and allegations of abuse. We could not directly investigate these issues, but referred complainants elsewhere when we could.

Ontario will soon be the only province whose Ombudsman has no oversight of long-term care homes – once New Brunswick's new legislation is implemented. Other ombudsmen have achieved significant results for their citizens in this area. For instance, in 2012, the Ombudsman of Saskatchewan addressed an unfair and rushed relocation of long-term care residents, and the B.C. Ombudsperson reported on a three-year investigation into the care of seniors, including recommendations designed to improve resident care. The same year, in Quebec, after an 83-year-old resident died in a special unit for individuals with dementia, the Ombudsman identified major flaws in living conditions and services, leading to corrective action.

Despite our lack of ability to investigate the homes themselves, our Office continues to follow up on our investigation into how the Ministry of Health and Long-Term Care monitors them. Details on this can be found in the **Special Ombudsman Response Team** section of this report.

Families that have witnessed inexcusable institutional neglect of their beloved parents, and horrific deaths of loved ones in nursing homes, understand the critical need for the provincial ombudsman's oversight over hospitals and long-term facilities.

Ellen Watson, letter to *Toronto Sun*, January 24, 2013

Children's Aid Societies

This year, the Ombudsman received 472 complaints and inquiries about children's aid societies across the province. These came from youth in care, parents, grandparents and other people concerned about failures to investigate neglect and abuse, inadequate or biased investigations, problematic child apprehensions, staff misconduct and harassment, lack of information, and denial of access to children in care. In one case, a mother alleged her child was sexually abused by an older foster sibling. Several people also questioned the qualifications of children's aid society employees who operate without registration as social workers.

Unique in Canada, child welfare services in Ontario are delivered by private agencies. Everywhere else, child protection is administered directly by government. Other ombudsmen have been able to assist families with concerns about child protection. For instance, in March 2013, the Manitoba Ombudsman's Office released a report emphasizing the importance of risk assessment and case planning in the child welfare system. In Quebec, in 2011-2012, after a child was hospitalized with injuries allegedly caused by his parents, the Ombudsman's intervention led to enhanced screening to identify neglect and abuse.

In Ontario, defenders of the status quo routinely refer to existing mechanisms to review children's aid societies, such as the Ministry of Children and Youth Services, the Provincial Advocate for Children and Youth, the Child and Family Services Review Board, the courts, the Office of the Chief Coroner, and the Pediatric Death Review Committee. However, none of these bodies has the Ontario Ombudsman's broad statutory powers allowing for independent investigation of individual and systemic allegations of maladministration.

While the Child and Family Services Review Board received authority to consider complaints about children's aid societies in 2006, only those "seeking or receiving service" can request its assistance, leaving many relatives and concerned community members with no recourse. The Board is also restricted to considering procedural issues, such as whether a children's aid society provided reasons for its actions, listened to parents' concerns about services, or responded to a complaint. It cannot investigate or consider systemic issues involving staff conduct or practices, or address substantive matters relating to child apprehension or failure to investigate allegations of abuse. And its remedies are limited to ordering that a children's aid society respond or provide reasons.

In 2012-2013, we received 4 complaints about the Child and Family Services Review Board, including concerns about its jurisdictional limitations.

❖ [The Ombudsman] is a stellar investigator and has enormous integrity. His office is there for citizens as a mechanism to sort out problems with governments. He does not invent such problems, but tries to address them with recommendations. CAS oversight is long overdue, in some cases it is a matter of life and death. ❖

Anne Patterson, letter to *London Free Press*, March 23, 2013

Police

In 2012-2013, the Ombudsman received 365 complaints and inquiries about police, including allegations of assault, wrongful detention and arrest, harassment and threats, inappropriate response to individuals suffering from mental illness, inadequate investigation, and improper discharge of a Taser. We also heard complaints about "carding" – police keeping information about people who were stopped but not arrested. These were referred to the Ministry of the Attorney General's Office of the Independent Police Review Director (OIPRD) or the Special Investigations Unit (SIU), where appropriate.

Seven provinces allow for Ombudsman oversight of police services. For instance, in 2011, the Manitoba Ombudsman reported on police detaining intoxicated youths in jails.

This year, we received 43 complaints and inquiries about the OIPRD, raising concerns about flawed communications, investigations and decisions. Under the *Police Services Act*, this body does not fall within our jurisdiction, even though the SIU does.

Operations Overview

The Ombudsman's Office received 19,726 complaints and inquiries in 2012-2013 – a 6% increase from the previous year. Most (54%) complaints were resolved within one week; 66% were resolved within two weeks. The **Case Summaries** section of this report features examples of the many cases that were successfully resolved, often by our staff helping people who felt they were stuck in endless bureaucratic lines.

The Operations section of the Office, which consists of Early Resolution Officers and Investigators, focuses on resolving individual cases. Cases that cannot be informally resolved are referred for formal investigation, while others are brought to the attention of senior government officials and successfully addressed.

Both teams work closely with the **Special Ombudsman Response Team (SORT)** to identify and resolve potential systemic problems wherever possible. Senior Ombudsman staff also meet regularly with top officials from the most complained about ministries, organizations and programs to alert them to complaint trends and significant cases.



Complaint Trends and Significant Cases in 2012-2013

Ministry of the Attorney General

Office of the Public Guardian and Trustee

Among its other responsibilities, the Office of the Public Guardian and Trustee (OPGT) is responsible for managing the financial affairs of people who are incapable of doing so themselves. The Ombudsman received 162 complaints about the OPGT in 2012-2013, compared to 130 in 2011-2012. As in previous years, these complaints related primarily to problems with the OPGT's communication with clients, delays and the quality of service. Some complaints also involved OPGT decisions, such as refusals to provide clients with funds.

For example, OPGT staff inadvertently charged a man legal fees for its discussions with our Office about his complaint to us. They also attached an outdated fee schedule to the legal bill. When Ombudsman staff brought this to the attention of the OPGT, it ensured that the client was not charged for the discussions with our Office and it sent the client a current schedule for other fees.

Senior OPGT officials meet regularly with Ombudsman staff to discuss complaint trends, potential systemic issues and individual cases. The OPGT has continued to focus its efforts on improving customer service, an area the Ombudsman remains concerned about.

Ministry of Community Safety and Correctional Services

Correctional facilities – Complaints from inmates

Due to the consistently high number of complaints received from correctional institutions across the province, the Ombudsman's strategy is to focus resources on those involving serious health and safety issues. In addition to flagging complaints about excessive use of force by correctional officers (the subject of the Ombudsman's latest systemic report – see the **Special Ombudsman Response Team** section of this report), staff continue to monitor complaints about the handling of inmate-on-inmate assaults.

For example, we learned of two serious assaults at one institution, neither of which had been investigated by the facility's senior management. We brought these cases to the attention of senior officials at the Ministry, who ensured both assaults were investigated. The Assistant Deputy Minister also issued direction to the region's superintendents that a local investigation should be conducted into any assault that results in serious injury.

We also continue to receive a high volume of complaints from inmates about health-related issues, such as lack of access to medication, medical staff or treatment. Many complaints involve health care staff not communicating with community physicians, institutional doctors refusing to prescribe medications, missed or delayed medication due to lockdowns, and medication being cut off without an alternative. We also received a large number of complaints from inmates with serious mental illnesses who faced long waits to see a psychiatrist, and about a lack of services for female inmates with mental health issues.

In one case, a woman who was seven months pregnant had been in jail for more than three weeks without seeing a doctor. After Ombudsman staff spoke to the health care manager at the institution, arrangements were made for the woman to see a doctor and be transferred to the high-risk clinic in case she gave birth while in custody. In another case, an inmate who has epilepsy complained that his identification card did not note his condition and he was being made to sleep on an upper bunk; Ombudsman staff spoke with the relevant health care manager and both his bunk and ID card were changed. In a third case, an inmate complained that a nurse had given him another inmate's medication by mistake and he received a methadone overdose. Ombudsman staff followed up with the facility's superintendent, who confirmed the mistake and ensured the inmate's condition was monitored by a doctor. This latter case was also brought to the attention of senior Ministry officials.

In January 2013, an inmate at a detention centre complained to the Ombudsman after making three requests to see a psychiatrist. Ombudsman staff discovered that the facility had used up its psychiatry budget for the fiscal year and had reduced the psychiatrist's hours as a result, forcing staff to triage inmates' requests so that those in crisis were given priority. After Ombudsman staff spoke to the regional director about the situation, a quarterly budget review was implemented to ensure even distribution of psychiatric hours throughout the fiscal year. The regional director also directed all superintendents in the region to consult with her about budgetary concerns, and committed to providing regular updates to the Ombudsman's Office on this issue.

As we have done for several years now, senior Ombudsman staff meet with top Ministry officials on a quarterly basis to discuss trends in complaints and emerging systemic issues. We also meet directly with those responsible for health care services in correctional facilities to address issues and identify areas for further improvement.

Private Security and Investigative Services Branch

In recent years, Ombudsman staff have monitored complaints about the Ministry's Private Security and Investigative Services Branch, which is responsible for licensing private investigators and security guards, as well as handling complaints made against them.

Last year, we reported that in response to concerns raised by Ombudsman staff, the branch overhauled its complaint process. It has also cleared the backlog of 200 complaints that accumulated while the new process was being developed.

This year, Ombudsman staff identified concerns to the Ministry about delays caused by the branch's practice of returning incomplete licence applications and renewals to applicants by mail without attempting to contact them to resolve problems. The Ministry made improvements and as of April 2013, applications could be made and their status checked by applicants online. The Ombudsman will continue to monitor complaints received about the branch.



Ombudsman staff show employees of the Death Investigation Oversight Council elements of our complaint handling process, February 14, 2013.

Death Investigation Oversight Council

The Death Investigation Oversight Council (DIOC) was established in December 2010 to oversee the work of Ontario's coroners and forensic pathologists. It advises the Chief Coroner and Chief Forensic Pathologist on key issues, and can receive complaints about these organizations' work through its complaints committee.

After receiving complaints about the DIOC's customer service and confusion about its role, senior Ombudsman staff met with the chair to discuss ways to improve the transparency and accessibility of the DIOC's complaint process. It was suggested that the DIOC should provide clear, evidence-based reasons in its decision letters, improve communication with complainants, and ensure its role and mandate are clearly set out in its public materials and website. The chair, who has worked proactively with our Office to address issues, agreed and changes were made to the website and DIOC correspondence. As well, the DIOC can now be contacted directly by phone.

Senior Ombudsman staff also provided an information session on the Ombudsman's mandate and operations to DIOC staff and shared some of our best practices for complaint handling.

Ontario Forensic Pathology Service – Historically retained organs

The Ontario Forensic Pathology Service (OFPS) office works closely with the Office of the Chief Coroner with regard to death investigations in the public interest. The Ombudsman received 5 complaints after the Ministry of Community Safety and Correctional Services issued a press release in June 2012 revealing that it had stored organs from autopsies conducted by the coroner's office prior to 2010. The Ministry called on affected families to advise how they wanted their loved ones' remains to be dealt with. Many were upset that this practice had never been public knowledge.

Our Office connected the families who complained with officials at the office of the Chief Coroner and at the OFPS who could provide information and answers. We have not received any further complaints since August 2012.

The Chief Forensic Pathologist also met with the Ombudsman to explain why organs had been retained after autopsies in the past, and to outline how affected families were being informed. He noted that regulatory changes were made to ensure families would be informed about organ retention in future. As of mid-April 2013, the Chief Forensic Pathologist's office advised us that it had been contacted by 2,500 families out of a potential 4,000 who could come forward. While the Ombudsman will continue to monitor this issue, he advised the Minister that we have received positive feedback from affected families, and good co-operation from the Chief Forensic Pathologist.

Ministry of Community and Social Services

Family Responsibility Office

The Family Responsibility Office (FRO) is responsible for the enforcement of court-ordered child and spousal support in Ontario. Our Office received 794 complaints about the FRO in 2012-2013, making it once again the most complained about Ontario government organization. Complaints commonly involve inadequate or delayed enforcement of support orders or insufficient communication with clients.

Similar complaint trends were observed this year, such as FRO staff failing to review documentation, consider all available facts or ensure records are up to date before taking enforcement action for unpaid support. Another frequent complaint involved enforcement actions not in compliance with FRO policies and procedures.

We received many complaints about wide variations in when and how FRO staff chose to take enforcement action. In one case, FRO staff repeatedly negotiated new payment schedules with a man who had breached previous ones and owed more than \$20,000 in arrears. FRO policy requires aggressive enforcement (driver's licence suspension, garnishing wages, etc.) when such schedules are violated. It wasn't until Ombudsman staff contacted FRO management about the case that the man was told aggressive enforcement would begin – whereupon he began making support payments.

Poor record keeping and administrative errors are persistent problems for the FRO, sometimes resulting in serious financial impact on clients. For instance, it erroneously paid nearly \$34,000 of a woman's child support payments to a generic Ministry account from 1996 to 2007. The woman, who had been on social assistance in 1997 for 10 months, had assigned her child support payments from the FRO to the Ministry. However, the payments were never redirected to her when she came off social assistance, and she missed out on them for 11 years. After Ombudsman staff intervened, the FRO reimbursed her for the full amount.

Senior FRO managers meet regularly with our Office and have been very responsive to the complaint trends and cases brought to their attention. The FRO implemented a new case management computer system in April 2013 that will automate several of its manual processes and is expected to improve service. The Ombudsman remains optimistic about the proactive measures and strategies implemented by the FRO to address problems, but continues to be concerned about the themes arising from complaints.

Services for adults with developmental disabilities

In 2011-2012, the Ombudsman reported on serious, persistent complaints about the apparent lack of services to support young people with severe developmental disabilities once they turn 18 and are no longer cared for through the Ministry of Children and Youth Services. Ombudsman staff worked closely with the Ministry of Community and Social Services to resolve these cases one at a time, but complaints continued to mount. On November 29, 2012, the Ombudsman announced a systemic investigation into provincial services for adults with developmental disabilities who were in crisis situations. At that time, our Office had received 64 such complaints, but several hundred more came in after the investigation was announced. More details on this ongoing investigation can be found in the **Special Ombudsman Response Team** section of this report.

While the systemic investigation was under way, a team of Ombudsman staff was assigned to deal with individual cases and help families find immediate solutions. This involved following up where warranted with community agencies, Developmental Services Ontario (DSO) offices and Ministry staff.

In one such case, a young man with a developmental disability assaulted his widowed grandmother at a hospital and was involuntarily committed to the psychiatric unit. When his condition stabilized, the grandmother felt she could not take him home from hospital because she could not manage him. Ombudsman staff facilitated communication between the Ministry (including senior officials), the hospital and the local DSO office. After seven months, a "temporary safe bed" was found for the man at a group home – with the possibility to become a permanent placement – and his grandmother was very grateful for the help she received.

In another case, we were contacted by a family whose developmentally disabled 18-year-old son had been suspended from school for assaulting a teacher and several caregivers. He had also been violent at home and they had called the police for help. Ombudsman staff alerted the Ministry to the urgency of the case and it immediately arranged for home services for the family and sought a residential placement for the man on an urgent basis. Two months later, his family advised our Office that the Ministry had found a suitable residential placement for him in a group home and service providers had developed a plan to stabilize his behaviour and have him return to school.

Ombudsman staff continue to work to resolve the hundreds of individual complaints in this area as the investigation into the broader issues wraps up.

I am writing... to acknowledge the excellent service recently received from the Office of the Ombudsman of Ontario. Their follow-through with Developmental Services Ontario resulted in an outcome... that will most certainly enhance the quality of my [son's] life throughout his adult years... We now have much greater peace of mind. 99

Letter to Ombudsman from mother of young man with developmental disabilities, February 2013

Thistletown Regional Centre

Thistletown Regional Centre is a Ministry-operated mental health centre that offers specialized services and community supports to children, youth and families with complex special needs and developmental challenges. It also provides residential care for 13 adults, some of whom have been living at the centre since early childhood or adolescence and are now middle-aged.

The Ombudsman was contacted by six families with adult relatives living at Thistletown. They were informed by letter in March 2012 that the centre would be closed and the residents relocated by March 31, 2013. They complained to the Ombudsman about this decision and the transition process.

Our review focused on the transition process and the parents' complaints that their calls were not returned or they were provided with inaccurate or inadequate information. Some said the profile setting out their loved ones' needs did not reflect the complex medical, behavioral or historical information in the recommendations made by the clinicians who had worked closely with them. They also wanted to know if there were any contingency plans if the new placement failed.

Ombudsman staff also found it difficult to obtain concrete information from the Thistletown transition team. After we expressed concerns to several senior Ministry officials, the Ministry committed to improve communication with the families, and confirmed the residents would remain at Thistletown while new placements for them are found. At the time of writing this report, Thistletown remains open and Ombudsman staff continue to monitor this process.

Ministry of Children and Youth Services

Services for children with special needs

In 2011-2012, the Ombudsman reported 47 complaints about services and treatment for children with special needs. This increased to 91 complaints in 2012-2013 – representing an increase of 94%. In the wake of the Ombudsman's investigation into services for adults with developmental disabilities who are in crisis, we heard from 60 families who were concerned about the services available to children as well. Many also worried about what services would be available when these children turned 18. Common complaints included a lack of service co-ordination (meaning families must deal with multiple applications and paperwork for different programs such as Special Services at Home and Assistance for Children with Severe Disabilities), and long waiting lists for services and programs such as respite for caregivers.

Ombudsman staff worked with community agencies and the relevant ministries to help families connect with the appropriate service providers and to resolve these cases as effectively as possible.

Two of these cases echoed the issues raised in the Ombudsman's 2005 investigation and report, *Between a Rock and a Hard Place*, which revealed parents were being forced to surrender custody of their children to children's aid societies in order to place them in facilities that could care for them. Ombudsman staff resolved both of these cases. More details can be found in the **Special Ombudsman Response Team** section of this report.

Assistance for Children with Severe Disabilities benefit program

In 2010-2011, the Ombudsman reported on complaints from families who were denied the Assistance for Children with Severe Disabilities (ACSD) benefit purely on the basis of income. Our inquiries prompted the Ministry to review how its officials were applying the eligibility requirements for the benefit, particularly the "extreme hardship" clause. This clause allowed them discretion to approve ACSD benefits for families whose income exceeded the Ministry's ceiling if they had incurred extreme costs relating to a child's disability. The Ministry found that the criteria were not being applied consistently and took steps to clarify the rules for its staff. As a result, more families received the benefit under the "extreme hardship" criteria.

The Ministry remained in contact with our Office on this matter and in 2012-2013, we received 5 complaints about such issues as delays in processing applications and failure to give notification of the suspension of ACSD benefits.

In one case, the mother of a severely disabled boy who had been receiving ACSD for several years assumed that when he turned 18, he would be eligible for benefits under the Ontario Disability Support Program (ODSP). She thought a letter from her son's doctor to the ACSD special agreements officer was all that was required, but when she later called the ODSP office for an update, she was told there was no record of an application on her son's behalf. With the help of her MPP, she submitted an application, but her son died just days before it was approved. Ombudsman staff discussed the circumstances surrounding the delayed application with senior staff at the Ministry of Community and Social Services and the Ministry of Children and Youth Services. The local ODSP office reviewed the case and subsequently agreed to provide the mother with \$2,273 in retroactive benefits. The Ministry also put protocols in place requiring that information about ODSP be provided to the family of any child receiving ACSD six months prior to the child's 18th birthday. Applications from ACSD clients for ODSP are now triaged and flagged immediately and put through an expedited approval process.

Ministry of Energy

Hydro One

Hydro One complaints to our Office increased from 232 in 2011-2012 to 328 in 2012-2013. The bulk of these were about disconnection notices and issues with so-called "smart meters" – the newer devices that have been rolled out across the province in recent years. In many cases, customers complained of receiving "estimated usage" bills that did not accurately reflect their power use, followed by large "catch-up" bills. Some also complained that "smart meters" were installed or replaced without their knowledge. Ombudsman staff brought individual cases to the attention of Hydro One officials, who agreed to provide explanations to customers and to make payment arrangements with them as warranted. We are closely monitoring Hydro One's progress in addressing these issues.

The Ombudsman also continues to receive complaints about excessive or incorrect billing by Hydro One. Ombudsman staff work with Hydro One staff to resolve these issues, and to facilitate discussions with customers to explain charges and accounting. Examples of individual case resolutions can be found in the **Case Summaries** section of this report.

Ministry of Health and Long-Term Care

Community Care Access Centre co-ordination

The Ombudsman was contacted by a lawyer on behalf of a 37-year-old woman with an acquired brain injury who was unable to care for herself. The woman was in a rehabilitation hospital awaiting a residential placement in a long-term care facility, when she was arrested in connection with an altercation at the hospital and jailed. It was unclear which government or community agency was responsible for the woman's care and placement; Ombudsman staff made more than a dozen calls to various government organizations in order to obtain information about her history.

Ombudsman staff contacted two regional Community Care Access Centres (responsible for co-ordinating various home and community care services) as well as several programs under the Ministry of Health and Long-Term Care and the Office of the Public Guardian and Trustee, in an effort to co-ordinate information between the agencies that had lost touch with the woman when she was incarcerated. After seven months in jail, she was released to a family member, who registered her with another regional CCAC to find an appropriate residential placement for her. She has since been back in both jail and hospital, however, Ombudsman staff and officials at the Ministry of Health and Long-Term Care are keeping a close eye on her case.

Out-of-country genetic testing

Two families contacted the Ombudsman when they were unable to obtain out-of-country funding for genetic testing on tissue from deceased relatives – even though the testing had been recommended by specialists. In the first case, a physician for a 14-year-old boy who died suddenly while playing sports recommended genetic testing to see if his surviving siblings had the same undiagnosed connective tissue disorder believed to have caused the boy's death. The Ministry initially denied funding for the test because the boy was deceased and therefore not covered by OHIP. However, the Health Services Appeal and Review Board agreed to order the test on behalf of the mother, who was covered by OHIP.

In the second case, a widowed mother sought out-of-country funding to pay for genetic testing of tissue from her deceased husband, who also died of a connective tissue disorder. The woman wanted the test to determine whether the couple's five-year-old daughter had the same condition, but her doctor did not request it because the Ministry had advised geneticists that it would not approve such requests.

Ministry officials initially told Ombudsman staff they would review their policy on such testing in light of the first appeal – but that similar requests in the meantime would be denied and would have to be appealed. When they provided no timeline for the review, we met with more senior representatives, after which the Ministry confirmed it would consult with the Chief Forensic Pathologist on the issue – and that new applications in the interim would be reviewed on a case-by-case basis. The Ombudsman will continue to monitor the Ministry's progress in this area.



Ministry of Government Services / Ministry of Health and Long-Term Care

Long-Term Care ACTION Line

The Long-Term Care ACTION Line was established for residents of long-term care homes to report concerns about care and services provided by their residence or Community Care Access Centre. It is operated by ServiceOntario. Staff at the phone line are to record information, ask questions, assess the problem and give the information to the Ministry or the relevant Community Care Access Centre for follow-up.

A long-term care home worker complained to the Ombudsman that she did not hear back after she reported a serious incident on the ACTION line. When Ombudsman staff asked Ministry officials about the call, it was discovered to be one of many that had been dropped from the computer system because the data had been entered improperly. The Ombudsman's inquiry revealed that this problem meant 260 calls were not acted upon as required.

The Ministry agreed to look into the matter to determine whether any data from the calls could be retrieved and to follow up as warranted. It will also update the Ombudsman on how it ensures calls to the ACTION line are properly handled and acted upon.

Ministry of Natural Resources

Natural Heritage, Lands, and Protected Spaces Branch

Ontario's *Aggregate Resources Act* controls and regulates aggregate operations (aggregates are defined as gravel, sand, clay, earth, several types of stone, or any combination of sand, gravel or stone). Aggregates are used primarily in construction projects. Under the Act, aggregate business operators in designated geographic areas are subject to a system of licensing, monitoring, inspection and enforcement, and annual licensing fees and costs.

A licenced aggregate operator from an area that was designated in 2007 complained to the Ombudsman that it was unfair not to subject all aggregate producers in the province to the same rules. He complained that operators in designated areas are at a competitive disadvantage when bidding for contracts against unlicensed operators from neighbouring non-designated areas because the unlicensed operators are not subject to the same licensing costs and requirements.

The Ministry advised the Ombudsman that it was developing options to address this inequity. In March 2012, the Standing Committee on General Government was directed by the Legislature to review and develop recommendations to strengthen the *Aggregate Resources Act*, and the Ministry's aggregate policy initiatives were put on hold pending the outcome of this review.

After the prorogation of the Legislative Assembly in October 2012, Ombudsman staff met with senior Ministry officials on this matter. In January 2013, the Ministry said it would continue to seek direction from the government to address this inequity.

Ministry of Training, Colleges and Universities

Private Career Colleges Branch

The Ministry's Private Career Colleges Branch is responsible for ensuring all private career colleges are in compliance with legislation and taking enforcement action against those that are unregistered or otherwise break the rules.

In 2012-2013, the Ombudsman received 19 complaints about this branch, down from 26 in the previous year. Complaints involved inadequate communication, unfair enforcement or delays in approving programs, renewing school registrations or responding to college compliance efforts.

One college director complained she waited several months for the Ministry to approve distance education courses. When Ombudsman staff brought this concern to senior managers, we learned the branch had concerns about the quality of its own process for approving such programs. It had stopped reviewing applications in October 2010. We monitored the branch's progress in developing a new policy framework, and in November 2012, the Ministry issued a new policy directive and resumed evaluating applications for such programs.

Ombudsman staff also spoke to the Deputy Minister about difficulty in obtaining information and timely responses from the Ministry on several cases. The Deputy Minister agreed to review one case personally and supported our Office's offer to meet with senior Ministry staff on a quarterly basis to discuss progress on complaints and issues. One such meeting had been held at the time of writing this report, to discuss complaint trends and what is expected when Ombudsman staff call the Ministry for information. Ministry staff committed to making improvements, and we continue to monitor complaints about this branch.



Ministry of Transportation

Licensing Service Branch – “Ghost” licences

In 2011-2012, the Ombudsman reported that a complaint from a man convicted of drunk driving led our staff to discover a disturbing issue with thousands of “master licence” records at the Ministry of Transportation. Master licence records are used by the Ministry to store information provided by the police and courts about an offence or information from a doctor about a driver’s medical condition where no existing driver’s licence for the person can be found – for example, when someone without an Ontario licence is stopped by the police or in an accident.

Once a “master” record is created, it is supposed to be matched with the driver’s official licence, if one exists. However, if the information received by the Ministry does not exactly match that on the existing driver’s licence, this can result in more than one licence record for the same person. In the case of the drunk driver, for example, because his surname was misspelled by one letter, his licence was not found in the system and a “master” one was created. His conviction and prohibition from driving were added to the “master” record, but his existing licence remained clear – and so he kept using it to drive.

In releasing his report last year, the Ombudsman said he was very concerned about the number of “ghost licences” and their potential impact on public safety. He reported that the Ministry was improving its search tools to catch potential duplicate licences resulting from misspelled names or addresses, but it had no plan to review all existing master licence records.

Ombudsman staff worked closely with the Ministry on this issue. It was determined more than **1.1 million** master licence records had been created since 1966. Some 235,000 related to Ontario residents; the rest were created in order to enter information about out-of-province drivers into the Ontario system.

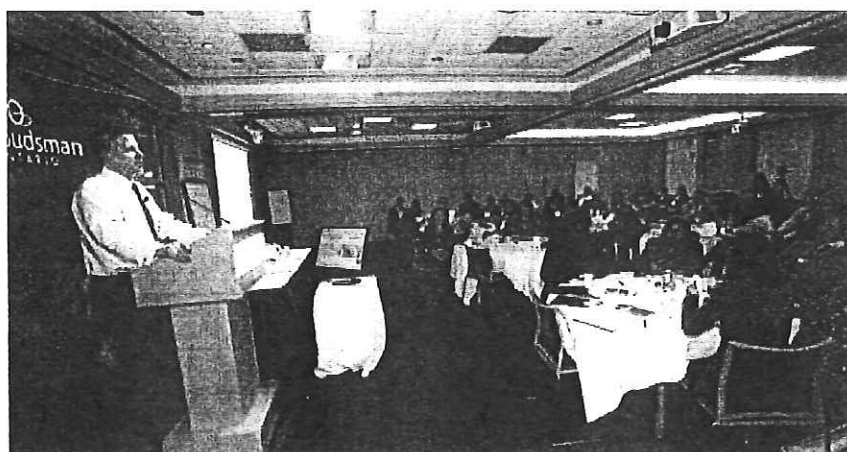
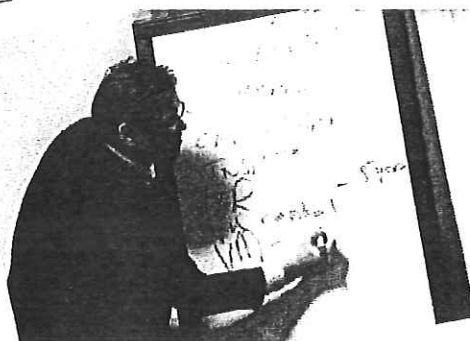
The Ministry has since taken specific steps to identify potential "ghost licences." Its initial review identified **13,866** potential duplicate records for Ontario residents – **1,050** of which had been flagged for suspension. These are being reviewed in stages, starting with those that involve Criminal Code suspensions – because if these people are still driving, they pose the highest risk to public safety. At the time of writing this report, the Ministry had identified **138** high-risk potential duplicate master licence records. Of those, **100** were confirmed to be duplicates of driver's licences already in the Ministry's database. The Ministry confirmed that **35** of the **100** duplicate licences should have been suspended but were not, and these drivers could still be on the road. The Ministry is notifying them of their licence suspensions. Next, it will review the **647** duplicate master licence records it identified for people whose licences were suspended for medical reasons.

The Ministry of Finance's Internal Audit Division is also conducting an independent audit of the licensing control system to assess the process and conditions that led to the creation of master licences, the risk factors associated with them, and potential short- and long-term goals for the Ministry to monitor and reconcile duplicate records.

The Ministry has demonstrated that it takes the Ombudsman's concerns seriously. Senior Ministry officials have welcomed regular meetings with Ombudsman staff to discuss their progress as monitoring of this issue continues.

Training and Consultation

The Ombudsman's Office shares its expertise in complaint resolution and systemic investigations with other agencies from around the world. Since 2007, the Ombudsman's course "Sharpening Your Teeth: Advanced Investigative Training for Administrative Watchdogs" has been delivered to hundreds of ombudsmen, investigators and others in the oversight field, always on a cost-recovery basis. The Ombudsman and senior staff are also frequently asked to consult with and address various agencies and their representatives.



Training

In November 2012, the Ombudsman and Sue Haslam, Director of Investigations, were invited to deliver "Sharpening Your Teeth" training to more than 80 participants from around the world at the International Ombudsman Institute's 10th annual world conference in Wellington, New Zealand. Customized versions of the course were also conducted for the Office of the Citizen's Aide/Ombudsman of Iowa, for staff of the Ontario Fire Marshal and Ontario Energy Board, and for representatives of several countries at the Second Curaçao International Ombudsman Conference.

Thank you for the contribution you made with the outstanding success of 'Sharpening Your Teeth' [at the IOI World Conference in New Zealand]. Feedback on the SYT workshop demonstrated that you made a great impact and that what you had to say was, in a very real sense, life-changing for many. You certainly helped me to cement in the changes we are making to our own approach to investigations.

Dame Beverley Wakem, President of the International Ombudsman Institute and Chief Ombudsman of New Zealand, letter to Ombudsman Marin, December 2012

The Ombudsman's annual "Sharpening Your Teeth" course in Toronto, held January 21-23, 2013, was the largest yet, with 80 participants from five continents. They included representatives from Brazil, Thailand, Kenya, the U.S., and the U.K., and agencies such as the Yukon Ombudsman's Office, the Alberta Ombudsman, Office of the New Brunswick Child and Youth Advocate, Office of the Métis Settlement Ombudsman, Health Canada, the Toronto Transit Commission, the Montreal Ombudsman's Office, the Retirement Homes Regulatory Authority, and the City of Toronto Ombudsman. Senior Ontario government officials in attendance represented the ministries of Environment, Aboriginal Affairs, Children and Youth Services, and the Ontario Provincial Police.

The 2013 edition of the course included a new session on using social media and technology in investigations and communications, as well as such core topics as investigation planning, interviewing witnesses, assessing evidence and writing and publicizing reports. For the first time, participants could also use an "SYT app" on their mobile phones to get the course schedule and location.

Special guest Peter Wallace, Secretary of the Ontario Cabinet and head of the Ontario public service, gave the keynote speech, emphasizing the importance of government watchdogs.

Your roles were set up for an absolutely vital reason, which is to ensure the public gets its value for money, to ensure the bureaucracy does not run amok, to ensure that there's a human face and human values put on those decisions. Our world is immensely better off because of the role of the Ombudsman [and other oversight offices].

Peter Wallace, Secretary of Cabinet and head of the Ontario Public Service, address to SYT participants, January 22, 2013

The next edition of "Sharpening Your Teeth" in Toronto will be held in January 2014.



Peter Wallace, Secretary of Cabinet and head of the Ontario Public Service, with Ombudsman André Marin at Sharpening Your Teeth, January 22, 2013.

Comments from SYT participants, January 2013

“An excellent investment with great returns.”

Dr. Gavin McBurnie, Director of Operations (Business Development), Office of the U.K. Parliamentary and Health Services Ombudsman

“A wealth of information from a cutting-edge organization. It is a standard to aspire to.”

Stephen Hare, Health Canada

“This was an exceptional course; highly informative presentations, extremely engaging and obviously knowledgeable presenters.”

Martin Hastings, Independent Electricity System Operator, Ontario

The presenters were all engaging, dynamic and knowledgeable. Thank you very much for such a professional and high-level program.

Julie Smith, Trent University

“I have learned a lot of quality methods to implement in my work at home. I am excited to take some of these ideas, in particular best practices, social media presence, and writing styles.”

Laura Pippenger, Assistant Ombudsman, Dayton-Montgomery County, Ohio

The content is very useful in enhancing investigative skills for Ombudsman investigations. This is a very good program. Your team is very knowledgeable and impactful.

Micah Nzomo Nguli, Office of the Ombudsman of Kenya

Consultation with other agencies

The Ombudsman and staff are frequently asked to consult with other oversight agencies in Canada and around the world about everything from investigative methods to case management technology to the use of social media. Our senior staff also consult with and deliver presentations to officials from Ontario government ministries and organizations within our mandate – and occasionally in the MUSH sector as well.

In 2012-2013, for example, the Ombudsman and senior staff were invited to consult with, among others, the federal Victims of Crime Ombudsman, the national human rights commissioner of France, and visiting delegations from China's General Office of the State Council and Nigeria's commission on justice and corruption. They also delivered presentations to staff for the Office of the Integrity Commissioner, the Council of Elizabeth Fry Societies of Ontario, the Death Investigation Oversight Council, the Ontario Patient Relations Association and the Ontario Association of Children's Aid Societies. In addition, senior staff gave presentations via Skype and Google Hangouts, including to a conference of ombudsmen in Melbourne, Australia and a gathering of finance ministry employees from across Canada in Regina.



Ombudsman André Marin meets with a delegation from China's General Office of the State Council in August 2012, and with a delegation from the Office of the Ombudsman of Kenya, who attended Sharpening Your Teeth, January 2013.

Communications and Outreach

The Ombudsman makes communicating with the public a priority, and between new and traditional media, engagement with the public grew substantially in 2012-2013. From informal question-and-answer sessions on Twitter to in-person speeches and outreach events – several of which could also be viewed live on our website – the Ombudsman and staff employed new communications tools to promote the Office's work and to connect directly with the public, media and stakeholders.

Your accessibility via social media is a big strength. You are accountable, open & transparent to the people – your role, no?

@MariaVamvalis, via Twitter

Communications

The Ombudsman's high profile in the traditional news media is complemented by his social media presence, both of which help make the Office effective and have made it a leader in the ombudsman world. Similarly, the Office's published reports are complemented by constantly updated information on our website, mobile app, e-newsletter and social media activity.

Traditional media

There were 853 print articles published about the Ombudsman's Office in 2012-2013, primarily in daily newspapers across Ontario and the rest of Canada. The estimated advertising value of these articles was **\$2.1 million**, reaching an aggregate audience of **52.7 million**, according to calculations by Infomart, based on newspaper advertising rates, circulation and page display. This represents an increase of 16% in audience reach and 23% in ad value over 2011-2012.

There were also 887 items about the Ombudsman and his work broadcast on radio and television, both in Ontario and across the country – a 125% increase over the previous year.

Social media

Social media tools have become integral to the Ombudsman's work, as the Office's following on Facebook, Twitter, YouTube, Flickr, and LinkedIn continues to grow. In 2012-2013, the Ombudsman was recognized for leadership in this area, both by other ombudsmen and by social media experts.

A thought-leader in the trend toward open government, the Ombudsman has used Twitter successfully for: Accessibility; Transparency; Accountability.

Thornley Fallis blog (thornleyfallis.ca), April 2013

In December 2012, the Ombudsman's **Twitter** account (@Ont_Ombudsman – all tweets are written by Ombudsman Marin personally unless otherwise noted) reached the milestone of 10,000 followers, and continued to climb, more than doubling last year's total. Events such as speeches and press conferences were live-tweeted with the hashtag #OOLive (OO for Ombudsman Ontario), making them easier to follow and search – and tweets were compiled as **Storify** stories. The Ombudsman also introduced casual question-and-answer sessions where he interacted with followers on some Sunday afternoons via the hashtag #AskUrOmbuds.

The Ombudsman's followers say his accessibility on Twitter has made them better informed about his role, and better able to interact with the Office. When he asked them "Should the Ombudsman be on Twitter?" he received more than 100 responses, almost all in the affirmative. The Ombudsman also uses Twitter to report procedural updates in investigations, link to announcements, press releases and relevant news stories, and post photos of his everyday work and life.



An O 'is charged with representing the interests of the public...this is the perfect forum to learn and communicate with us!

@Jacydee, via Twitter

Accessibility, immediacy, accuracy, leadership, integrity, honesty, feedback, tips, information, clarity, input, tweet away!

@RossMdeanSec, via Twitter

Those who wonder why Ombudsman tweets, wonder why astronauts tweet. 2 best for-the-people accounts going.

@helennarell, via Twitter

The Ombudsman's **Facebook** page increased its following by 25% in 2012-2013 and posts on the page reached more than **118,000** people. The page keeps followers informed with updates from the Ombudsman's investigations, photos and speeches from events or office visits, links to news stories, press releases and job postings. The most popular single post, which linked to a poll by the *Toronto Sun* about giving the Ombudsman oversight of the Children's Aid Societies, reached 5,100 people and was shared 92 times.

On **YouTube**, the Ombudsman's channel garnered thousands of new viewers, who watched videos of press conferences and speeches. There were about **19,200** views as of March 31, 2013. A video of a February 2013 radio interview about the Office's investigation into services for adults with developmental disabilities in crisis received about 1,200 views.

The Office began advertising employment opportunities on **LinkedIn** in 2012-2013, receiving more than 4,000 views in just a few weeks.

Website and mobile app

The Ombudsman's website (www.ombudsman.on.ca) saw record visitor numbers in 2012-2013. The site, redesigned in June 2011, continues to evolve and now provides more information, embedded video, news articles, social media sharing tools, speeches, and resources.

According to Google Analytics, the website had **100,096** unique visitors in 2012-2013 – a 24% increase over the previous year. The site received **159,795** total visits, and more than **552,800** pageviews. Most visitors are from Canada, the U.S., the U.K. and Australia, but others came to the site from **174** countries.

The mobile-optimized version of the Ombudsman's site, which users can download directly to the homescreen of a smartphone or tablet, was launched in November 2011. There were **14,210** unique visitors and **19,632** total visits to the mobile site in 2012-2013.

Well done. Not just for well executed projects but w increasing the # of Ontarians who understand the role of OO and use OO.

@csgreentree, via Twitter

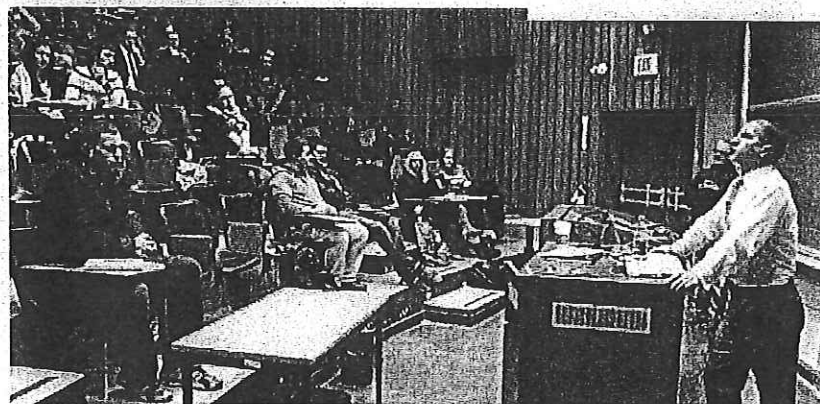
In another first, the Office began live webcasting speeches and events, in addition to press conferences, in 2012-2013. These are available in real time on the front page of our website and then archived on our YouTube channel. Combined with our practice of live-tweeting events, this technology allows anyone interested in the Ombudsman's work to have a front-row seat.

The Office also increased its use of the video-calling service **Skype** in 2012-2013, for speaking engagements, meetings and connecting with complainants and witnesses in investigations.

Outreach

The Ombudsman was invited by numerous groups to be a guest speaker in 2012-2013, as were several members of his team. He addressed several university and college audiences, including at the University of Ottawa and University of Toronto law faculties, Carleton University and Humber College. Ombudsman staff also participated in outreach events at the University of Windsor and University of Ottawa law faculties.

Among many other engagements, he was asked to speak about civilian oversight of police on several occasions, including the 50th annual conference for the Ontario Association of Police Services Boards, a conference organized by the Civil Liberties Association of the National Capital Region and at the annual conference of the U.S.-based National Association for Civilian Oversight of Law Enforcement.



The Ombudsman was also invited to speak about social media as essential tools for ombudsmen at the 10th World Conference of the International Ombudsman Institute in Wellington, New Zealand.

Ombudsman senior staff spoke to a wide variety of groups in 2012-2013, including the Canadian Centre for Ethics and Corporate Policy, the Consumer Specialty Products Association, the Northern Ontario Service Deliverers Association, the Canadian Health Care Anti-fraud Association, the Ontario Federation of Community Mental Health and Addiction Programs, the Canadian Life and Health Insurance Association, and the Tema Center Memorial Trust.

In addition, because MPPs play an important role in the Ombudsman's work – in referring complainants and issues to our Office – the Ombudsman invited all members of the Legislature to an outreach event in May 2012 at Queen's Park. The event offered MPPs a chance to speak informally with the Ombudsman and staff members about how the Office handles complaints and investigations. The Office also offered to conduct presentations for constituency staff for all parties on how complaints can be referred to us for resolution or investigation.

And the award goes to...

Ombudsman André Marin was honoured with the following awards in 2012-2013, recognizing his contribution to law and public service in Ontario:

JOHN TAIT AWARD OF EXCELLENCE, Canadian Bar Association, August 2012

This national award is presented annually to a public sector lawyer who exemplifies pre-eminent public service, and honoured the Ombudsman's commitment to social justice in Ontario.

COMMON LAW HONOUR SOCIETY, University of Ottawa Faculty of Law, September 2012

The faculty's most prestigious award for graduates in common law, this award (pictured, below left) honoured the Ombudsman's significant contribution to the law profession and to the community.

ACHIEVEMENT IN OVERSIGHT AWARD, National Association for Civilian Oversight of Law Enforcement (U.S.), October 2012

In a rare recognition of achievement outside the U.S., this new award (pictured, below right) honoured the Ombudsman's significant work in exposing the challenges facing Ontario's civilian police oversight agency, the Special Investigations Unit.



Special Ombudsman Response Team

Established in 2005, the **Special Ombudsman Response Team**, or SORT, conducts investigations into high-profile, complex issues, looking for the root causes of issues and solutions to systemic problems.

SORT's approach to investigations incorporates cutting-edge techniques including those used by police in major case management. Normally several investigations are ongoing at once. Each case is meticulously planned to ensure resources are used as efficiently as possible to gather large quantities of evidence. Most interviews are digitally recorded and documentary evidence is carefully reviewed.

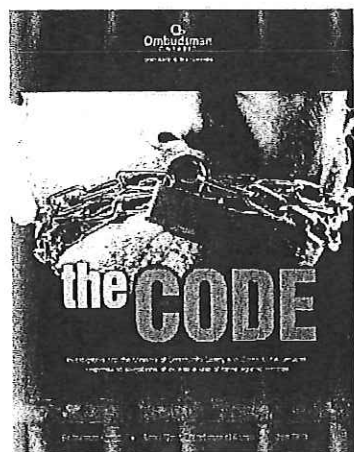
In each case, a lead investigator is responsible for the day-to-day tactical direction of the investigation in the field, assisted as required by other investigators and Ombudsman staff such as legal counsel, Early Resolution Officers and communications staff.

SORT staff also monitor the government's implementation of the Ombudsman's recommendations in the months and years after an investigation is completed. If warranted, investigations can be reopened.

The methods used by SORT form the basis of the Ombudsman's world-renowned training course, "Sharpening Your Teeth: Advanced Investigative Training for Administrative Watchdogs," now in its seventh year. Staff from hundreds of ombudsman offices and investigative agencies around the world have participated in this training – for more information, see the **Training and Consultation** section of this report.

SORT investigations completed in 2012-2013

The Code – Ministry of Community Safety and Correctional Services



In June 2013, the Ombudsman released his report on allegations of excessive use of force against inmates by correctional officers in the province's correctional facilities. The investigation exposed the "code of silence" among some correctional staff that led to serious cases of assault being covered up or improperly investigated. The Ministry acknowledged this grave problem and committed to implementing the Ombudsman's recommendations.

The investigation stemmed from complaint trends that Ombudsman staff had tracked for years – more than 350 complaints about unreasonable force from 2009 to present. In November 2010, the Ombudsman brought several cases to the Ministry's attention where policies were not followed and there

was evidence of violence being covered up by correctional staff.

The Ministry initially dismissed the Ombudsman's concerns, although after reviewing the cases and confirming the Ombudsman's assessments, it began its own review to address the issues. But its progress was slow, and in August 2011, the Ombudsman notified the Ministry that he was launching a systemic investigation into its response to allegations of excessive use of force against inmates, including the adequacy and enforcement of policies and investigation of such incidents.



During the release of his report *The Code*, Ombudsman André Marin discusses an inmate who received serious injuries at the hands of a correctional officer, June 11, 2013.

The announcement sparked 147 complaints from inmates, former inmates, and their families and legal representatives, as well as from whistleblowers within the Ministry itself. The investigation team reviewed thousands of documents and conducted 182 interviews across the province, including with inmates and former inmates, correctional officers and managers, nurses and institution administrators. They also interviewed numerous officials at various levels of the Ministry, union officials and other stakeholders.

During the course of the investigation, the Ministry developed and implemented a number of initiatives and policies aimed at addressing many of the issues the Ombudsman raised. It also fired more than 30 staff, disciplined more than 100 and saw five charged with criminal assault.

The Ombudsman made 45 recommendations in the report. The Ministry committed to reporting back to the Ombudsman every six months on its progress in implementing them.

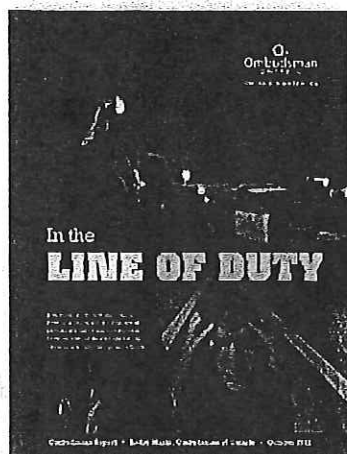
[I]t is clear that we must do more to crack the "code of silence" that hampers investigations and intimidates inmates and staff members who come forward.

Deputy Minister of Correctional Services, letter responding to Ombudsman's draft report, May 22, 2013

The Ministry has taken some solid initial steps in the right direction, but it will need to follow through.... It must take all reasonable precautions to protect inmates from abuse by those responsible for their protection. This includes ensuring vigorous action is taken to eradicate the code of silence that threatens the security of inmates and staff alike.

Ombudsman André Marin, *The Code*, June 2013

***In the Line of Duty* – Ontario Provincial Police and Ministry of Community Safety and Correctional Services**



In October 2012, the Ombudsman released his report on how the Ontario Provincial Police and the Ministry of Community Safety and Correctional Services were addressing operational stress injuries affecting police officers. Operational stress injuries include conditions such as depression, addictions, anxiety and post-traumatic stress disorder, or PTSD.

The investigation, launched in March 2011, looked into complaints from 111 active and retired OPP and municipal officers and their families. It revealed that a strong stigma and “suck it up” culture persisted against officers with operational stress injuries, along with a serious lack of related support services and training for OPP members.

This extensive investigation comprised 191 interviews with OPP and municipal officers, OPP and Ministry staff, health service providers, psychologists, psychiatrists, traumatic stress specialists and interest groups. Other law enforcement agencies were also contacted, including the Royal Canadian Mounted Police, Toronto, Calgary and Montreal police and the California Highway Patrol. SORT also looked into how all other Canadian provinces handled operational stress injuries among police.

“[F]or the OPP officers who have long struggled with the effects of PTSD, Ombudsman André Marin’s report *In the Line of Duty*... is a long-overdue validation of what they have endured and continue to endure. It is also a blueprint for changing the culture of stigma and shame within the organization.”

Toronto Star editorial, October 27, 2012

“Given the massive personal toll on police officers and their families caused by operational stress, to say nothing of the huge costs borne by taxpayers when officers are disabled by PTSD, surely taking long-overdue action on Marin’s report is a no-brainer.”

Toronto Sun editorial, October 27, 2012

“This report challenges us to do better, and we want to make sure we take better care of our folks.”

OPP Acting Superintendent Dave Quigley, *Simcoe.com*, October 31, 2012

The Ombudsman found that while the OPP had recently made some progress in addressing operational stress injuries, serious gaps remained. The OPP employed only one psychologist for a force of more than 8,000 uniform and civilian workers. While members of some specialty units had access to help and support, most officers had only a basic employee assistance program that did not sufficiently address the traumatic realities of police work and did nothing to help officers find professional help in their communities.

The report also revealed that the OPP had no official statistics on officer suicides – even though more active and retired officers had killed themselves since 1989 (23) than had been killed in the line of duty (21). During the course of the Ombudsman’s investigation, five OPP officers took their own lives. Yet the OPP had no suicide prevention program and did not conduct psychological autopsies in suicide cases to help prevent more.



Ombudsman André Marin releases his report, *In the Line of Duty*, October 24, 2012.

The Ombudsman's report made 28 recommendations to the OPP and six to the Ministry. Among other things, he recommended the OPP implement a comprehensive education and training program relating to operational stress injuries; improve its employee assistance programs, psychological services and peer support services; collect data on member operational stress injuries and implement a suicide prevention program. As well, he recommended the Ministry conduct a provincewide survey to identify how many officers are dealing with operational stress injuries, establish statistics on police suicides in Ontario and develop provincial standards for police services to address operational stress injuries.

The OPP's initial response to the report was described by the Ombudsman as "disappointing" and a "bureaucratic brushoff." However, senior OPP officials committed to implementing the recommendations and sent their first quarterly report back to our Office in January 2013. The Ombudsman said on Twitter that this first update was "substantive and gives real hope that [the OPP] is moving in the right direction." Its second quarterly report, received in April 2013, also gave a very positive snapshot of the progress that the OPP is making in implementing the recommendations.

Among the initiatives introduced by the OPP to date are a list of community supports available to officers; specialized training to civilian clinicians about OPP programs; and a review in conjunction with the Ministry and Office of the Chief Coroner to identify police suicides.

The Ministry also committed to work with police stakeholders to develop a survey to assess prevalence of operational stress injuries amongst Ontario police officers; obtain information about programs used by Ontario's police services to address operational stress injuries and suicide; and conduct research to develop provincial standards relating to these issues.

The Ombudsman will continue to receive quarterly updates from the OPP and the Ministry. (More comments from police and their families can be found in the **Your Feedback** section of this report.)

My wife was an OPP constable who committed suicide in 2010, and I was fortunate enough to be able to participate in this report. The investigators for the Ombudsman's office were incredibly professional and thorough and kept me in the loop throughout the investigation... There are good people in the OPP that are trying to make changes, but it will be a long time in coming. I pray this report will shine some much-needed light on the subject and speed up the process of change.

Jason MacKenzie

Never before have people in this organization spoken so openly about their mental health. This open dialogue is an important step toward reducing the stigma that keeps people from seeking help.

Report from OSI Working Group, "Addressing Operational Stress Injuries" *The OPP Review*, Winter 2012-Spring 2013

For too long, police and military cultures have had a 'suck it up' attitude towards psychological trauma and members rightly feared that talking about their difficult experiences might negatively impact their careers. No more.

OPP Commissioner Chris Lewis, *The OPP Review*, Winter 2012-Spring 2013

Dental implants – Ministry of Health and Long-Term Care

In his 2009-2010 Annual Report, the Ombudsman highlighted the case of a cancer sufferer who was refused funding for four dental implants after surgery on his jaw and palate. Three years of co-operative work between Ombudsman and Ministry staff have resulted in a new program for patients in similar situations – all without need for a formal investigation.

The 55-year-old man suffered from squamous cell carcinoma and his treatment, beginning in 2006, had involved extensive surgery to remove cancerous tissue and bone from his face and mouth. He also underwent reconstructive surgeries and skin grafts, followed by chemotherapy and 28 radiation treatments.

By January 2007, he was unable to speak or eat properly because so much bone had been removed from the left side of his face. His physical and psychological condition deteriorated and his doctors determined that he needed a prosthesis and the insertion of four titanium screws (dental implants) into what remained of his jawbone.

He applied for Ontario Health Insurance Plan (OHIP) funding but was turned down on the basis that dental implants are not "insured devices" and are considered "cosmetic." His subsequent appeal to the Health Services Appeal and Review Board was also turned down because, though acknowledged as medically necessary, the implants were not listed in the Schedule of Benefits for Dental Services.

The man complained to the Ombudsman in September 2009 and SORT conducted a preliminary investigation. OHIP officials took the position that dental implants are not insured, as they are generally used in cosmetic dentistry. However, after further discussion with Ombudsman staff, Ministry officials acknowledged the man's case was exceptional, and in October 2009 agreed to fund the implants, which he received in summer 2010.

SORT continued to investigate the potential systemic implications of this issue. Some 22 complainants came forward between January 2009 and March 2013 who similarly needed dental implants for non-cosmetic, medically necessary purposes resulting from catastrophic events such as cancer.

Ombudsman staff remained in contact with Ministry officials, including the Deputy Minister, as a program to help these people was developed. The Ministry launched its new Oral and Maxillofacial Reconstruction Program on April 1, 2013. Under this \$5-million annual program, the province will provide funding for implant-retained maxillofacial intraoral prostheses to restore oral function for patients who have no other treatment alternatives.

Ongoing SORT investigations

Adults with developmental disabilities in crisis – Ministry of Community and Social Services

In November 2012, the Ombudsman announced an investigation into whether the Ministry of Community and Social Services is adequately responding to urgent situations involving adults with developmental disabilities, and whether it is doing enough to co-ordinate, monitor and facilitate access to services for them.

The Ombudsman's Office has investigated many individual complaints on this issue over the past two years, a few of which have also been the subject of media reports. The number of complaints has risen steadily – from 35 in 2010, to 45 in 2011, to 64 in 2012 before the investigation was announced. Hundreds of new complaints poured in after the investigation was launched – there were more than 500 as of March 31 and that number climbed to well over 800 by the time this report was finalized for publication.

“We have heard heart-wrenching stories from aging or ill parents whose adult sons and daughters are a danger to themselves and others and need constant care that can't be provided at home – but they have nowhere to turn.

Some of these caregivers are on the brink of emotional and physical breakdown. We have investigated past cases where people with these severe disabilities have been sent to shelters and even jail. What is particularly troubling is that our complaints have only gone up, despite new legislation and changes made by the Ministry in recent years.

Ombudsman André Marin, press release launching investigation, November 28, 2012



To date, SORT investigators have conducted more than 190 interviews across the province, including with adults with developmental disabilities, their families, officials from the Ministry of Community and Social Services, Developmental Services Ontario, and other stakeholders. The field work phase of the investigation – interviews and other evidence gathering – is almost complete, although new individual complaints are still being reviewed. The investigation team is assessing the evidence, after which the Ombudsman's report and recommendations will be drafted and the Ministry given a chance to respond.

The Ombudsman expects to report on this investigation later this year.

What kind of province forces loving parents to contemplate abandoning their disabled children to child welfare or a homeless shelter just to get them the help they need? Ontario must not be that place.

Toronto Star editorial, September 25, 2012

Monitoring of drivers with uncontrolled hypoglycemia – Ministry of Transportation

In March 2012, the Ombudsman announced an investigation into how the Ministry of Transportation monitors drivers who have uncontrolled hypoglycemia and could be a danger on the roads.

In announcing the investigation, the Ombudsman emphasized that although most drivers who have diabetes are perfectly safe, the condition of uncontrolled hypoglycemia is deemed serious enough that Ontario and other provinces require medical professionals to report it to the Ministry.

The investigation was sparked by the 2009 case of a Hamilton driver who caused a crash that killed three people when he was in "diabetic shock." Family members of the accident victims asked the Ombudsman to look into how the Ministry obtains information about drivers with uncontrolled hypoglycemia and takes action when warranted. In the Hamilton incident, the driver's condition was reported by police and a physician to the Ministry, but it did not suspend his licence until 2011.

It has been mandatory since 1968 for Ontario physicians to report patients who suffer from a medical condition that may make it unsafe for them to drive. Police can also report drivers they suspect are unfit, based on complaints or witnessed behaviour. In cases where uncontrolled hypoglycemia is reported, the Ministry can issue an immediate suspension of the driver's licence.

This investigation is now complete and the Ombudsman is in the process of drafting his report. SORT investigators conducted more than 60 interviews, including with Ministry staff, interest groups such as the Canadian Diabetes Association, experts in the field and other stakeholders. They also gathered thousands of pages of documentation and reviewed national standards and best practices from other jurisdictions.

The Ombudsman expects to report on this case later this year.

Completed SORT assessments in 2012-2013

Slots at Racetracks program – Ontario Lottery and Gaming Corporation

The Ombudsman received more than 350 complaints in the spring of 2012 in the wake of the government's decision to end its Slots at Racetracks program, largely from stakeholders in the horse racing industry. Because of the high volume of complaints and the serious concerns raised, a team of investigators was assigned to interview dozens of horse owners, trainers and others whose livelihoods were affected by the change. They also interviewed senior officials with the Ontario Lottery and Gaming Corporation and the relevant ministry, then known as the Ministry of Agriculture, Food and Rural Affairs.

After an extensive review of the evidence gathered, the Ombudsman determined that the government's decision was a matter of broad public policy, and decided not to launch a formal investigation. In a publicly released letter to complainants explaining this decision in March 2013, he noted that it is not the Ombudsman's role to substitute his views for the judgment of elected representatives, but to focus on issues relating to government administration.

The government has since negotiated to retain slots at some racetracks.

Updates on previous SORT investigations

Non-emergency medical transportation services – Ministry of Health and Long-Term Care, Ministry of Transportation

In 2011, the Ombudsman completed an investigation into whether the Ministry of Transportation and the Ministry of Health and Long-Term Care were adequately protecting the public who use non-emergency medical transportation.

Non-emergency transportation services are private companies that transfer hundreds of thousands of patients each year whose condition is deemed "non-critical" and not requiring ambulance service. Most transfers are between medical facilities, long-term care homes and/or patients' residences. The vehicles resemble ambulances, but are not – and the industry is not regulated.

The investigation found significant problems, including poorly trained staff, inadequate equipment and lack of infection control. The Ombudsman shared a working draft of his findings with the two ministries in May 2011. In June 2011, the then ministers of Transportation and Health and Long-Term Care jointly announced that legislation would be introduced to regulate the industry.

Unfortunately, there has been considerable delay in introducing legislation, in part due to the calling of a provincial election just prior to the ministers' announcement in June 2011, and the prorogation of the subsequent session of the Legislature in 2012.

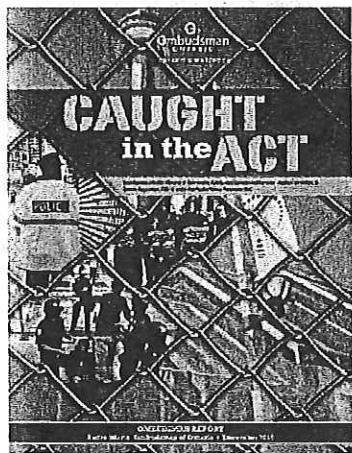
The Ombudsman pursued this issue with the Ministry of Health and Long-Term Care, which was to lead the process of regulating the industry. The Ministry began consultations with stakeholders, with a commitment from the Minister that regulation would follow. In late 2012, the Minister received a report and recommendations arising from consultation. That report remains under review by the Minister. SORT continues to monitor this issue and pursues regular updates from the Ministry. The Ombudsman also discussed it with the present Minister of Transportation in May 2013.

Our government is taking steps to ensure the safety of passengers being transferred in non-emergency situations. We know this action will make a difference for the patients who rely on these services. I would like to thank the Ombudsman for his crucial input into this important issue. – Deb Matthews, Minister of Health and Long-Term Care

Our government is committed to the safety of all drivers and passengers, including passengers being transferred during non-emergency situations. – Kathleen Wynne, Minister of Transportation

"Ontario Strengthening Patient Safety: McGuinty Government to Regulate Non-Emergency Medical Transfer Services," government press release, June 10, 2011

***Caught in the Act* – Expansion of police powers for Toronto G20 summit – Ministry of Community Safety and Correctional Services**



The Ombudsman's December 2010 report, *Caught in the Act*, revealed the Ministry of Community Safety and Correctional Services' role in quietly granting police additional powers during the G20 summit held in Toronto in June 2010.

The report highlighted the confusion amongst security personnel and civilians when police used their powers thanks to a new regulation under the virtually-unknown *Public Works Protection Act (PWPA)* of 1939, which allowed them to search and detain hundreds of protesters and mere bystanders.

In his report, the Ombudsman concluded that the Ministry-sponsored regulation under the *PWPA* had essentially suspended normal civil rights, resulting in more than 1,000 people

being searched and/or detained by security forces. He recommended, among other things, that the *PWPA* be repealed or replaced to ensure this could not happen again.

The Ministry agreed with this recommendation and introduced legislation to replace the *PWPA* in February 2012. That bill (Bill 34) limited the extraordinary security measures found in the *PWPA* to courts, power stations and nuclear facilities. It was referred for third reading but was not proclaimed, and hence died when the Legislature was prorogued in October 2012.

In April 2013, the government introduced Bill 51, the *Security for Courts, Electricity Generating Facilities and Nuclear Facilities Act*, which has similar provisions to the previous bill. It went to second reading on April 24, 2013.

Monitoring of long-term care homes – Ministry of Health and Long-Term Care

In December 2010, the Ombudsman released his findings on the Ministry of Health and Long-Term Care's compliance monitoring of long-term care homes, a SORT investigation launched in July 2008. At that time, the Ombudsman noted that the Ministry's efforts were "a work in progress," thanks to the proclamation of new legislation and an ongoing Ministry project to transform the compliance system. The Ombudsman and SORT have closely monitored the Ministry's efforts in this area ever since.

The Ombudsman has no jurisdiction over long-term care homes themselves, a mixture of for-profit private, charitable and municipal homes (we received 70 complaints about long-term care homes this year; for more on this, see the section of this report entitled **Beyond Scrutiny – MUSH sector update**). His investigation focused on the effectiveness of the Ministry's monitoring of the homes and whether its standards were realistic or detracting from effective compliance monitoring and patient care.

The investigation revealed four areas of concern: Inconsistent application of the standards used to monitor long-term care homes; delayed inspections; a lack of rigour in investigating complaints; and inadequate public reporting of compliance inspection findings.

The Ministry has provided progress updates to the Ombudsman on a semi-annual basis since 2010, and the Ombudsman continues to monitor complaints from the long-term care sector and remains in contact with related stakeholders.

In his December 18, 2012 progress update letter, the Deputy Minister said the Ministry had addressed all of the Ombudsman's recommendations and cited such accomplishments as:

- Full implementation of the redesigned Long-Term Care Homes Quality Inspection Program, which guides the enforcement of standards set out in the *Long-Term Care Homes Act, 2007*, and Ontario Regulation 79/10, which came into force on July 1, 2010; and
- the introduction of the Centralized Intake, Assessment and Triage Team in the fall of 2012. This team receives, assesses and triages complaints about long-term care homes and all critical incidents they report.

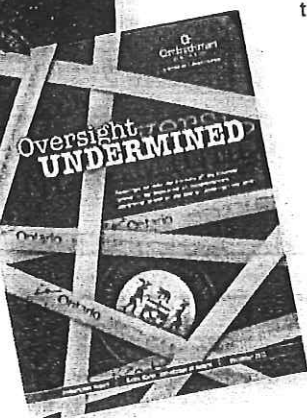
The Deputy Minister also acknowledged the role of the Ombudsman's Office in improving oversight of long-term care homes:

I would like to thank you for your recommendations, guidance and support of the improvements that have been made in the [long-term care] home sector. As a result, I believe that we have a greatly improved program in place today that helps to ensure residents in Ontario's [long-term care] homes are safe, and are receiving high quality care....

I am also very pleased that over the past three years, our organizations worked collaboratively, transparently shared information, and developed strong, productive relationships. This was instrumental in being able to implement all of the recommendations.

Notwithstanding the progress that has been made, the Ombudsman continues to receive serious complaints about how the Ministry monitors the long-term care system. In the past fiscal year, we received 35 complaints about the Ministry's Performance Improvement and Compliance Branch. They include concerns about the quality of investigations, delayed inspections and reports, and a lack of follow-up by the Ministry in cases of non-compliance. SORT is assessing these complaints and the Ombudsman is considering what action should be taken, including whether or not to launch a follow-up investigation.

Oversight Undermined and Oversight Unseen – Ministry of the Attorney General and Special Investigations Unit



The Ombudsman has done two investigations and issued two reports related to the Special Investigations Unit – the agency that conducts independent investigations when police are involved in incidents of serious injury or death. The first, *Oversight Unseen* (2008), focused on the SIU's operational effectiveness and credibility; the second, *Oversight*

Undermined (2011), looked into the Ministry of the Attorney General's response to the first report.

In both reports, the Ombudsman called on the Ministry and government to support the work of the SIU through clearer, stronger legislation outlining the SIU's mandate and police obligations to co-operate with it.

The Ombudsman revealed in *Oversight Undermined* that rather than supporting the SIU in holding police to account, the Ministry was, in some respects, actively undermining it. He pointed to an internal Ministry email that noted his recommendations calling for stronger legislation supporting the SIU were not acted upon "largely due to vehement police opposition."

☞ This is not a criticism, but a fact of life: The police lobby is very powerful – in fact, I can't think of another interest group in society that is more powerful. Police put their lives on the line to stop crime and protect our communities. They are heroes to many of us. And ... they have guns. ☞

"What's Wrong – and Right – With Ontario's Police Oversight," Speech by Ombudsman André Marin, Carleton University "Policing the Public" symposium, Ottawa, March 9, 2013

Since the release of *Oversight Undermined*, the Ombudsman has received regular updates from the SIU on apparent ongoing problems with co-operation by police services – in particular, failure or delay by police services in notifying the SIU of incidents within its mandate; and witness officers refusing to answer questions about whether they consulted with a lawyer before writing their notes.

As well, while some police services – such as the Ontario Provincial Police and Windsor and Brantford local police – have shown a marked increase in responding to letters from the SIU Director about problems, others continued to ignore them. For example, the SIU wrote 19 letters to the Toronto Police Service in 2012, raising concerns about various failures to co-operate with the SIU during investigations. It received no written response.

For its part, the Ministry has yet to respond substantively to the Ombudsman's recommendations. In December 2012, the Ombudsman wrote to the Attorney General to request a report on what steps the Ministry plans to take to reinforce the integrity of the SIU's investigative process. The Attorney General committed to a review of SIU/ police-related issues commencing in 2013. The Ombudsman requested detailed quarterly updates on the progress of this review.

Meanwhile, some of the key issues raised in the Ombudsman's reports have figured prominently in recent court cases.

The failure of Toronto Police to notify the SIU was raised in a provincial court case in March 2013, in which a judge found a Toronto Police officer used excessive force in arresting 30-year-old Toronto chef Raymond Costain. Provincial court Justice Ford Clements said two officers seemed "indifferent to the truth" and had attempted to cover up Costain's injuries by turning off the cameras in their cars; the SIU was also not notified of the incident.

And in April 2013, the Supreme Court of Canada heard an appeal of an Ontario Court of Appeal case dealing with the issue of police association lawyers vetting officers' notes before submitting them to the SIU. The Ontario court ruled in 2011 that officers cannot have a lawyer vet their notes. The case stems from two fatal shootings of civilians by Ontario Provincial Police officers, whose families are seeking a court declaration that vetting of police notes is improper. In *Oversight Unseen*, the Ombudsman also recommended that this practice not be allowed. The Supreme Court's decision is pending.

Another recommendation from *Oversight Unseen* was echoed by the Law Society of Upper Canada in November 2012, when it issued an advisory under the Rules of Professional Conduct to lawyers representing police officers, prohibiting them from representing multiple officers in SIU investigations.

In a March 2013 speech to a symposium at Carleton University on police oversight, the Ombudsman reiterated his call for new legislation to bolster the SIU. He said the legislation should:

- Clearly define what kind of “serious injury” should trigger the SIU’s mandate;
- Allow the SIU to investigate police obstruction of its mandate and lay charges when it happens; and
- Prohibit police lawyers representing multiple officers and interfering with notes.

The Ombudsman also called on police services boards to hold police chiefs accountable by making their duty to co-operate with the SIU a performance objective in their contracts.

The Ombudsman will continue to monitor issues relating to the SIU.

***Between a Rock and a Hard Place* – Care and custody of children with severe special needs – Ministry of Children and Youth Services**



In his 2005 report, *Between a Rock and a Hard Place*, the Ombudsman revealed the disturbing problem of parents of children with severe special needs being forced to surrender their custody to children's aid societies (CASs) in order to obtain the care they needed. At that time, and several times since, the government committed to ensuring this would no longer happen. Nevertheless, parents continue to complain that they have been pushed to make this heart-wrenching choice. There were two such cases in 2012-2013.

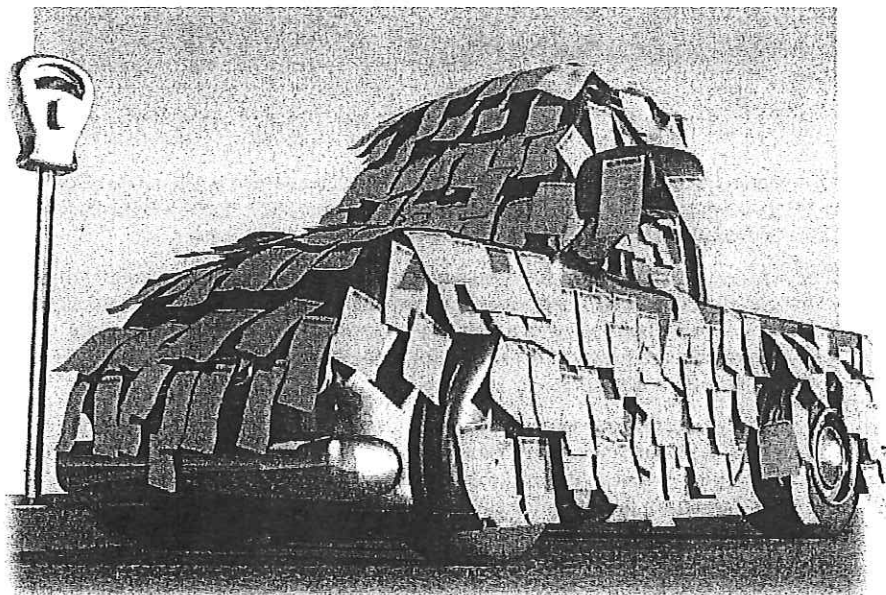
In the first case, a CAS case worker told the father of an 11-year-old boy with a rare genetic disorder, autism and serious behaviour problems that he would have to put the boy in CAS custody so funding could

be accessed for placement in a residential treatment program. The boy, who functioned at the level of a six-year-old, had been hospitalized after setting fires three times. The father, a single parent, said the CAS case worker had directed him to the Ombudsman's Office for help. Ombudsman staff flagged the case to Ministry of Children and Youth Services officials. They provided direction to the local service co-ordination agency and funding and a placement in a group home was arranged for the boy.

In the second case, a worker at the local service co-ordination agency told the mother of a nine-year-old boy her only option was to sign a temporary care agreement with the local CAS so they could access funds to place him in a group home or give her weekend respite. The mother did not want him to go to a group home, but without support services, he had become aggressive and unmanageable at home. Ombudsman staff confirmed that there were no child protection concerns in this case and spoke to the agency about the message it was giving to parents. Soon after, services were arranged for the family, including respite for the mother, family therapy and a placement for the boy in a special classroom.

Ombudsman staff continue to monitor this issue closely. Similar complaints are brought directly to the attention of senior Ministry officials.

Case Summaries



MINISTRY OF THE ATTORNEY GENERAL

Public Guardian and Trustee

No Parking

A hospital social worker contacted the Ombudsman on behalf of a client of the Office of the Public Guardian and Trustee (OPGT) who was a long-term resident of a psychiatric hospital. The man's car had been left in the hospital parking lot for eight months and had received 13 parking tickets. The OPGT, which was responsible for handling the man's financial affairs, did nothing with the car even though it had the man's agreement to remove and sell it. The tickets were sent to the OPGT, but it did nothing about them.

It wasn't until the hospital threatened to tow the car away that it was removed by the OPGT and sold. The OPGT's area manager spoke to Ombudsman staff and acknowledged the lack of response by the man's assigned representative. The OPGT also agreed to pay the parking tickets at no cost to the man or his credit rating.

Discreditable conduct

A client of the OPGT complained to the Ombudsman about a ruling by a capacity assessor that he was incapable of managing his own financial affairs – a ruling that made the OPGT guardian of the man's property. The man argued that the assessor had judged him incapable because he refused to acknowledge that he had a debt of about \$8,000.

When Ombudsman staff spoke to the OPGT, it was revealed that the capacity assessor had been given the wrong information by the OPGT – the man had no such debt, but rather an unused credit line for \$8,000. The OPGT agreed to pay for a new capacity assessment, which found the man was able to manage his own finances.

Case Summaries

Consent and Capacity Board

The form so nice, they named it twice

A 76-year-old woman complained to the Ombudsman that despite a ruling of the Consent and Capacity Board (CCB) that found her capable of managing her own affairs, the Office of the Public Guardian and Trustee was still involved with her finances.

Ombudsman staff determined that the woman had used the wrong form in her dealings with the CCB. It turned out there were two different forms called "Form 18" on the CCB's website, for requesting a review of a finding of incapacity to manage financial affairs. One form was to request a review of findings under the *Mental Health Act*; the other for findings under the *Substitute Decisions Act*.

The patient advocate who assisted the woman used the *Mental Health Act* Form 18 because she was a patient in a psychiatric facility at that time. But the CCB's finding did not terminate the jurisdiction of the OPGT because it was made under the *Substitute Decisions Act*. And in that case, the assessor who made the original finding of incapacity would have to appear at a hearing before the OPGT's involvement in the woman's affairs could be terminated.

In the wake of the Ombudsman's inquiries, the CCB agreed to change the information on its website to clarify the differences between the two versions of "Form 18."

Ministry of Community Safety and Correctional Services

Working for the weekend

An inmate who has a psychiatric illness complained to the Ombudsman that he had not received essential medication over the weekend because there was no nurse on duty at the jail. His condition deteriorated, leaving him with his mind racing and feeling like he was "flipping out." He said he did not want to be in a similar situation the following weekend.

The health care manager at the jail confirmed that nursing staff had neglected to prepare the inmate's medication before leaving for the weekend. Senior management at the jail reviewed the incident and reminded those responsible that the dispensing nurse should be contacted at home if an inmate reports missing medication on weekends. The nurse is to assess the situation and go to the jail if warranted to ensure all inmates have their essential medication.

A neighbour in crisis

An inmate in a detention centre called the Ombudsman out of concern for a 19-year-old female inmate who had been cutting herself and was on "suicide watch." He said she had been taken off her anti-depressant and anti-psychotic medications and was taken to a segregated cell in handcuffs.

Staff at the institution confirmed that the woman had a history of mental illness and cutting herself and had recently been transferred from the young offender system. She was scheduled to be released in four days, and inquiries by Ombudsman staff revealed that she was to be dropped off at a shelter with no treatment or medical support. After Ombudsman staff raised concerns about the woman's welfare to the detention centre superintendent, she was evaluated by the institution's psychiatrist, who arranged to have her taken to hospital for further psychiatric evaluation upon her release.

Case Summaries

Is there a doctor...?

An inmate complained to the Ombudsman that he was not receiving adequate psychiatric treatment. He had submitted several written requests to be seen by a psychiatrist, a social worker and an addictions counsellor, to no avail. He told Ombudsman staff he was very distressed and would commit suicide if he did not receive treatment.

After Ombudsman staff relayed the inmate's concerns to the health care manager at the institution, he was immediately assessed by a psychiatrist and prescribed anti-anxiety medication. A social worker and an addictions counsellor also met with him. The inmate later reported to Ombudsman staff that he found the treatment helpful and was feeling better.

An overflow of problems

A correctional officer at a large correctional centre alerted the Ombudsman to poor living and working conditions in an "overflow" unit, used to house inmates who could not be housed in the general population. Due to a shortage of staff, inmates were not getting access to showers, the yard or phones, and garbage was piling up.

After the Ombudsman's Office contacted the institution's deputy superintendent, management brought in more staff to ensure inmates had access to showers, the yard and phones, and a plan was made to move the "overflow" inmates out the following week. However, a later follow-up revealed more inmates had been placed in the unit. The deputy superintendent again intervened to ensure the unit would only be used to house inmates serving weekend sentences.



Case Summaries

Chief Firearms Officer

Right to Appeal

A gun owner complained to the Ombudsman that the Chief Firearms Officer (CFO) had revoked his authorization to transport a firearm without providing him with a formal notice as required under the *Firearms Act*. Without the notice, he was unable to challenge the decision in court.

Ombudsman staff determined that the man's authorization was revoked because he failed to meet the condition that he maintain his gun club membership. CFO officials argued that this constituted a "request" by the man for revocation of his authorization and no notice from them was required.

Senior Ombudsman staff met with the Chief Firearms Officer, who ultimately agreed that a formal notice should have been issued so the man could exercise his right to appeal the revocation in court. It was also agreed that notices of revocation should always be issued in cases where the holder of an authorization fails to meet conditions of the authorization.

MINISTRY OF COMMUNITY AND SOCIAL SERVICES

Services for adults with developmental disabilities

Working together

The mother of a 20-year-old man who has complex developmental and medical needs – he has Down Syndrome, uses a ventilator and has other complex medical conditions – turned to the Ombudsman after she was unable to find a permanent residential placement for her son.

While living with his family, the young man received 53 hours per week of nursing care through his local Community Care Access Centre (CCAC), but he needed a permanent group home placement. He was still receiving funding for his developmental needs through the Ministry of Children and Youth Services as he "transitioned" to services for adults (under the Ministry of Community and Social Services), but the latter ministry was not able to pay for the same level of care and there was no appropriate residential placement available for him.

Ombudsman staff spoke with management at the Ministry of Children and Youth Services, the Ministry of Community and Social Services, the Ministry of Health and Long-term Care, the Local Health and Integration Network (LHIN) as well as the CCAC. As a result, the three Ministries and LHIN developed a "cluster care" model to accommodate this man and six other people in similar situations - all have developmental disabilities and complex medical needs and are between the ages of 18 and 35. The new residence, part of the campus of a non-profit organization that provides services to people with developmental disabilities, opened April 29, 2013.

Case Summaries

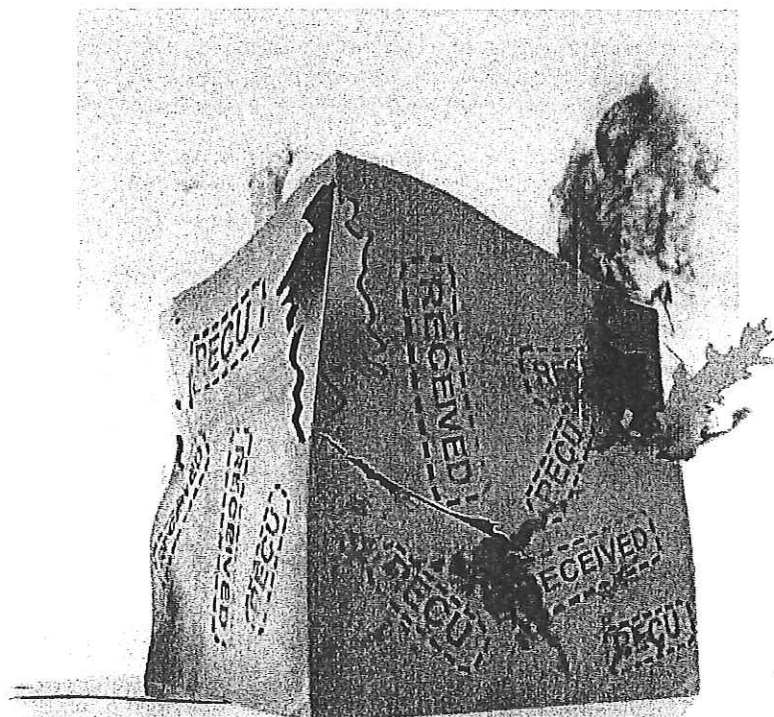
Family Responsibility Office

Your cheque's in the mail

A mother who was expecting a child support payment of \$5,000 contacted the Ombudsman when she could not get an answer from the Family Responsibility Office (FRO) about the whereabouts of the cheque. Her former spouse – a doctor whose income from the Ontario Health Insurance Program (OHIP) was being garnished to pay the child support – confirmed that the money had gone out a week earlier. When she first called the FRO, she was told no payment had been received. Then she was told her cheque had been "damaged." She was very concerned, as she had been counting on the money.

After Ombudsman staff spoke with FRO officials, it turned out the woman was not alone. Her payment was part of a larger package of support payments, all garnished via OHIP, that had been damaged in the mail. The outside label had become illegible from water damage and it was returned to OHIP, where it sat until FRO officials asked for it to be resent.

Ombudsman staff let the mother know her payment would arrive soon. In less than a week, she received two months' payments.



Case Summaries

Correcting the record

A father complained to the Ombudsman that the FRO had wrongly reported him to a consumer reporting agency (a credit bureau) over \$10,825.92 in arrears. The man noted that his son had been living with him for just over a year and he was no longer required to pay support to the boy's mother.

Ombudsman staff confirmed there was a temporary court order stating there should be no accrual of child support from the time the boy began living with his father, but the order had not been issued for several months, which left the FRO records out of date.

FRO staff agreed to adjust the amount that the father owed and notify the credit bureau. The father paid the balance owing of \$5,250 and noted to Ombudsman staff that once they became involved in his case, FRO representatives who dealt with him were very helpful.

Paid in full

A mother who was owed a significant amount of back child support complained to the Ombudsman that FRO officials were refusing to exercise their option to have her ex-husband jailed for failing to pay, as provided for in a judge's order.

After Ombudsman staff inquired about the case, FRO staff stepped up their enforcement efforts including obtaining a lien on the man's home, garnishing his bank account and suspending his driver's licence. The man soon paid off his child support arrears in a lump sum of \$12,075.75.

To his credit

A man complained to the Ombudsman that the FRO had wrongly garnished half his wages and left him with a bad credit rating. His lawyer had even written to the FRO, advising that it had misread the terms of his 2010 court order, but it changed nothing.

Ombudsman staff reviewed the court order. It said the man initially owed \$16,593 in support but he had paid \$12,692. FRO officials wrongly continued to say he owed the full amount, when he only owed \$3,871.

In recognition of its mistakes, FRO staff deleted the man's poor credit report and adjusted his account. He paid the balance owing.

Ontario Disability Support Program

An error in your favour

A man who was owed money by the Ontario Disability Support Program (ODSP) dating back to December 2010 complained to the Ombudsman in August 2012 that he had been shortchanged. He calculated that he was owed \$8,968 but had received only \$1,140.

Ombudsman staff contacted ODSP staff, who discovered that there had been a computer error in the man's case. They immediately arranged for him to be sent a cheque for the rest of the money. He passed on "a great big thank you" to Ombudsman staff.

Case Summaries



No answer

The father of a 40-year-old severely disabled woman applied for ODSP benefits on her behalf when she gained landed immigrant status in October 2011. He complained to the Ombudsman after he heard nothing for three months – no answer to a dozen phone calls, eight voice messages, an in-person inquiry, and several written inquiries.

Once Ombudsman staff spoke with the man's local ODSP office, a verification interview was immediately arranged. The daughter's application was sent on to the Disability Adjudication Unit and she was approved in February 2012 to receive \$814 a month.

The Ombudsman's inquiries revealed that the local office had not been following ODSP rules requiring applications to be processed within three weeks. The office developed a tracking system for new applications to avoid delays – a system that proved so successful, ODSP adopted it for use across the province in February 2013.

Case Summaries

Going retro

A man complained to the Ombudsman in October 2012 about a dispute with the ODSP over when his eligibility for benefits should begin. He had notified his local ODSP office in September 2010 that he qualified for benefits, but his application went nowhere despite inquiries from his lawyer.

After Ombudsman staff inquired about the status of the man's application, the ODSP granted him \$10,000 in retroactive disability benefits back to May 2011. In response to additional inquiries from Ombudsman staff about this eligibility date, the ODSP reviewed the file again and agreed to make it March 2011 – meaning the man received another \$709 in benefits.

The ODSP also provided him with a written decision, allowing him to request an internal review and appeal to the Social Benefits Tribunal if he still disagreed with the eligibility date.

Right from the start

An ODSP recipient complained to the Ombudsman about a dispute over her application for a special diet allowance – which can be recommended by a recipient's doctor. She had asked to apply for the allowance when she first applied for support in November 2009, but ODSP staff would not give her a form. She was told she could not apply for a special diet allowance until her ODSP application was approved – which was 10 months later (July 2010). Her doctor then completed the form, noting that she had six longstanding medical conditions that required a special diet, including celiac disease and multiple food allergies, and she was granted the special diet allowance with an effective date of January 2011 – when the form was completed.

The woman argued that her special diet allowance payments should have commenced in July 2010, when she was deemed eligible for ODSP benefits. The Social Benefits Tribunal denied her appeal because ODSP policy stated that special diet allowance payments begin the date the form is completed.

Ombudsman staff asked ODSP to review the woman's case, noting that her need for a special diet dated back to when she was deemed eligible for ODSP. Upon further review, ODSP staff agreed the woman should have been given the diet form when she first applied for benefits. She received a retroactive payment of the allowance of \$1,298.39, dating back to July 2010.

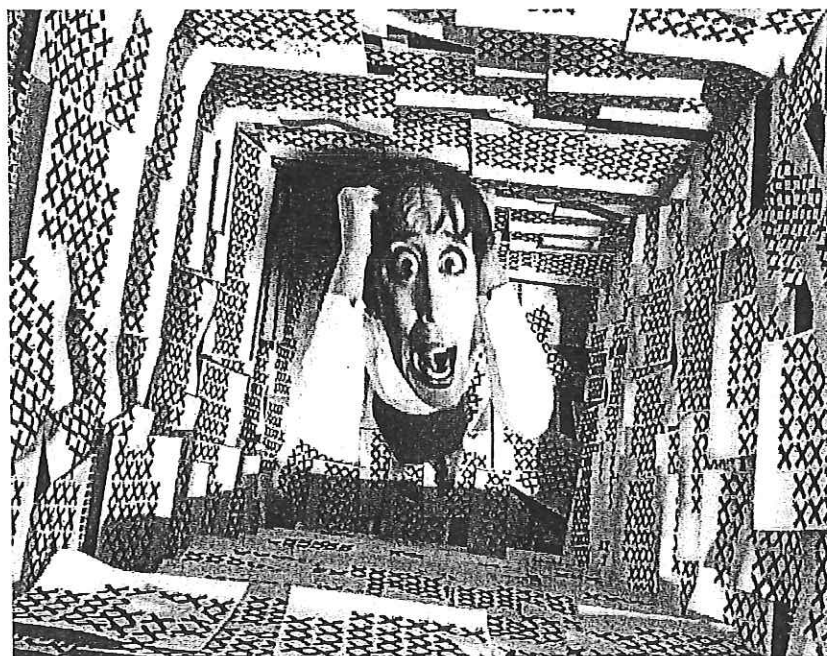
ODSP also updated its procedures to ensure all offices provide applicants with the forms for such allowances upon request when they first apply for support.

Case Summaries

A 14-year wait

A woman complained to the Ombudsman about a dispute with the ODSP Overpayment Recovery Unit that dated back to 1998. She explained that back then she was ordered by a court to repay \$1,150 because she had collected other benefits at the same time as ODSP. She had paid the debt and had receipts to prove it, but ODSP was insisting she owed \$8,000 and had even garnished her recent federal income tax refund of \$1,058.

Ombudsman staff spoke to officials at the Overpayment Recovery Unit, who agreed to review the woman's file. When they were unable to find confirmation of the amount owed, they agreed to cancel the debt and refund the amount that had been taken from her tax refund.



Case Summaries

Lost in the shuffle

The mother of a developmentally disabled boy applied for ODSP benefits on his behalf in January 2012, four months before he was to turn 18 and become eligible for them. ODSP staff advised parents at an information seminar at the boy's school to apply early because of the lengthy application process. The mother submitted a "pre-application" form at her local ODSP office. She noticed the office date-stamped the form, but she was not given a receipt or copy.

Three months later, she called ODSP to follow up on the status of the application and was told to give them more time. She called again in May and was referred to the Disability Adjudication Unit – which in turn told her it did not have her file. When the ODSP office again checked its computer system, it found no record of her application. She submitted a new application and her son was granted benefits in August, four months after he turned 18.

The mother complained to the Ombudsman when her request for benefits retroactive to her son's birthday in April was denied. Ombudsman staff spoke to ODSP officials about their policy on distributing and processing "pre-application" forms. They agreed to grant the son benefits retroactive to April. As well, they agreed that pre-application forms should be tracked and assigned to case workers to ensure they are properly entered into their system.

A failure to communicate

A man who lost his appeal to the Social Benefits Tribunal about a 2010 ODSP overpayment assessment was advised to complain to the Ombudsman by a member of the tribunal itself. The tribunal had no discretion to waive the overpayment assessment, but the member felt the Ombudsman might be able to help the man with what appeared to be errors and poor communication on ODSP's part.

ODSP wanted the man to repay \$37,206.46 in benefits he received from 2006-2009, even though the man demonstrated that he had provided ODSP with correct information about his situation throughout that time. Ombudsman staff contacted senior Ministry officials about the case. Their review found that the overpayment had accrued solely because of poor communication among the staff dealing with the man's case. They noted that ODSP had since changed its work assignments to ensure an individual case worker was responsible for each case instead of a team, minimizing the risk of communication errors.

The Ministry ultimately agreed the man would not have to repay the money and wrote the debt off as uncollectible.

Case Summaries

MINISTRY OF ENERGY

Hydro One

That smarts

After a Hydro One customer's new "smart meter" was installed in October 2011, she noticed her hydro bills were unusually high. She wondered whether she was still being billed based on the old meter's readings. She unsuccessfully tried to resolve the issue with Hydro One by calling them a dozen times, with no luck. In February 2012, worried about her service being disconnected or having to pay interest, she paid her suspiciously high hydro bill and contacted the Ombudsman.

In response to Ombudsman staff inquiries, Hydro One discovered that a problem did occur when the old meter was switched to the new, and they acknowledged that the woman was overbilled by \$1,794.32, which they credited to her account.

Commercial-free

A woman complained to the Ombudsman that Hydro One had charged her commercial rates on a residential property. She had owned the property since August 2009, but the discrepancy only came to light when a tenant in a building on the property set up his own Hydro account in June 2012.

The woman immediately contacted Hydro One to confirm that her property was wrongly classified as commercial and that she should be charged at the lower residential rate. She was unable to get Hydro One to update her account.

In response to inquiries from Ombudsman staff, Hydro One staff reviewed her file, agreed to change her account to residential – and refunded her the \$494.04 she had been overcharged.

MINISTRY OF FINANCE

Municipal Property Assessment Corporation

Death and taxes

The owner of a funeral home and crematorium complained to the Ombudsman that the Municipal Property Assessment Corporation (MPAC) had unfairly assessed his property. Although it had previously exempted it from property taxes entirely, in 2010 it assessed only the cemetery as exempt and required him to pay taxes on the crematorium for 2008-2012.

The owner noted that other crematoriums in the province had not been required to pay property tax for this period. In fact, new legislation in 2012 recognized that MPAC had historically been inconsistent in its assessment of crematoriums. It provided that those established prior to 2002 would be exempt from property taxes, and refunds would be issued to anyone who paid such taxes in 2010-2012.

The man received a refund for 2010-12 but argued he should be refunded for 2008-2009 as well. As a result of inquiries from Ombudsman staff, MPAC officials agreed to reimburse him for the property taxes he paid in those years due to their assessment.

Case Summaries

Wet and wild

A woman complained to the Ombudsman after requesting a reduction in her property assessment from MPAC and the Assessment Review Board (ARB). She argued that she was unable to use a large portion of her land because it had been zoned as protected wetland by the local conservation authority. MPAC had offered to reduce her assessment by 10%, which the ARB changed to 21%. This reduced the assessed value of her property to \$350,000 from \$443,000, but she felt it was still not low enough.

Ombudsman staff contacted the Land Program Administrator at the Ministry of Natural Resources to discuss whether its Conservation Land Tax Incentive Program was available for the woman. The program provides tax exemptions for wetlands that are assessed as significant to the province through its Wetland Evaluation System. The program administrator confirmed that the land in question might fall into a category called "low and wet," which would result in a reduction of taxes.

The woman's land was evaluated under the Wetland Evaluation System and deemed "low and wet." As a result, MPAC reconsidered its evaluation of her property and applied a further 9% reduction to be factored into her next property valuation.

Increase in confusion

Owners of two different properties complained to the Ombudsman about confusion over how and when to appeal property assessment change notices issued by MPAC. These notices address changes to a property that affect its value, such as renovations or additions.

In both cases, the owners received these notices in the fall, around the same time they received their regular MPAC assessment notices for the following taxation year. Confusion arose because MPAC's deadline to file a request for reconsideration of an assessment change notice is 90 days from the date of the notice, while the deadline to have regular property assessments reconsidered is March 31 of the following year. MPAC also requires owners to file separate requests for each reconsideration.

One complainant had submitted a single request for reconsideration of both notices. She said MPAC's customer service staff had not told her otherwise, and as a result she was unable to appeal the values in the assessment change notice. The second complainant was in a similar situation because he mistakenly believed the March 31 deadline applied to both notices.

Although both were given information on how to appeal their assessments to the Assessment Review Board, Ombudsman staff brought the cases to the attention of senior MPAC officials so they could avert future complaints.

As a result, MPAC updated its website to direct property owners to an explanation page and frequently asked questions about newly built homes, additions and renovations, and to make the application deadlines more visible on the notices. Ombudsman staff will continue to discuss improvements with MPAC to make information on revised assessment values more accessible.

Case Summaries

MINISTRY OF GOVERNMENT SERVICES

Office of the Registrar General

A father's ordeal

The father of a two-month-old baby girl contacted the Ombudsman out of frustration after trying to obtain a birth certificate for his daughter from the Office of the Registrar General. His wife had died of a stroke nine days after giving birth.

The bereaved man wanted to take the baby to visit relatives outside of Canada, but the Office of the Registrar General (ORG) would not issue a birth certificate because the mother had not completed the required application before she died. He had provided them with her death certificate and a report from the coroner's office but this was not enough. The ORG still wanted him to prove he was the baby's father by obtaining an affidavit to that effect from his deceased wife's parents. The man explained that his in-laws lived in a remote rural village in Asia, did not speak or write English, and he was unable to communicate with them.

Ombudsman staff contacted a senior ORG manager, who agreed to accept the couple's marriage certificate from Asia (which included a picture of the couple), as well as documents confirming the deceased mother was a permanent Canadian resident and married to the father. Once the ORG received these documents and the mailing address of the in-laws, it issued the man a birth certificate for his baby daughter.

Past deadline

A mother complained to the Ombudsman that she was having trouble getting birth certificates for three of her four children because they had not been registered within a year of their birth. One daughter, age 4, had cognitive and physical disabilities, but the mother could not obtain benefits for her without a birth certificate.

The ORG told the mother she would have to pay a fee for late registration of the three births, which would require legally sworn affidavits. She estimated this would cost her at least \$300 that she could not afford.

Ombudsman staff contacted senior managers at the ORG, who reviewed the woman's file and found that her youngest child's birth had in fact been registered within one year, meaning she could obtain his certificate via a simple online application. They also arranged for ServiceOntario staff to process her applications for the other two children, without her incurring any additional expenses or fees.

Case Summaries

MINISTRY OF HEALTH AND LONG-TERM CARE

Community Care Access Centre

Costly convalescence

A woman complained to the Ombudsman about a bill she received for convalescent care after being released from hospital. Her local Community Care Access Centre (CCAC) had arranged to have her spend several months at a seniors' housing residence that offers recuperative programs – which then sent her a bill for \$1,564 that she could not pay.

The CCAC responded to Ombudsman staff inquiries that under its policies, and regulations in the *Nursing Homes Act*, 90 days of convalescent care is provided free of charge. However, the woman was billed for two additional weeks at the residence when her stay there was extended.

Inquiries by Ombudsman staff revealed that the woman's stay was extended because she had been evicted from her own place of residence and had nowhere to go. The CCAC acknowledged that it and the seniors' residence should have flagged this situation and helped the woman's family identify other options. They agreed jointly to cover the bill on compassionate grounds.



Case Summaries

Trillium Drug Program

Income outrage

A woman with complex health problems complained to the Ombudsman in September 2012 that the Trillium Drug Program had cut off coverage of her prescription medications, which cost her about \$5,000 per year.

Trillium had assessed her deductible at more than \$10,000, based on federal income tax information from the Canada Revenue Agency that reflected a one-time pension payout she received when she left her full-time job in 2011. In fact, her living expenses and prescription drug costs exceeded her annual income from a part-time job. She had written to Trillium to explain this situation but heard nothing for two months.

Ombudsman staff spoke with senior staff at the Ministry of Health and Long-Term Care and explained that the woman's 2011 income had been inflated by the pension payout. Ministry staff agreed to reassess her deductible so that her prescription drug costs could be fully covered. That same day, Trillium staff called the woman and clearly explained to her the documentation needed to reassess her deductible. This was done within two weeks.

The woman told Ombudsman staff: "Without your help, I do not think that things would have been resolved so quickly."

Ontario Health Insurance Plan

20-20 hindsight

A 72-year-old man who had been treated for a rare form of melanoma in one eye was recommended for a specialized form of radiation therapy in the U.S. after cancer spread to his liver. His oncologist had had other patients successfully treated at the same U.S. hospital, funded through the Ontario Health Insurance Program (OHIP) Out-of-Country program.

The man complained to the Ombudsman after officials at the Ministry of Health and Long-Term Care declined his out-of-country application in July 2012. They advised Ombudsman staff that the treatment was experimental and had not been funded for other patients. The man started chemotherapy in Ontario, but his cancer progressed.

Ombudsman staff asked Ministry officials to review the file, and when they did, they discovered that in fact, other patients had been approved for the same treatment in the U.S. By then, however, the man's condition had advanced so that he was no longer considered eligible for the treatment. Instead, his oncologist recommended him for a different specialized treatment at the same hospital, which the Ministry approved in September 2012. After two treatments, the man reported that his condition had greatly improved and his tumours were shrinking.

Ministry officials acknowledged the need for a better system of tracking treatments approved under the Out-of-Country program. They also noted that the Ministry will rely on the expertise of Cancer Care Ontario when dealing with requests for funding out-of-country cancer treatments.

Case Summaries

Vision of the future

The Ombudsman received four complaints in 2011 about the lack of funding for a relatively new eye surgery known as "CXL" – Corneal Collagen Cross Linking – which involves a riboflavin solution treatment for keratoconus, a condition that causes thinning of the cornea and vision loss.

All four complainants had been recommended for the treatment by medical professionals, but it was not covered by OHIP. They had all been told that their condition was worsening and they would eventually need a corneal transplant – once they reached the point of vision loss. By contrast, their specialist recommended CXL treatment as a way to improve their vision and stop progression of the disease – but it would cost up to \$4,000.

Officials at the Ministry of Health and Long-Term Care told Ombudsman staff that they were discussing CXL treatment with the Ontario Medical Association and had received numerous inquiries from the public. The Ministry conducted an evidence-based review of the procedure to determine whether it should be covered by OHIP.

In early 2013, the Ministry launched a three-year pilot project to provide funding for CXL treatment through the Kensington Eye Institute. The Ministry will review the success of the procedure to determine whether or not patients subsequently still require corneal transplants. Once the data from the pilot project is reviewed, the Ministry will then determine whether CXL should be permanently added to the schedule of OHIP benefits.

MINISTRY OF LABOUR

Workplace Safety and Insurance Board

Nearly derailed

A Kingston man who had to undergo a medical assessment to maintain his Workplace Safety and Insurance Board (WSIB) benefits contacted the Ombudsman because he could not afford to pay his way to Toronto for the appointment. He had been told that the Board would pay his travel expenses, but he had called them repeatedly for a week and had received no response. He was afraid that his benefits would be cut off if he did not have the assessment.

When Ombudsman staff contacted the WSIB, they discovered the man's case manager had been changed without his knowledge. The WSIB arranged to pay for his train and taxi fare and overnight hotel in Toronto, and he was able to maintain his benefits.

Case Summaries

MINISTRY OF NATURAL RESOURCES

Fishing for proof

A Métis woman who holds a commercial fishing licence complained to the Ombudsman that she had been fighting with the Ministry of Natural Resources for six years to have her annual fishing royalty fees of \$4,000 waived. She said the Ministry had asked her to provide proof that she was a member of an historic Métis community, describe her connection to the modern-day community and provide evidence of an historic and contemporary fishing right practiced in her area.

The woman had documentation from the Métis Nation of Ontario that she was a member based on their research, and felt strongly that it was not appropriate for a provincial public servant to determine whether or not she was Métis. She also argued that the information the Ministry was asking her to provide was unattainable, and that in any event, the Supreme Court of Canada had held in 2006 that Métis persons were exempt from the payment of fishing royalties.

Ombudsman staff contacted a Ministry manager who acknowledged that it might not be possible for the woman to obtain the information that the Ministry had requested. After a number of discussions, it was agreed that a genealogist would review the Métis Nation of Ontario's documentation on the woman's background.

In September 2012, the genealogist confirmed the documentation established that the woman was of Métis ancestry. Based on this information, the Ministry reimbursed her for fishing royalties paid from 2010-12, totalling about \$10,000.

MINISTRY OF TRAINING, COLLEGES AND UNIVERSITIES

Ontario Student Assistance Program

Relief granted

A university student with a disability complained to the Ombudsman after receiving conflicting information about whether or not he was eligible for grants through the Ministry of Training, Colleges and Universities. The Student Financial Assistance Branch first told him he had not provided adequate documentation relating to his disability. Then, when he contacted them again, he was told that they had his documents but he would have to file an appeal, which he did. After 17 months, he had received no response.

Ombudsman staff contacted officials at the branch, who discovered a number of mistakes had been made, and the student had been entitled to federal grants for 2007-2010. Working with their federal counterparts, they helped the student receive \$6,000 in disability grants, which were put towards repaying his student loans.

Case Summaries

Stress therapy

A university student with a disability complained to the Ombudsman that he was being pursued by a collection agency to repay part of a grant he received through the Ontario Student Assistance Program (OSAP). An Ombudsman staff member contacted OSAP's head office, which reviewed the student's file. The student had received a total grant of \$1,500 for treatment for his disability, and \$711 of his expenses had been approved. The remaining \$789 had been spent on a therapy that was not pre-approved by OSAP, so it was insisting the student repay that amount, although he had submitted receipts for the therapy.

Further inquiries revealed that the student had been told by a counsellor at his university that he could use his grant money for this treatment. Given that he had been given inaccurate information, OSAP agreed to cancel the debt and called off the collection agency.

MINISTRY OF TRANSPORTATION

Double trouble

A man complained to the Ombudsman that his auto insurance was about to be suspended because two convictions for speeding had been mistakenly entered on his driving record – for only one offence. He had contacted the provincial court where he was convicted and officials there confirmed there should be only one conviction, but he had been unable to get the second entry deleted through the Ministry of Transportation. He was very concerned because his job required him to drive and without valid insurance, he would be unable to work.

Ombudsman staff contacted the Ministry of Transportation, which immediately confirmed the man was correct. The duplicate entry was deleted from his record and his insurance was reinstated.

End of the line

A man complained to the Ombudsman about a frustrating delay in getting his driver's licence reinstated. It had been suspended after he suffered a seizure while driving, which was duly reported to the Ministry of Transportation. The man's doctor had put him on morphine as a painkiller for a work-related back injury, but he had stopped taking it without consulting the doctor. The doctor determined that stopping the medication was the sole reason for the seizure, and he wrote to the Ministry to explain the circumstances and recommend that the man's licence be restored.

The man was told a decision would take 30 days. When he received no word, his doctor called the Ministry and was told he would have his licence back in a few more days. Again this did not happen. The next time the doctor called the Ministry, he was told there was a missing form that had to be completed before the licence could be reinstated. The form was sent, but the man still did not get his licence. After another 10 weeks of waiting – during which the self-employed man was unable to drive himself to business meetings – he complained to the Ombudsman.

Ombudsman staff contacted Ministry officials, who arranged to have the man pick up a new temporary licence at his local ServiceOntario outlet the next day. Ministry staff apologized for the delay and revealed that the man's file had been mistakenly sent to the "back of the queue" after the form from his doctor was received.

My colleagues and I value the work of the Ontario Ombudsman in fostering a more open, accountable and responsive government. I commend the vital role you play in making sure that the provincial government acts in the best interests of Ontarians and serves them optimally.

Letter from then Premier Dalton McGuinty,
July 2012

There is one name and one number that everyone trusts and that everyone can find. The one title that people identify with fairness, with objectivity, with impartiality ... regardless of where you're from, regardless of what your faith is, what your race is, how old you are... and that is the Office of the Ombudsman.

John Vanthof, NDP MPP (Timiskaming-Cochrane)
Hansard, March 28, 2013

In your seven years as Ombudsman, you have launched systemic investigations into complex issues, ensured accountability among provincial agencies and positively influenced government policy. I offer my sincere congratulations.

Letter from Allan Rock, President and Vice-Chancellor,
University of Ottawa, April 2012

On behalf of our members, I congratulate you on the well-deserved recognitions and would like to express my gratitude for your commitment in the field of ombudsmanship, and especially your contribution to the [International Ombudsman Institute] by providing it with the valuable 'Sharpening Your Teeth' training.

Letter from Peter Kostelka, International Ombudsman
Institute Secretary General, October 2012

The expertise of the Ombudsman of Ontario [regarding police oversight] has been very valuable to our Office. Our exchanges at various levels over several years on this subject have demonstrated the importance of co-operation between parliamentary ombudsmen.

Letter from Raymonde Saint-Germain,
Quebec Ombudsman, March 2013

Comments from Facebook and Twitter

André Marin and the Office of the Ombudsman do great work in making Ontario a better place for all Ontarians!

Gina Konjarski, via Facebook

I think it's a great idea that you're not only on Twitter, but ACTIVELY on Twitter. Good call!

@AshleyDevine1, via Twitter

I am glad that you are fighting for the people, ensuring govt checks/balances, and "humanizing" bureaucratic policies

@AndrewGOBrien, via Twitter

I salute you sir! You are one of the few public officials we can TRUST!

@Hohummm, via Twitter

Ontario is fortunate to have an Ombudsman like Mr. Marin. His passion for fairness and accountability, compounded by his no-nonsense approach, makes him a leader in the international Ombudsman world.

Danielle Cardinal, via Facebook

Used @Ont_Ombudsman's Twitter account in a presentation today. He's doing it right. #socialmedia

@frankchartrand, via Twitter

General comments from complainants

Thank you so much for your time and help. I really appreciated it.

Complainant

After many years of trying, you have helped me resolve this issue once and for all. I have received my money and my file has been closed. I really appreciate the help.

Complainant

Thank you for the great help you gave me. You really did some wonderful work and you surely saved me a lot of trouble and I'm very thankful.

Complainant

Your patience and thoughtfulness was evident from the first telephone contact... I am grateful for all of the time and effort you dedicated to my complaint. I am so pleased to know there are people like you who go beyond the call of duty. I will forever remember your kindness.

Complainant

Just want to thank you folks for what you do. Very important work!

Complainant

I have been with the FRO for many years, trying to get my child support from my ex-husband. It's been a frustrating road, to say the least... I just wanted to let you know how thorough and committed I feel [your staff member] has been to my case. It's truly comforting.

Complainant

Thank you for all that you do for the people and province of Ontario. Yours is a thankless job, but a most important one. So thank you for making Ontario a better place to live.

Complainant

I am very thankful for your and your office's immensely valuable support in resolving my case in a timely way, and saving me an enormous amount of time and possibly money.

Complainant

Thank you for the excellent work being done by your Office... It has been incredibly refreshing, as an exhausted parent dealing with the maze of government bureaucracy, to have the support of [your staff]. They clearly understand the immediate issues and find ways to identify important related systemic issues.

Complainant

Comments on In the Line of Duty (October 2012)

“ I have been going through hell since I was diagnosed with the illness PTSD... I am happy to see that you are seeing that the OPP needs to be held responsible. ”

OPP officer

“ Your [operational stress injury] report has done wonders for the policing community – I cannot thank you enough. Finally police services are getting their acts together to assist members dealing with OSI. After your report came out I sent it to my Chief... He immediately scheduled a meeting upon his return and long story short I have been seconded to his office to answer to all 34 recommendations on behalf of our service. ”

Municipal police constable

“ I am seeing changes within the organization at a speed that I have not seen in 27 years. We have a long way to go, but your office has impacted greatly on the OPP and has caused organizational reflection and hopeful efforts to address and improve our wellness. You are the catalyst to positive change in the future of policing and I am truly appreciative to your office for those who will follow in my footsteps and not have to go through what I have endured for many years. ”

OPP officer

“ I would like to congratulate everyone involved on what appears to have been an extremely exhaustive investigation into a highly sensitive matter. It is clear that no rock was left unturned. You should all be commended for meeting this issue head-on. ”

OPP officer

“ I and many other officers with PTSD or other stress-related injuries appreciate your attention to these complaints... The officers and families that you spoke with for your report represent only a fraction of officers who are out there and are dealing with this issue, either because of the ‘wall of silence’ or the fact that they haven’t yet been diagnosed... Thank you for tackling this issue head-on and bringing it into the public eye and out of the shadows. ”

OPP staff sergeant

“ I would like to commend you for your actions in relation to the suffering of police officers, particularly in the OPP... I would like to thank you and your staff for addressing the pain and suffering of those who are expected not to feel such pain or respond to their suffering. You are all part of the accountability that is so seriously lacking. ”

Retired OPP officer

“ You guys were all there for us, and as we move forward we know that you will continue to monitor [response to] this report. Personal stories from the heart are hard to relay, but you and your colleagues were superb. Thanks again from myself and the rest of the Toronto officers, both living and dead. ”

Toronto Police officer

“ I am happy to see that Mr. Mañin has brought light to a taboo topic within policing – the fact that we, and our families, suffer from these experiences. Please do not let the police management dissuade you; you have the thanks of the frontline police officers. ”

Municipal police officer

“ Absolutely thrilled to see the recommendations ... I know a lot of my colleagues as well who work with police and PTSD are really grateful for everything you’ve done. ”

Ontario psychologist

“ I salute your dear and emphatic approach to this serious problem. I don’t think the problems can be overstated and you made me cheer with the sense that our Ombudsman really stands up for Ontarians... This gives me hope that the system in Ontario is working. ”

Email to Ombudsman

In the Media

To heartless bureaucrats and bumbling politicians, André Marin is the proverbial skunk at a garden party. To the little guy fighting Queen's Park, he's a breath of fresh air. Since taking over as provincial Ombudsman in 2005, he's transformed the job from a quiet backwater that rarely raised a ripple to a crusading, high profile scourge of lazy, incompetent or uncaring government officials.

Christina Blizzard, *Toronto Sun*, June 20, 2012

Ontario is lucky to have Ombudsman André Marin, who keeps the powerful honest. It's a good thing for some that he doesn't have the authority to lay criminal charges.

Joe Warmington, *Toronto Sun*,
December 29, 2012

Premier Dalton McGuinty needs to level the playing field to ensure taxpayers have complete access to the services of the Ombudsman. Until the premier acts, taxpayers will be left to drown in the seas of bureaucracy.

Doug Glynn, *Midland Free Press*,
August 9, 2012

Expanding the ombudsman's power isn't a matter of tossing a bureaucrat a bone; it's a matter of giving taxpayers government accountability they can sink their teeth into, something that'll surely be needed if they're asked to swallow more corporate approaches to whipping Ontario's books into shape.

Greg Van Moorsel, *Kingston Whig-Standard*,
June 22, 2012

Does Ontario's Omge air ambulance service require a new and tough degree of independent oversight? Only about as much as Premier Kathleen Wynne requires the support of one of the opposition parties to stay in power, which is to say: Yes, very much... Why build a new and untested infrastructure when the ombudsman's office already exists, has the necessary resources and has the track record to prove it can work? Give the oversight job to Marin. It makes sense.

Howard Elliott, *Hamilton Spectator*,
March 5, 2013

Hopefully the ombudsman will help curb these excesses and usher in a new era of responsibility and accountability in the way children's aid societies fulfil their mandate.

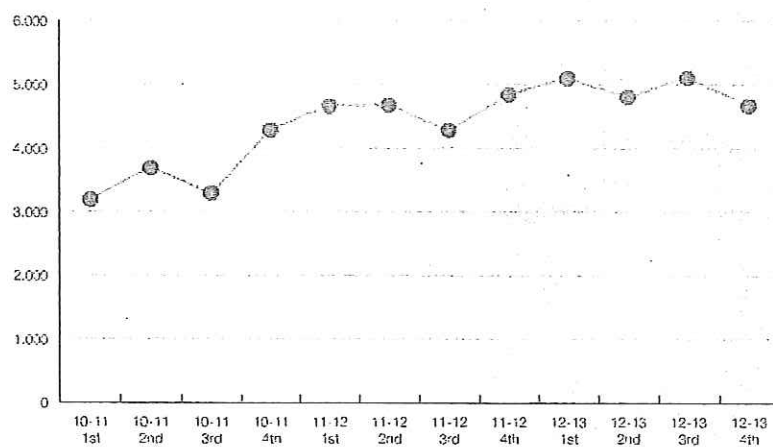
Michael P. Clarke, *Hamilton Spectator*,
October 13, 2012

Ontario is the only province to restrict complaints by its citizens against municipalities, universities, schools, hospitals and nursing homes. What are they afraid of? If every other province can be open about their problems, why can't we?

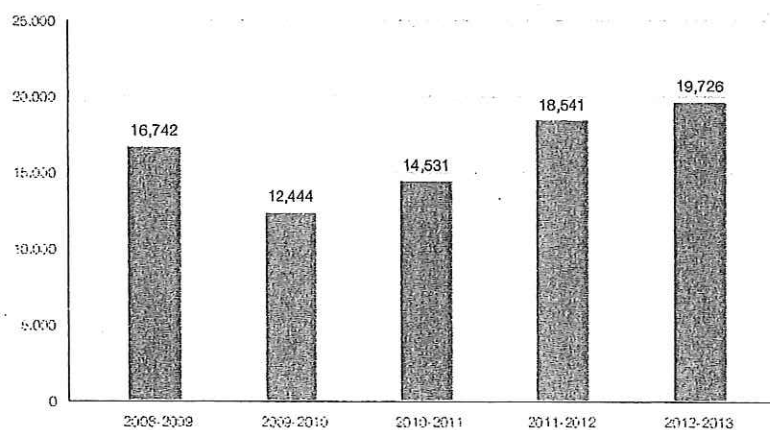
Kenneth Wood, letter to *Brantford Expositor*,
February 5, 2013

Complaint Statistics

CASES RECEIVED BY QUARTER
2010-2011 TO 2012-2013



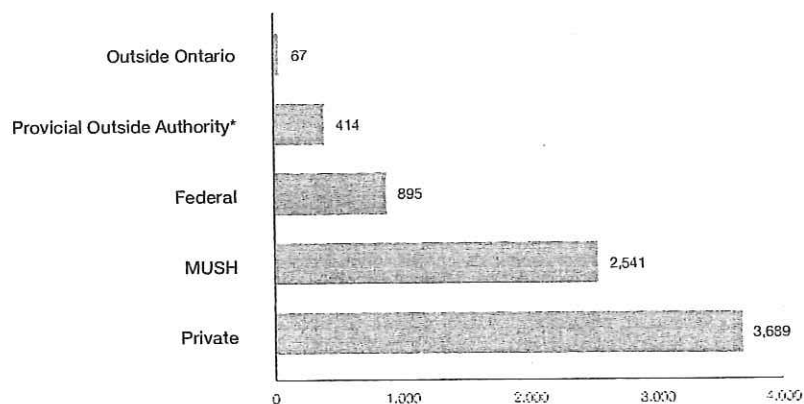
TOTAL CASES RECEIVED
FISCAL YEARS 2008-2009 TO 2012-2013



Complaint Statistics

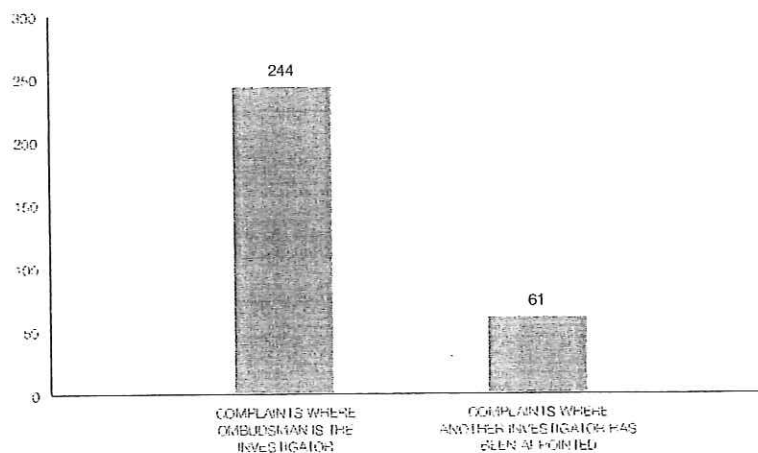
GASES OUTSIDE THE OMBUDSMAN'S AUTHORITY RECEIVED 2012-2013

TOTAL: 7,808



* For example, cases received about courts, Stewardship Ontario and Taron

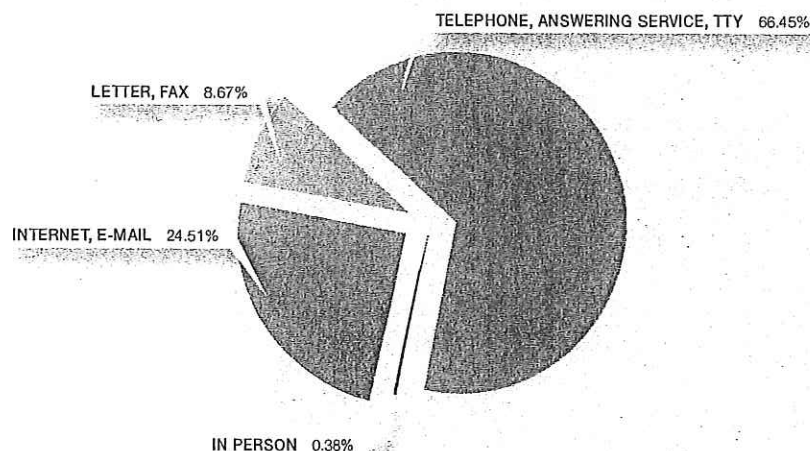
GASES RECEIVED ABOUT CLOSED MUNICIPAL MEETINGS 2012-2013*



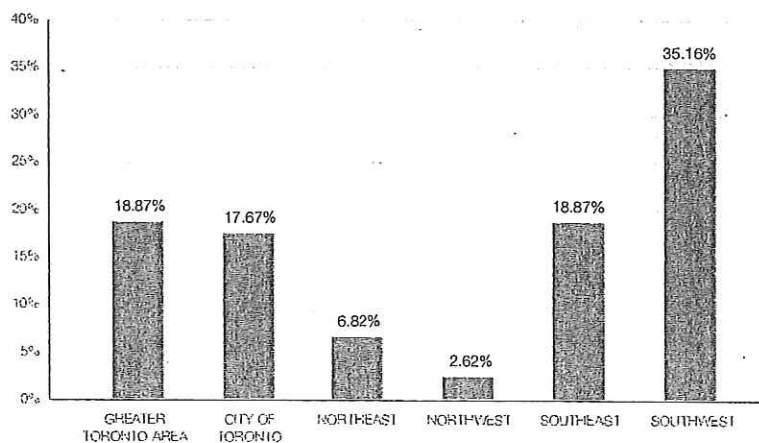
* Note: Details of these cases will be released in a separate Annual Report later this year.

Complaint Statistics

HOW CASES WERE RECEIVED 2012-2013



REGIONAL DISTRIBUTION OF COMPLAINANTS* 2012-2013



* Excluding inmates of correctional facilities

Greater Toronto Area: Bounded by Oakville, Lake Simcoe and Oshawa, but excluding the City of Toronto

City of Toronto: Bounded by Etobicoke, Steeles Avenue and Scarborough

Northeast: Bounded by Ottawa, Penetanguishene and Marathon north to Hudson's Bay

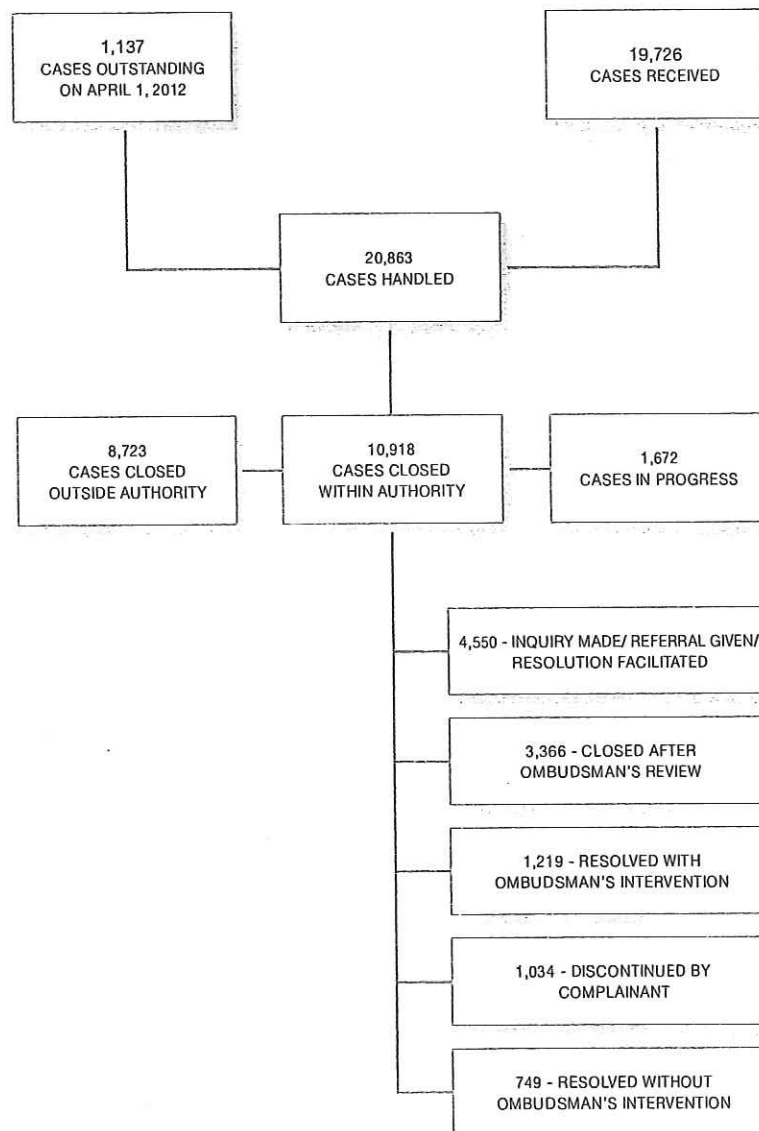
Northwest: West of the Marathon/Hudson's Bay boundary

Southeast: Bounded by the GTA, Penetanguishene and Ottawa

Southwest: Bounded by the GTA, Barrie and Penetanguishene

Complaint Statistics

DISPOSITION OF CASES 2012-2013



Complaint Statistics

TOP 15 PROVINCIAL GOVERNMENT ORGANIZATIONS AND PROGRAMS COMPLAINED ABOUT IN 2012-2013

		NUMBER OF CASES	PERCENTAGE OF ALL CASES WITHIN AUTHORITY
1	FAMILY RESPONSIBILITY OFFICE	794	6.72%
2	DEVELOPMENTAL SERVICES PROGRAMS	631	5.34%
3	WORKPLACE SAFETY AND INSURANCE BOARD	609	5.15%
4	ONTARIO DISABILITY SUPPORT PROGRAM	565	4.78%
5	ONTARIO LOTTERY AND GAMING CORPORATION	441	3.73%
6	DRIVER LICENSING	380	3.22%
7	HYDRO ONE	328	2.78%
8	LEGAL AID ONTARIO	201	1.70%
9	ONTARIO STUDENT ASSISTANCE PROGRAM	166	1.40%
10	OFFICE OF THE PUBLIC GUARDIAN AND TRUSTEE	162	1.37%
11	LANDLORD AND TENANT BOARD	139	1.18%
12	MUNICIPAL PROPERTY ASSESSMENT CORPORATION	108	0.91%
13	ONTARIO PROVINCIAL POLICE	102	0.86%
14	WORKPLACE SAFETY AND INSURANCE APPEALS TRIBUNAL	101	0.85%
15	COLLEGES OF APPLIED ARTS AND TECHNOLOGY	101	0.85%

TOP 10 CORRECTIONAL FACILITIES COMPLAINED ABOUT IN 2012-2013

		NUMBER OF CASES	PERCENTAGE OF ALL CASES WITHIN AUTHORITY
1	CENTRAL NORTH CORRECTIONAL CENTRE	665	5.63%
2	CENTRAL EAST CORRECTIONAL CENTRE	582	4.93%
3	OTTAWA-CARLETON DETENTION CENTRE	398	3.37%
4	TORONTO WEST DETENTION CENTRE	341	2.89%
5	MAPLEHURST CORRECTIONAL COMPLEX	328	2.78%
6	HAMILTON-WENTWORTH DETENTION CENTRE	278	2.35%
7	ELGIN-MIDDLESEX DETENTION CENTRE	249	2.11%
8	VANIER CENTRE FOR WOMEN	249	2.11%
9	NIAGARA DETENTION CENTRE	191	1.62%
10	TORONTO JAIL	184	1.56%

MOST COMMON TYPES OF CASES RECEIVED DURING 2012-2013

1	DECISION WRONG, UNREASONABLE OR UNFAIR
2	ACCESS TO, OR DENIAL OF SERVICES; INADEQUATE OR POOR SERVICE
3	FAILURE TO ADHERE TO POLICIES, PROCEDURES OR GUIDELINES OR TO APPLY THEM CONSISTENTLY; UNFAIR POLICY/PROCEDURE
4	DELAY
5	ENFORCEMENT UNFAIR OR FAILURE TO ENFORCE
6	COMMUNICATION INADEQUATE, IMPROPER OR NO COMMUNICATION
7	INTERNAL COMPLAINT PROCESS; LACK OF A PROCESS, UNFAIR HANDLING OF COMPLAINT
8	BROADER PUBLIC POLICY ISSUE
9	LEGISLATION AND/OR REGULATIONS
10	GOVERNMENT FUNDING ISSUE

Complaint Statistics

CASES EXCLUDING CORRECTIONAL FACILITIES RECEIVED 2012-2013 BY PROVINCIAL RIDING*

Ajax-Pickering	66	Niagara West-Glanbrook	73
Algoma-Manitoulin	122	Nickel Belt	78
Ancaster-Dundas-Flamborough-Westdale	73	Nipissing	84
Barrie	107	Northumberland-Quinte West	77
Beaches-East York	85	Oak Ridges-Markham	60
Bramalea-Gore-Malton	72	Oakville	45
Brampton-Springdale	58	Oshawa	115
Brampton West	97	Ottawa Centre	56
Brant	101	Ottawa-Orleans	38
Bruce-Grey-Owen Sound	111	Ottawa South	40
Burlington	95	Ottawa-Vanier	66
Cambridge	89	Ottawa West-Nepean	55
Carleton-Mississippi Mills	42	Oxford	67
Chatham-Kent-Essex	66	Parkdale-High Park	75
Davenport	44	Parry Sound-Muskoka	91
Don Valley East	67	Perth-Wellington	65
Don Valley West	59	Peterborough	56
Dufferin-Caledon	64	Pickering-Scarborough East	48
Durham	85	Prince Edward-Hastings	85
Eglinton-Lawrence	71	Renfrew-Nipissing-Pembroke	66
Elgin-Middlesex-London	110	Richmond Hill	71
Essex	87	Sarnia-Lambton	85
Etobicoke Centre	49	Sault Ste. Marie	104
Etobicoke-Lakeshore	78	Scarborough-Agincourt	32
Etobicoke North	86	Scarborough Centre	63
Glengarry-Prescott-Russell	50	Scarborough-Guildwood	80
Guelph	77	Scarborough-Rouge River	41
Haldimand-Norfolk	93	Scarborough Southwest	98
Haliburton-Kawartha Lakes-Brock	84	Simcoe-Grey	69
Halton	99	Simcoe North	119
Hamilton Centre	147	St. Catharines	107
Hamilton East-Stoney Creek	103	St. Paul's	72
Hamilton Mountain	68	Stormont-Dundas-South Glengarry	45
Huron-Bruce	73	Sudbury	139
Kenora-Rainy River	68	Thornhill	57
Kingston and the Islands	101	Thunder Bay-Atikokan	71
Kitchener Centre	59	Thunder Bay-Superior North	73
Kitchener-Conestoga	61	Timiskaming-Cochrane	107
Kitchener-Waterloo	49	Timmins-James Bay	54
Lambton-Kent-Middlesex	60	Toronto Centre	122
Lanark-Frontenac-Lennox and Addington	96	Toronto-Danforth	72
Leeds-Grenville	85	Trinity-Spadina	97
London-Fanshawe	97	Vaughan	48
London North Centre	143	Welland	96
London West	137	Wellington-Halton Hills	62
Markham-Unionville	35	Whitby-Oshawa	78
Mississauga-Brampton South	45	Willowdale	58
Mississauga East-Cooksville	53	Windsor-Tecumseh	87
Mississauga-Erindale	53	Windsor West	104
Mississauga South	66	York Centre	73
Mississauga-Streetville	58	York-Simcoe	18
Nepean-Carleton	70	York South-Weston	51
Newmarket-Aurora	61	York West	67
Niagara Falls	147		

* Where a valid postal code is available.

Note: Breakdown of complaint statistics by riding is available at www.ombudsman.on.ca.

Complaint Statistics

TOTAL CASES RECEIVED 2012-2013 FOR PROVINCIAL GOVERNMENT MINISTRIES AND SELECTED PROGRAMS*		
MINISTRY OF ABORIGINAL AFFAIRS		1
MINISTRY OF AGRICULTURE AND FOOD		11
AGRICORP	5	
MINISTRY OF THE ATTORNEY GENERAL		884
ALCOHOL AND GAMING COMMISSION OF ONTARIO	9	
ASSESSMENT REVIEW BOARD	6	
CHILD AND FAMILY SERVICES REVIEW BOARD	4	
CHILDREN'S LAWYER	44	
CRIMINAL INJURIES COMPENSATION BOARD	36	
HUMAN RIGHTS LEGAL SUPPORT CENTRE	12	
HUMAN RIGHTS TRIBUNAL OF ONTARIO	73	
LANDLORD AND TENANT BOARD	139	
LEGAL AID ONTARIO	201	
OFFICE OF THE INDEPENDENT POLICE REVIEW DIRECTOR	45	
OFFICE OF THE PUBLIC GUARDIAN AND TRUSTEE	162	
ONTARIO HUMAN RIGHTS COMMISSION	9	
ONTARIO MUNICIPAL BOARD	24	
SOCIAL BENEFITS TRIBUNAL	30	
SPECIAL INVESTIGATIONS UNIT	4	
MINISTRY OF CHILDREN AND YOUTH SERVICES		138
SPECIAL NEEDS PROGRAMS - CHILDREN	91	
YOUTH CUSTODY FACILITIES	34	
MINISTRY OF CITIZENSHIP AND IMMIGRATION		2
MINISTRY OF COMMUNITY AND SOCIAL SERVICES		2022
DEVELOPMENTAL SERVICES PROGRAMS	631	
FAMILY RESPONSIBILITY OFFICE	794	
ONTARIO DISABILITY SUPPORT PROGRAM	565	
ONTARIO DISABILITY SUPPORT PROGRAM - DISABILITY ADJUDICATION UNIT	19	
MINISTRY OF COMMUNITY SAFETY AND CORRECTIONAL SERVICES		4758
CORRECTIONAL FACILITIES	4477	
DEATH INVESTIGATION OVERSIGHT COUNCIL	2	
EMERGENCY MANAGEMENT ONTARIO	1	
OFFICE OF THE CHIEF CORONER	21	
OFFICE OF THE ONTARIO FIRE MARSHAL	4	
ONTARIO CIVILIAN POLICE COMMISSION	3	
ONTARIO PAROLE BOARD	8	
ONTARIO PROVINCIAL POLICE	102	
OPP-CHIEF FIREARMS OFFICER	52	
PRIVATE SECURITY AND INVESTIGATIVE SERVICES BRANCH	16	
PROBATION AND PAROLE OFFICES	52	
MINISTRY OF CONSUMER SERVICES		39
MINISTRY OF EDUCATION		41
WINDSOR-ESSEX CATHOLIC DISTRICT SCHOOL BOARD	8	
MINISTRY OF ENERGY		377
HYDRO ONE	328	
ONTARIO ENERGY BOARD	9	
ONTARIO POWER AUTHORITY	30	
ONTARIO POWER GENERATION	2	
MINISTRY OF THE ENVIRONMENT		154
DRIVE CLEAN PROGRAM	10	
MINISTRY OF FINANCE		692
FINANCIAL SERVICES COMMISSION	46	
LIQUOR CONTROL BOARD OF ONTARIO	17	
MUNICIPAL PROPERTY ASSESSMENT CORPORATION	108	
ONTARIO LOTTERY AND GAMING CORPORATION	441	
ONTARIO RACING COMMISSION	4	
ONTARIO SECURITIES COMMISSION	9	

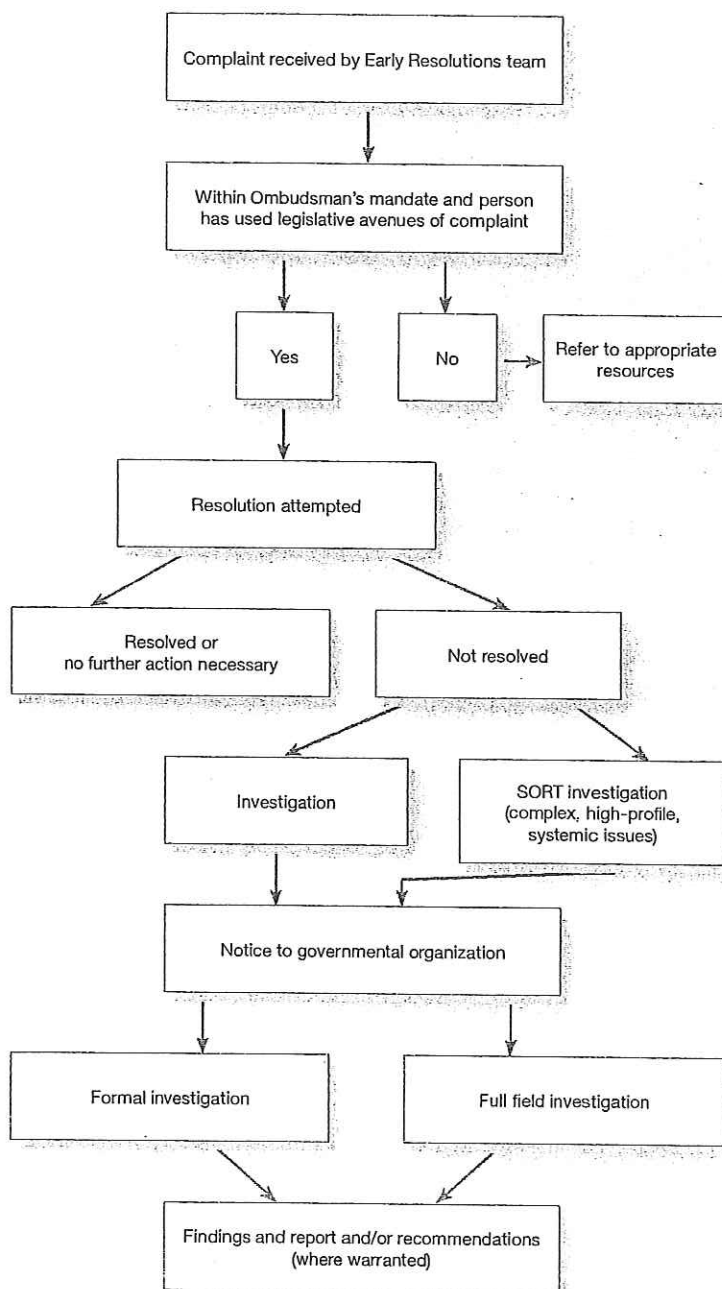
* Total figures are reported for each provincial government ministry including all agencies and programs falling within its portfolio.

Complaint Statistics

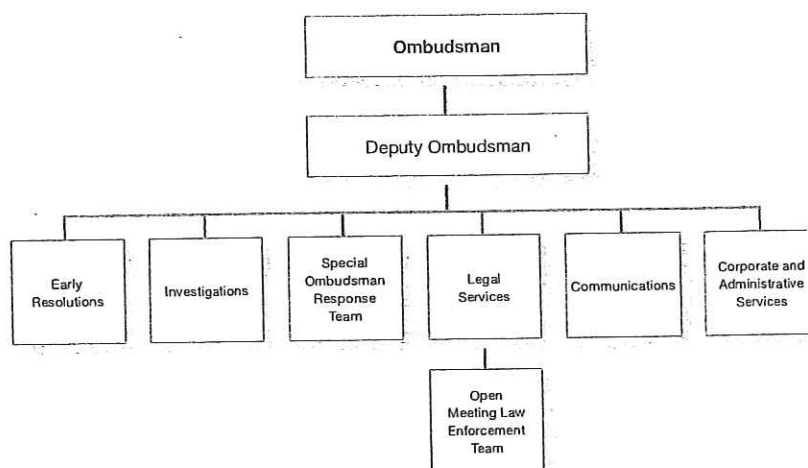
TOTAL CASES RECEIVED 2012-2013 FOR PROVINCIAL GOVERNMENT MINISTRIES AND SELECTED PROGRAMS*		
MINISTRY OF GOVERNMENT SERVICES		210
LICENCE APPEAL TRIBUNAL	10	
ONTARIO PENSION BOARD	4	
REGISTRAR GENERAL	80	
SERVICEONTARIO	76	
WORKPLACE DISCRIMINATION AND HARASSMENT PREVENTION	4	
MINISTRY OF HEALTH AND LONG-TERM CARE		523
ASSISTIVE DEVICES / HOME OXYGEN PROGRAMS	16	
CANCER CARE ONTARIO	4	
COLLEGE OF DENTURISTS OF ONTARIO	4	
COMMUNITY CARE ACCESS CENTRES	94	
CONSENT AND CAPACITY BOARD	6	
HEALTH PROFESSIONS APPEAL AND REVIEW BOARD	26	
HEALTH SERVICES APPEAL AND REVIEW BOARD	15	
HÔTEL-DIEU GRACE HOSPITAL	2	
LOCAL HEALTH INTEGRATION NETWORKS	16	
NIAGARA HEALTH SYSTEM	31	
NORTHERN HEALTH TRAVEL GRANT	13	
ONTARIO HEALTH INSURANCE PLAN	98	
ONTARIO PUBLIC DRUG PROGRAMS	91	
PERFORMANCE IMPROVEMENT AND COMPLIANCE BRANCH	38	
PSYCHIATRIC PATIENT ADVOCATE OFFICE	3	
MINISTRY OF INFRASTRUCTURE		1
INFRASTRUCTURE ONTARIO	1	
MINISTRY OF LABOUR		814
EMPLOYMENT PRACTICES BRANCH	29	
FAIR PRACTICES COMMISSION	2	
GRIEVANCE SETTLEMENT BOARD	3	
OCCUPATIONAL HEALTH AND SAFETY BRANCH	12	
OFFICE OF THE EMPLOYER ADVISER	1	
OFFICE OF THE WORKER ADVISER	18	
ONTARIO LABOUR RELATIONS BOARD	34	
PAY EQUITY COMMISSION	2	
PUBLIC SERVICE GRIEVANCE BOARD	1	
WORKPLACE SAFETY AND INSURANCE APPEALS TRIBUNAL	101	
WORKPLACE SAFETY AND INSURANCE BOARD	609	
MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING		25
MINISTRY OF NATURAL RESOURCES		67
CROWN LAND	11	
LICENCES/TAGS	13	
NIAGARA ESCARPMENT COMMISSION	4	
MINISTRY OF NORTHERN DEVELOPMENT AND MINES		8
MINISTER RESPONSIBLE FOR FRANCOPHONE AFFAIRS		1
OFFICE OF FRANCOPHONE AFFAIRS	1	
MINISTRY OF TOURISM, CULTURE AND SPORT		10
MINISTRY OF TRAINING, COLLEGES AND UNIVERSITIES		343
APPRENTICESHIP	9	
COLLEGES OF APPLIED ARTS AND TECHNOLOGY	101	
ONTARIO COLLEGE OF TRADES	4	
ONTARIO SELF-EMPLOYMENT BENEFIT	7	
ONTARIO STUDENT ASSISTANCE PROGRAM	166	
PRIVATE CAREER COLLEGES BRANCH	19	
SECOND CAREER	22	
MINISTRY OF TRANSPORTATION		508
DRIVER LICENSING - MEDICAL REVIEW SECTION	169	
DRIVER LICENSING	211	
METROLINX/ GO TRANSIT	15	
VEHICLE LICENSING	44	

* Total figures are reported for each provincial government ministry including all agencies and programs falling within its portfolio.

How We Work



About the Office



Early Resolutions: The Early Resolutions team operates as the Office's front line for receiving, triaging and assessing complaints, providing advice, guidance and referrals to complainants. Early Resolution Officers use a variety of conflict resolution techniques to resolve complaints that fall within the Ombudsman's jurisdiction.

Investigations: Complaints that cannot be easily resolved are referred to Investigations. The Investigations team conducts issue-driven, focused and timely investigations of individual complaints and systemic issues.

Special Ombudsman Response Team (SORT): The Special Ombudsman Response Team conducts extensive field investigations into complex, systemic, high-profile cases. SORT investigators work in collaboration with Early Resolutions, Investigations and Legal Services, and additional staff are assigned to SORT as needed.

Legal Services: The Legal Services team ensures that the Office functions within its legislated mandate and provides expert advice to the Ombudsman and staff in support of the resolution and investigation of complaints, the review and analysis of evidence and the preparation of reports and recommendations.

Open Meeting Law Enforcement Team (OMLET): OMLET investigates complaints about closed municipal meetings (received pursuant to the *Municipal Act*) and engages in education and outreach with municipalities and the public with regard to open meetings.

Communications: In addition to co-ordinating the Ombudsman's reports, brochures, other publications and videos, the Communications team maintains the Ombudsman's website and social media presence, assists in outreach activities, and provides support to the Ombudsman and staff in media interviews, press conferences, speeches, presentations and public statements.

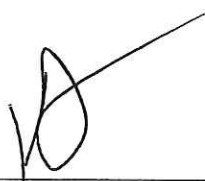
Corporate and Administrative Services: The Corporate and Administrative Services team supports the Office in the areas of finance, human resources, administration and information technology.

Financial Report

During the fiscal year 2012-2013, the total operating expenditures for the Office were \$11.159 million. Miscellaneous revenue returned to the government amounted to \$44,000, resulting in net expenditures of \$11.115 million. The largest categories of expenditures relate to salaries, wages and employee benefits at \$8.561 million, which accounts for 76.7% of the Office's annual operating expenditures.

SUMMARY OF EXPENDITURES 2012-2013	
	(In thousands)
Salaries and wages	\$7,040
Employee benefits	\$1,521
Transportation and communications	\$339
Services	\$1,537
Supplies and equipment	\$722
Annual Operating Expenses	\$11,159
Less: Miscellaneous revenue	\$44
Net Expenditures	\$11,115

This is Exhibit "K" referred to in the
Affidavit of Jeffrey Bogaerts
sworn before me, this 31st day of July, 2014.



Commissioner for Taking Oaths

Making an Access Request

to a

Police Service

produced by the

St. Thomas Police Service

and the

Information and Privacy
Commissioner/Ontario

September 2000

Introduction

The *Municipal Freedom of Information and Protection of Privacy Act* (the *Act*) applies to municipalities, local boards, agencies and commissions. This includes Police Services Boards and, therefore, to records held by the local Police Service.

The *Act* is an important law. It reflects a commitment on the part of all government bodies, including Police Services Boards, to open, transparent and accountable public administration and to the protection of privacy. The *Act* gives citizens the right of access to records held by a Police Service, including personal information about themselves. However, these rights are not absolute. The *Act* requires the Police Service to refuse access if the record is covered by a mandatory exemption claim (e.g., the personal information of other individuals), and permits the Police Service to claim discretionary exemptions in other circumstances (e.g., solicitor-client privilege, or law enforcement records). When deciding whether to claim a discretionary exemption, the Police Service must consider the particular circumstances of an individual request and determine whether the exemption claim is appropriate.

Details about the operation of the *Act* and interpretations of the 10 exemption provisions can be found at the website of the Office of the Information and Privacy Commissioner (the IPC) <www.ipc.on.ca>.

Purpose of this Brochure

This brochure was created to assist individuals who are considering whether to request records from a Police Service under the *Act*. It includes a checklist of questions intended to help you decide whether to use the *Act* or some other method of obtaining the records, and to formulate your request in a way that is clearly understood so that it can be processed efficiently by the Police Service.

Requesters who frequently approach Police Services with access requests include:

- lawyers
- insurance companies
- people who have played a role in incidents where a Police Service has been involved (e.g., victims or witnesses to a crime, accused persons)
- relatives of individuals who died in circumstances which included the involvement of a Police Service

Records typically sought by these requesters include:

- occurrence reports
- investigation reports
- witness statements
- Crown briefs or police briefs
- motor vehicle accident reconstruction reports

Checklist

The following checklist contains some questions that should be considered in deciding whether to make an access request under the *Act*.

☐ Should I use the *Act* or would an alternative source be better?

1. If I can obtain the records elsewhere, does that preclude me from making a request under the *Act*.

No. The *Act* (section 51) does not impose any limitations on information which is available through other means by a party to litigation. This includes civil discovery rules, a subpoena or court order, or access rights available under the *Coroner's Act*.

2. Is it easier for me to use one of these other methods?

It depends. In some cases, alternate methods could be faster and more comprehensive and perhaps less costly. The *Act* has a mandatory fee structure to cover search, preparation and copying charges. It also includes a 30-day period for responding to requests, which sometimes presents problems. The *Act* also compels the Police Service to deny access to personal information if disclosure would constitute an unjustified invasion of someone else's privacy.

3. If that's the case, why would I want to use the *Act*?

If the 30-day response period does not present a problem, then the statutory obligation to meet the time standard set out in the *Act* may be beneficial.

The *Act* also establishes an access request and appeal scheme that is self-driven, user-friendly and does not require a lawyer to act as a representative. Rights of access can be determined at low cost, with a summary appeal to the IPC, where disputes are resolved more quickly than in many formal court processes. The Commissioner also has authority to review and amend fee charges and to order disclosure of records.

☐ **Do the records I'm looking for contain the personal information of people other than me or my client?**

If so, the Police Service is required by law to claim the *mandatory* personal information exemption under section 14 of the *Act*, and can only disclose the records if one of the exceptions provided by that section apply.

The most commonly used exception is *consent*. Have you considered obtaining the consent informally? If consent is not likely to be given, do you feel one of the other exceptions in section 14 could apply? Or it is more likely that the mandatory nature of the exemption claim will prevent you from obtaining access?

☐ **Do the records I'm looking for contain my own personal information and nobody else's?**

If so, the Police Service must provide you with access unless the records qualify for exemption. The *Act* contains a number of exemptions, including some that deal with law enforcement situations (section 8). Have you looked at these provisions? If so, would any of them likely apply?

If an exemption does apply, the Police Service would still need to weigh your right of access to your own personal information against its need to utilize a discretionary exemption claim in the circumstances. This process is commonly referred to as a balancing of interests. Do you think this balancing exercise would likely weigh in your favour given the particular circumstances you are dealing with?

☐ **Do the records I'm looking for contain my own personal information and also someone else's personal information?**

If so, the Police Service must weigh your right of access to your own personal information against the other person's right to privacy. Do you think this balancing exercise would weigh in your favour given the particular circumstances you are dealing with?

☐ **Do the records I'm looking for contain the personal information of someone who has died?**

Has the deceased individual been dead for less than 30 years? If so, the *Act* states that all of the privacy rights this person had while alive continue to apply.

Do you or your client need access to a deceased person's information in order to deal with an estate matter? If so, the *Act* (section 54) gives you the right to step into the shoes of the deceased person. However, these rights are limited and specific and only apply if:

- you can prove that you are the executor or administrator of the deceased's estate; and
- that you need access to the information for the purpose of estate administration.

☐ **Do the records pertain to an ongoing law enforcement investigation or matter?**

If so, the Police Service may decide to claim the *discretionary* law enforcement exemption claim under section 8 of the *Act*. However, if the investigation has been completed, this exemption claim may no longer be applicable.

Are you or your client involved in an ongoing police investigation? If so, you might want to consider other methods of obtaining these records.

The IPC has been dealing with these and other issues since the *municipal Act* came into force in 1991. The IPC website <www.ipc.on.ca> contains all orders issued since then, as well as orders issued under the provincial statute, which are often relevant and applicable to Police Services. These orders are fully searchable, and the IPC website also includes a helpful subject index which can point you to frequently considered issues.

Brochures available from the Information and Privacy Commissioner include:

Access to Information under Ontario's Information and Privacy Acts

Your Privacy and Ontario's Information and Privacy Commissioner

The Appeal Process and Ontario's Information and Privacy Commissioner

A Mini Guide to Ontario's Freedom of Information and Protection of Privacy Act

A Mini Guide to Ontario's Municipal Freedom of Information and Protection of Privacy Act

These and other IPC publications can be accessed at <www.ipc.on.ca>.

This is Exhibit "L" referred to in the
Affidavit of Jeffrey Bogaerts
sworn before me, this 31st day of July, 2014.



Commissioner for Taking Oaths

CATANA REPORTING SERVICES,
Tel: (613) 231-4664

800-170 Laurier Ave. W., Ottawa, ON K1P 5V5
1-800-893-6272

Fax: (613) 231-4605

Examination No. 12-0272.1

Court File No. SR11-992

ONTARIO SUPERIOR COURT OF JUSTICE

B E T W E E N:

DAVID ROBINSON and MARILYN ROBINSON

PLAINTIFF

(Responding Party to the Defendant's Motion,
Moving Party to the Plaintiffs' Cross Motion)

- and -

ONTARIO SOCIETY FOR THE PREVENTION
OF CRUELTY TO ANIMALS

DEFENDANT

(Moving Party to the Defendant's Motion,
Responding Party to the Plaintiffs' Cross Motion)

CROSS-EXAMINATION OF CONNIE MALLORY, pursuant to an
appointment made on consent of the parties to be reported
by Catana Reporting Services, on March 21, 2012,
commencing at the hour of 9:21 in the forenoon.

APPEARANCES:

Mr. Kurtis R. Andrews

for the Plaintiffs

Mr. Lorne M. Honickman

for the Defendant

This Examination was taken down by sound recording
by Catana Reporting Services Ltd.

CATANA REPORTING SERVICES,

800-170 Laurier Ave. W., Ottawa, ON K1P 5V5

Tel: (613) 231-4664

1-800-893-6272

Fax: (613) 231-4605

(i)

INDEX

NAME OF WITNESS: Connie Mallory

EXAMINATION BY: MR. ANDREWS

NUMBER OF PAGES: 205

ADVISEMENTS, OBJECTIONS & UNDERTAKINGS

A 44, 151

O 3, 7, 10, 12-16, 39, 42, 44, 60, 83,
123, 125, 132, 154, 173, 199

U 37, 61, 80, 104, 161

EXHIBITS

EXHIBIT NO. 1: Motion Record of the Defendant. 2

EXHIBIT NO. 2: Motion Record of the Plaintiffs. 2

EXHIBIT NO. 3: 2009 Code of Practice for Handling Dairy
Cattle. 55

EXHIBIT NO. 4: March 11th letter of Dr. Robertson. 101

DATE TRANSCRIPT ORDERED:

DATE TRANSCRIPT COMPLETED:

1 A. Yes.

2 37. Q. You didn't go over budget at all?

3 A. No.

4 38. Q. In '11, did you stay on budget?

5 A. Yes.

6 39. Q. Who provides you with the budget? Who
7 makes a decision on what budget you work within?

8 A. The Chief Financial Officer, the
9 provincial Board of Directors and a financial
10 subcommittee.

11 40. Q. Do you have any input in that?

12 A. I prepare a working budget for the
13 oncoming year.

14 41. Q. What sort of factors, to your knowledge,
15 affect the budget for enforcement?

16 A. Salaries, operations, animal care ---

17 42. Q. Just ---

18 MR. HONICKMAN: Can you please let her finish?
19 Go ahead. You asked the question.

20 MR. ANDREWS: If you want the answer, that's
21 fine but it's not the question I was asking.

22 MR. HONICKMAN: That's exactly what you asked.
23 Do you want to finish?

24 THE WITNESS: Health and safety, training,
25 consultation, veterinary fees, that sort of thing.

1 BY MR. ANDREWS:

2 43. Q. The question I was attempting to ask was
3 what sort of things affect the amount you budget for
4 enforcement? The decisions like you say of the CFO,
5 to your knowledge? What sort of things affect the
6 amount of money you have for enforcement?

7 MR. HONICKMAN: Do you understand the
8 question? I have no idea what he's asking you; do you
9 understand?

10 THE WITNESS: No, I'm not sure.

11 BY MR. ANDREWS:

12 44. Q. Hypothetically, you're given a \$10 million
13 budget?

14 A. Um hmmm?

15 45. Q. What factors come into play to decide if
16 you get \$10 versus \$11 million, to the best of your
17 knowledge?

18 A. It's based on the previous year's expenses
19 and revenues.

20 46. Q. So that includes revenues from previous
21 years?

22 A. Um hmmm.

23 47. Q. Does it include current revenues as well,
24 to some degree?

25 A. No, it would be based on the previous

O

1 year's expenses and revenues.

2 48. Q. The OSPCA's revenues for enforcement come
3 exclusively from your own fundraising; is that right?

4 A. Not necessarily.

5 49. Q. Because I was at a -- I heard you speak
6 once, Ms Mallory, and ---

7 MR. HONICKMAN: Are you going to give evidence
8 now? I just want to make sure that ---

O

9 MR. ANDREWS: I'm not giving evidence. I'm
10 framing this as a question, okay?

11 MR. HONICKMAN: Okay, go ahead.

12 BY MR. ANDREWS:

13 50. Q. Did you not tell a crowd of farmers that
14 100 percent of your enforcement budget is through your
15 own fundraising?

16 MR. HONICKMAN: Hang on. There is no
17 foundation for the question. What are you talking
18 about? When was it? Again, there is nothing before
19 here. Sorry, that question will be refused only
20 because it's you giving evidence before this Cross-
21 Examination.

O

22 BY MR. ANDREWS:

23 51. Q. Inspector Mallory, at a speaking
24 engagement you had in Alexandria a few months ago, did
25 you tell people at that meeting, that 100 percent of

1 your enforcement budget was from your own fundraising?

2 MR. HONICKMAN: Again ---

3 MR. ANDREWS: It's a simple question, Counsel.

4 MR. HONICKMAN: No, it's not.

5 MR. ANDREWS: It is.

6 MR. HONICKMAN: It's not a simple question ---

7 MR. ANDREWS: Did she or didn't she say it?

8 MR. HONICKMAN: I have no transcript in front
9 of me. I have nothing here to look at. You're now
10 providing her with alleged prior statements?

11 MR. ANDREWS: She was there. It's within her
12 knowledge. I'm asking her to answer within her own
13 knowledge. I'm not asking her to comment on anything
14 she wasn't there for.

15 MR. HONICKMAN: Again, I want to give you as
16 much latitude as I can, as irrelevant and as improper
17 as I may believe this to be and will argue it to be.
18 Can you answer that question?

19 THE WITNESS: Our primary source of income is
20 through donor dollars. Our other revenues may be
21 restitutions to cover already incurred expenses
22 through animal protection services.

23 BY MR. ANDREWS:

24 52. Q. Restitutions includes bills that you issue
25 to people, for example, when you seize animals from

O

1 them?

2 A. Cost of boarding animals, cost of
3 veterinary care, cost of medications.

4 53. Q. They do reflect the invoices that you send
5 to people that you seize animals from?

6 A. Yes, if we incur costs for boarding then
7 we would include that. We've already to pay those
8 costs out, so we would include that in an invoice. Or
9 the cost of removal.

10 54. Q. It would also include when you seize
11 animals and subsequently sell those animals?

12 A. No. If we sell animals and there is a
13 balance remaining to the good let's say, of the costs
14 we've incurred, then that money would be put in trust
15 for the animal owner. And it would be returned from
16 that. So we, in essence, do not make a profit off of
17 the sale of animals that are removed.

18 55. Q. So when you sell an animal, you say you
19 put that money in trust. Withdrawals perhaps taken if
20 there was some cost to board that animal, for example?

21 A. Sorry, can you repeat that?

22 56. Q. My understanding of what you just said is
23 that you take the money from a sale of an animal and
24 you put that money in trust. As I understood your
25 answer, you will take away from that money, any costs

1 for boarding or any of those sort of other restitution
2 type expenses?

3 A. It's we have expenses and I have to tell
4 you, it's very, very rare that we would ever -- and in
5 fact, I can only recall one case where there was an
6 excess of funds that was transferred over to an owner
7 and that was many, many, many years ago.

8 57. Q. So you'd say it's very rare that you'd
9 ever give money back to a person?

10 A. It's very rare. Usually the expenses far
11 exceed any sort of revenues.

12 58. Q. So what we have then for the source of
13 income for your enforcement budget is donor dollars,
14 restitution costs which may or may not come directly
15 from the person or it may come from the sale of the
16 animal.

17 Anything else that contributes to the money
18 that you use for your enforcement?

19 A. We receive government funding for our
20 training.

21 59. Q. That doesn't go to enforcement though?

22 A. No, it goes specifically for training.

23 60. Q. Back to my original question then, your
24 budget for enforcement is funded exclusively from your
25 own fundraising?

1 A. Yes.

2 61. Q. When it comes to the budget that you are
3 provided, the money that you are allotted by the Chief
4 Financial Officer, who is responsible for making
5 decisions on how that is divvied out? How it's
6 distributed for enforcement purposes?

7 A. Each region establishes what their cost of
8 doing business is and each senior inspector is
9 responsible for the budget for their region.
10 Ultimately, I'm responsible to ensure that the budget
11 is being maintained.

12 62. Q. As far as establishing things such as
13 salaries, who makes the decision on how much people
14 get paid?

15 A. That's determined through our Human
16 Resources and through job descriptions and job
17 evaluations.

18 63. Q. It comes out of your budget though?

19 A. Yes, it does.

20 64. Q. So do you not have input into how money
21 gets attributed to salaries?

22 A. That information is already provided to
23 me.

24 65. Q. So as far how the money is divided up for
25 salaries, things such as personal protection equipment

1 and that sort of thing, you have absolutely no input
2 into that?

3 A. I have input as to the number of officers
4 I feel can properly do their role. I also have large
5 involvement in personal safety and what kind of
6 equipment officers require to do their job.

7 66. Q. So you make some of those decisions?

8 A. Yes, I do.

9 67. Q. So you have input into the number of
10 officers that are employed?

11 A. Yes, I do.

12 68. Q. Given your constraints for how much you
13 have to spend on salaries?

14 A. No, it's more viewed at the number of
15 complaints that we have and a reasonable amount of
16 time for an officer to conduct an investigation and
17 the number of investigations that that area would do.

18 It's based on that, not on the financial.

19 69. Q. But you do have a finite amount of
20 resources? You only have so much money to spend?

21 A. Correct.

22 70. Q. You've told me that the decision on how
23 much people are paid is not your decision?

24 A. No, that's correct.

25 71. Q. So if you have some input into the number

1 of officers that are on staff, you're held within the
2 confines of how much money you have to spend on their
3 salaries? You're effectively restricted on the number
4 of officers you can employ?

5 MR. HONICKMAN: Well, is that a question?
6 You're just doing your usual town hall debate here
7 now. What is this? Is this a question you're asking
8 Ms Mallory?

9 MR. ANDREWS: If the witness had answered it
10 in the first instance, we wouldn't have to be going
11 over it again here. I'm basically asking her -- and I
12 can ask again.

13 BY MR. ANDREWS:

14 72. Q. Do you have any input on the number of
15 officers that are on staff?

16 A. I indicated that yes, I do, I have
17 influence. And I explained the criteria in the number
18 of officers.

19 73. Q. But the salaries are already set?

20 A. Correct.

21 74. Q. And the dollars you have to spend is
22 already set; correct?

23 A. Correct.

24 75. Q. You don't have free rein to hire as many
25 officers as you want; you can only hire as many as you

1 can pay for, according to the salaries that are set
2 and the money you have to spend?

3 A. The number of officers that I have in the
4 field is based on the need for that officer to be in
5 that area and to be in the field.

6 76. Q. But you're a private organization?

7 A. Correct.

8 77. Q. You only have so much money to spend?

9 A. Um hmmm.

10 78. Q. You've told me already that you keep
11 within your budget?

12 A. Yes.

13 79. Q. Even if you needed more officers, if you
14 don't have the money to spend on them, you can't hire
15 them. Is that not right?

16 A. Clearly, yes.

17 80. Q. Personal safety equipment as well, you're
18 restricted obviously by the dollars you have for that
19 as well?

20 A. Correct. I think any business has to be
21 responsible in the money that they spend.

22 81. Q. I appreciate that. As far as the revenues
23 of the organization go, does that fluctuate from year
24 to year?

25 A. Yes, of course it does.

1 82. Q. To the best of your knowledge, from '09 to
2 '10, you were facing a significant shortfall in fact
3 on your sort of net revenues? In fact, you were
4 showing a net loss in '10; is that right?

5 A. That's what this balance sheet shows.

6 83. Q. But you would know if it's correct?

7 A. Um hmmm.

8 84. Q. So it's correct?

9 A. And still, we are not in a deficit
10 position. There is coffers in the bank, so to speak.

11 85. Q. You were running a deficiency of revenue
12 over expenses in '10 of over \$7 million?

13 MR. HONICKMAN: Where are you looking?

14 THE WITNESS: Yes, I see a difference of ---

15 BY MR. ANDREWS:

16 86. Q. I'm on page 33. There's a line deficiency
17 of ---

18 A. Okay, yes, yes, yes.

19 87. Q. Okay? Of over \$7 million?

20 A. Yes.

21 88. Q. Your report isn't done for '11 yet, but
22 what was the financial situation of the OSPCA in '11?
23 Was it also running at a similar deficit?

24 A. I can only speak to the Investigations
25 Department and we were on track in our budget for

1 expenses.

2 89. Q. You have no knowledge at all about the
3 overall financial picture of the OSPCA?

4 A. We were on track with what was budgeted.

5 90. Q. I understand that your department was.
6 I'm asking you, do you have any knowledge about the
7 OSPCA's overall financial position in '11?

8 A. I don't think it's appropriate for me to
9 speak to the financial situation of the organization
10 until it has gone through its auditing process. All I
11 can tell you is that we were on track with our
12 budgets.

13 91. Q. I'm asking you what you know, Inspector
14 Mallory. To the best of your knowledge, and you can
15 qualify it as: the documents aren't settled yet,
16 whatever you want to do. But to the best of your
17 knowledge, was it running at a similar deficit in '11?

18 A. Honestly, I'm sorry ---

19 MR. HONICKMAN: Do you know or not?

20 THE WITNESS: I don't know. All I can tell
21 you is we were on par within the budget.

22 BY MR. ANDREWS:

23 92. Q. You're at -- okay.

24 MR. HONICKMAN: Mr. Andrew, again, I've just
25 let you go on and on with these questions. I just

1 want to make sure so your position is clear for the
2 court, it's your position that the OSPCA cannot
3 respond to criticism to protect its reputation and
4 integrity of the organization of employees? That that
5 is an improper motive ---

6 MR. ANDREWS: Counsel, I'm not going ---

7 MR. HONICKMAN: Because it may relate to
8 financial issues?

9 MR. ANDREWS: Counsel, I'm not going to get
10 into detailed legal argument on the Record, here ---

11 MR. HONICKMAN: No, no, this isn't detailed
12 legal argument. You've been trying to put on the
13 Record to my objection, as to why it's irrelevant to
14 drill down to these questions about the financial
15 statements and all of those and you said it, because
16 it goes to motive as to why the June 29th article was
17 published.

18 MR. ANDREWS: Yes?

19 MR. HONICKMAN: My question to you is, so I
20 can stop interrupting as much as possible, is it your
21 position that it's relevant in that regard because
22 therefore the OSPCA cannot respond to criticisms to
23 protect its reputation and integrity of the
24 organization and employees because you're saying the
25 motive might be to try and get more money?

1 MR. ANDREWS: Counsel, you know as well as I
2 do, that when it comes to qualified privilege ---

3 MR. HONICKMAN: You don't have to tell me ---

4 MR. ANDREWS: You can disqualify yourself from
5 it for an ulterior purpose. Okay?

6 MR. HONICKMAN: Right, so you're saying that
7 if the ulterior purpose -- I just want to understand -
8 --

9 MR. ANDREWS: That's right ---

10 MR. HONICKMAN: Your argument is that the
11 ulterior purpose is to get more money for the
12 organization?

13 MR. ANDREWS: Either to get more money or to
14 protect their funds that they may have lost due to bad
15 press.

16 MR. HONICKMAN: And all I'm asking you -- so
17 again, so we understand the examination and what
18 you're doing here is that if your argument about
19 ulterior purpose, therefore an organization can't
20 respond to criticism to protect its reputation and
21 integrity of the organization and employee, if the
22 motive to protect a reputation is because of a
23 financial situation ---

24 MR. ANDREWS: I've already answered your
25 question. It goes to ulterior motive. You know how

1 it plays out in the law.

2 MR. HONICKMAN: Again, I didn't want to have
3 to do this each and every time you ask questions and
4 I'm letting you go on and on, but I wanted the Record
5 clear so the court will know exactly why it is you're
6 doing what you're doing and whether or not it has any
7 relevancy at the end of the day.

8 MR. ANDREWS: And I've answered.

9 BY MR. ANDREWS:

10 93. Q. Inspector Mallory, if you could turn to
11 Tab C, this media release titled: Support Our Rescue
12 and Relief Team, this was written by you?

13 A. Correct.

14 94. Q. It was written on or around December 1st,
15 2011, end of last year?

16 A. Correct.

17 95. Q. The purpose of issuing this media release
18 was to plea for financial contributions, sort of in an
19 emergency fashion here?

20 A. The purpose of this media release and a
21 number of media releases is again, it comes down to
22 education and my duty as the Chief Inspector to
23 educate people in mainstream media of the work that
24 the Ontario SPCA does and the good work that the
25 Ontario SPCA does. That is the motive for many of the

1 articles that we put in the paper.

2 96. Q. But in this particular one, you actually
3 asked for money?

4 A. Yes, it's asking for the support and I
5 have indicated that -- yes, that's correct. But
6 again, it comes down to the opportunity and my duty to
7 educate the public. I educate people who we deal with
8 on a daily basis but it's also an opportunity for me
9 to educate people that we do not meet face to face.

10 97. Q. To boil it down, this media release
11 identifies some investigation that the OSPCA is
12 engaged in. At the same time, you were asking for
13 money; is that correct?

14 A. Correct.

15 98. Q. Then ultimately, if you turn to page 63,
16 by issuing this release you were successful in getting
17 a response from the public?

18 A. Correct.

19 99. Q. Financially?

20 A. Um hmmm. And again, it's acknowledging
21 and again, educating people on what it is that we do,
22 the cost involved in doing the work that we do -- you
23 know, it's not hidden knowledge. We are a non-profit
24 organization.

25 100. Q. So when you talk about educating people,

1 included in that is educating people on the costs that
2 are involved with investigating animal welfare cases?

3 A. Educating on the whole picture.

4 101. Q. I realize that, but that's part of it?

5 A. Indeed.

6 102. Q. At least some of the motive there is to
7 get the public to be inspired, if you will, to support
8 your efforts?

9 A. Again, the motive is to educate people to
10 let them know what it is that we do and the cost of
11 what it is that we do.

12 103. Q. Yes, educating them on the cost but the
13 only purpose of educating them on the cost would be to
14 try and get some financial support from the public.
15 You're educating them to realize that you need the
16 money to support these efforts of yours in these
17 animal welfare cases?

18 A. It comes down to educating them on what we
19 do, what's acceptable, what's not acceptable and the
20 cost for doing this.

21 104. Q. I'm just going to ask you a very simple,
22 very straightforward question. Is one of the purposes
23 at least, of telling people about these cases, to try
24 in ---

25 MR. HONICKMAN: In this particular case.

1 MR. ANDREWS: I'm talking about -- Inspector
2 Mallory was talking about media releases very
3 generally and that's what I'm asking her as well.

4 MR. HONICKMAN: But there's this particular
5 type of paragraph is not in the media releases. So
6 are you talking about this media release or in
7 general?

8 MR. ANDREWS: I'm asking in general.

9 BY MR. ANDREWS:

10 105. Q. In general, is one of the purposes of
11 issuing these media releases to educate the public on
12 the cost of your animal welfare efforts, in general?

13 A. Again, the primary reason for getting into
14 mainstream media is to let people know the work that
15 we do. And yes, of course, for the cost.

16 That doesn't however, mean that we're not
17 going to continue to do what we do whether we have
18 funds or we don't have funds.

19 We've been doing this for over 100 years and
20 it is our obligation to improve animal welfare, to
21 educate people on animal welfare, to respond to
22 complaints of animal cruelty. Whether the dollar is
23 good or it's not, we have continued to do this for 100
24 plus years.

25 106. Q. I understand and I appreciate that. My

1 next question is, in general, is one of the reasons
2 for educating the public on the costs involved with
3 your animal welfare efforts, so the public understands
4 that you need money and hopefully will provide you
5 with some financial support?

6 A. I think I answered that when I said you
7 know, there are a number of reasons for putting it out
8 to media and one of them, of course, is to educate
9 people on what it costs the organization to provide
10 proper care of animals in need, when they've been
11 removed from a situation.

12 107. Q. Okay, let me put it a different way. Is
13 one of your expectations by educating them on the
14 cost, that they might be inspired to donate some money
15 to support you?

16 A. If they do or they don't, it really has no
17 bearing on what we do as an organization. Again,
18 we're going to do it whether we have the funds or not.

19 108. Q. It's a very simple question: Is it one of
20 your expectations that they may provide some sort of
21 financial support?

22 A. Again, I've answered that and the answer
23 is yes.

24 109. Q. Yes. Thank you. I'm going to take you
25 now to Tab E. As I understand it, these are animal

1 your responsibilities as Chief Inspector to at least
2 assist in fundraising efforts?

3 A. I do not actively participate in
4 fundraising activities. I'm not sure what you're
5 getting at.

6 144. Q. Is one of your responsibilities to engage
7 in efforts for fundraising of money?

8 A. Again, no, it's not my responsibility to
9 do that.

10 145. Q. Do you sometimes do it though?

11 A. I sometimes may participate in a local
12 function to show support for my fellow workers.

13 146. Q. What other things would you do for
14 fundraising?

15 A. Again, it's not my role really to
16 fundraise.

17 147. Q. You've at least on one occasion though,
18 issued a media release asking for money?

19 A. Again, that's more of my obligation to
20 inform the public.

21 148. Q. You did at least on one occasion ask for
22 money in a media release?

23 A. Yes.

24 149. Q. How often does that happen?

25 A. From time to time throughout the year.

1 150. Q. Can you give us a ballpark over the course
2 of a year?

3 A. Maybe two times a year. And again, it
4 goes hand in hand with educating the public on the
5 work that we do. The good work that we do and the
6 role of the inspectorate in enforcing a piece of
7 legislation.

8 151. Q. In your annual reports, you routinely cite
9 the number of investigations that you are engaged in?

10 A. Yes, indeed. I think that that's an
11 obligation that the Province needs to know what's
12 taking place in relation to animal welfare.

13 152. Q. And the number of animals seized is
14 typically in there as well?

15 A. I believe so, yes.

16 153. Q. The number of orders issued?

17 A. Yes.

18 154. Q. Total charges?

19 A. Yes, and again it's our obligation to
20 educate and be open about the work that we do.

21 155. Q. And total convictions as well?

22 A. Yes.

23 156. Q. In your annual report, you mention one of
24 the purposes of it is to provide that information to
25 the Province?

1 A. Yes.

2 157. Q. Do you also provide your annual reports to
3 your donors?

4 A. It's in that annual report that goes out
5 to our donors.

6 158. Q. The annual report goes to the donors; yes?

7 A. It goes to anybody who might be a member
8 of the organization.

9 159. Q. We may have got the answer but it was a
10 little bit mish mash there. Could I ask it again?
11 Does the annual report go out to your donors?

12 A. Yes, it will. It also goes to people who
13 adopt animals, lots of places. It's not just
14 restricted to donors.

15 160. Q. Since the Robinson case has been in the
16 papers, have you received any feedback from the public
17 -- negative feedback from people who would
18 otherwise be donating money?

19 MR. HONICKMAN: What do you mean? Excuse me,
20 you mean in general? Like are you talking about
21 letters?

22 BY MR. ANDREWS:

23 161. Q. I'm asking if you've had any
24 correspondence with anybody from the public who would
25 be sort of in a position to be giving money or has

This is Exhibit "M" referred to in the
Affidavit of Jeffrey Bogaerts
sworn before me, this 31st day of July, 2014.

A handwritten signature in black ink, consisting of a large, stylized loop with a vertical stroke through it, positioned above a horizontal line.

Commissioner for Taking Oaths

Financial Statements of

**ONTARIO SOCIETY FOR THE
PREVENTION OF CRUELTY
TO ANIMALS**

Year ended December 31, 2009



KPMG LLP
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AUDITORS' REPORT

To the Members of Ontario Society for the Prevention
of Cruelty to Animals

We have audited the statement of financial position of Ontario Society for the Prevention of Cruelty to Animals ("Ontario SPCA") as at December 31, 2009 and the statements of operations and changes in fund balances and cash flows for the year then ended. These financial statements are the responsibility of Ontario SPCA's management. Our responsibility is to express an opinion on these financial statements based on our audit.

Except as explained in the following paragraph, we conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In common with many not-for-profit organizations, Ontario SPCA derives revenue from donations and fundraising, the completeness of which is not susceptible of satisfactory audit verification. Accordingly, our verification of this revenue was limited to the amounts recorded in the records of Ontario SPCA and we were not able to determine whether any adjustments might be necessary to revenue, excess (deficiency) of revenue over expenses, total assets and fund balances.

In our opinion, except for the effect of adjustments, if any, which we might have determined to be necessary had we been able to satisfy ourselves concerning the completeness of donations and fundraising revenue as referred to in the preceding paragraph, these financial statements present fairly, in all material respects, the financial position of Ontario SPCA as at December 31, 2009 and the results of its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

The comparative figures for December 31, 2008 were reported on by another firm of chartered accountants.

KPMG LLP

Chartered Accountants, Licensed Public Accountants

Toronto, Canada

March 5, 2010

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Statement of Financial Position

December 31, 2009, with comparative figures for 2008

	2009	2008
Assets		
Current assets:		
Cash and cash equivalents	\$ 11,738,982	\$ 7,539,604
Accounts receivable	520,392	400,431
Inventory	28,334	18,738
Prepaid expenses	84,107	51,308
	<u>12,371,815</u>	<u>8,010,081</u>
Long-term investments (note 3)	5,074,648	4,631,109
Capital assets (note 4)	11,579,169	10,706,196
	<u>\$ 29,025,632</u>	<u>\$ 23,347,386</u>

Liabilities and Fund Balances

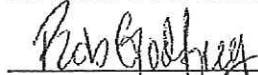
Current liabilities:		
Accounts payable and accrued liabilities	\$ 2,095,275	\$ 2,412,309
Bank loan (note 5)	888,245	1,038,719
Deferred revenue (note 6)	2,000	2,806,093
	<u>2,985,520</u>	<u>6,257,121</u>
Fund balances (note 7):		
Provincial	26,040,112	10,815,636
Regional	—	—
Capital	—	6,274,629
	<u>26,040,112</u>	<u>17,090,265</u>

Commitments (note 8)

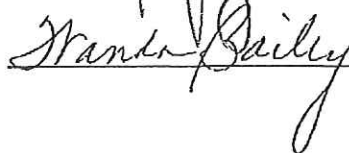
	<u>\$ 29,025,632</u>	<u>\$ 23,347,386</u>
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See accompanying notes to financial statements.

On behalf of the Board:



Director



Director

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Statement of Operations and Changes in Fund Balances

Year ended December 31, 2009, with comparative figures for 2008

	2009			2008	
	Provincial Fund	Regional Fund	Capital Fund	Total	Total
Revenue:					
Donations and fundraising	\$ 4,763,938	\$ 2,221,920	\$ -	\$ 6,985,858	\$ 6,959,152
Provincial grants	508,399	29,540	-	537,939	627,493
Provincial grant - capital (note 6)	2,754,190	-	-	2,754,190	2,245,810
Shelter and veterinary	624,391	1,823,864	-	2,448,255	2,165,194
Municipal contract fees	(580)	2,550,109	-	2,549,529	2,047,860
Other	178,250	67,609	-	245,859	293,939
Interest and investment income					
gain (loss) (note 3)	503,832	2,438	-	506,270	(539,253)
	9,332,420	6,695,480	-	16,027,900	13,800,195
Expenses:					
Animal care and protection	4,046,578	7,450,236	-	11,496,814	9,886,185
Fundraising	1,532,975	223,678	-	1,756,653	1,668,737
General	1,841,767	-	-	1,841,767	1,665,999
Communication and education services	705,048	48,839	-	753,887	513,378
Amortization	253,304	211,152	-	464,456	404,742
Interest and bank charges	254,959	11,039	-	265,998	254,379
	8,634,631	7,944,944	-	16,579,575	14,393,420
Distributions:					
Grants to Ontario SPCA affiliates	1,354,203	-	-	1,354,203	1,851,111
Deficiency of revenue over expenses and distributions before legacies	(656,414)	(1,249,464)	-	(1,905,878)	(2,444,336)
Legacies	10,538,152	317,573	-	10,855,725	3,432,277
Excess (deficiency) of revenue over expenses and distributions	9,881,738	(931,891)	-	8,949,847	987,941
Fund balances, beginning of year	10,815,636	-	6,274,629	17,090,265	16,102,324
Transfer between funds (note 1(a)(iii))	5,342,738	931,891	(6,274,629)	-	-
Fund balances, end of year	\$ 26,040,112	\$ -	\$ -	\$ 26,040,112	\$ 17,090,265

See accompanying notes to financial statements.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Statement of Cash Flows

Year ended December 31, 2009, with comparative figures for 2008

	2009	2008
Cash provided by (used in):		
Operating activities:		
Excess of revenue over expenses and distributions	\$ 8,949,847	\$ 987,941
Items not involving cash:		
Amortization	464,456	404,742
Unrealized loss (gain) on investments	(593,750)	656,891
Gain on sale of capital assets	(2,699)	(57,365)
Change in non-cash operating working capital:		
Accounts receivable	(119,961)	409,727
Inventory	(9,596)	724
Prepaid expenses	(32,799)	(13,225)
Accounts payable and accrued liabilities	(317,034)	772,135
Deferred revenue	(2,804,093)	2,655,760
	5,534,371	5,817,330
Financing activities:		
Proceeds from sale of capital assets	5,898	120,478
Decrease in bank loan	(150,474)	(144,153)
	(144,576)	(23,675)
Investing activities:		
Additions to capital assets	(1,340,628)	(1,380,148)
Change in long-term investments	150,211	(822,785)
	(1,190,417)	(2,202,933)
Increase in cash and cash equivalents	4,199,378	3,590,722
Cash and cash equivalents, beginning of year	7,539,604	3,948,882
Cash and cash equivalents, end of year	\$ 11,738,982	\$ 7,539,604

See accompanying notes to financial statements.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements

Year ended December 31, 2009

Ontario Society for the Prevention of Cruelty to Animals ("Ontario SPCA") was founded in 1873 and was incorporated under special legislation in 1919 within the OSPCA Act and as later amended.

The purpose of Ontario SPCA is to promote the prevention of cruelty to animals, based upon the principal that no one has the right to cause unnecessary pain or suffering to any animal, and to work within the law and in cooperation with the government and public, in order to improve conditions for animals, while maintaining a balanced sensitivity towards both animal and human needs.

Ontario SPCA is registered as a charitable organization under the Income Tax Act (Canada) (the "Act"). As such, Ontario SPCA, is exempt from income taxes and is able to issue donation receipts for income tax purposes. In order to maintain its status as a registered charity under the Act, Ontario SPCA must meet certain requirements within the Act. In the opinion of management, these requirements have been met.

1. Significant accounting policies:

These financial statements include the accounts of the provincial office of Ontario SPCA and its regional branches. The financial statements do not include the accounts of affiliated societies (note 9).

The financial statements have been prepared in accordance with generally accepted accounting principles applied within the framework of the significant Canadian accounting policies summarized below:

(a) Fund accounting:

Ontario SPCA follows the restricted fund method of accounting for contributions.

(i) Provincial Fund:

The Provincial Fund accounts for provincial animal protection services, provincial wildlife services, the provincial animal centre, the provincial veterinary clinic(s), as well as provincial communication services (humane education, publication, etc.), provincial fundraising, administration and finance.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2009

1. Significant accounting policies (continued):

(ii) Regional Fund:

The Regional Fund accounts for Ontario SPCA branch fundraising activities (including thrift shops), regional animal protection services, regional humane education initiatives and regional animal facilities.

(iii) Capital Fund:

Effective January 1, 2009, the Capital Fund was eliminated and the appropriate amounts reallocated to the Regional and Provincial Funds. Up to December 31, 2008, the Capital Fund accounted for specified capital fundraising campaigns as they related to current and future facilities.

(b) Revenue recognition:

Ontario SPCA recognizes revenue from fundraising efforts, donations, legacies and from shelter and veterinary operations when funds are received.

Cash legacies are recorded when received. Legacies received in the form of marketable securities are recorded at their fair market value at the time of receipt. Residual legacies are not recorded until the life tenancies expire.

Revenue from various municipal contracts are recorded as amounts are earned through the provision of service.

Endowment contributions are recognized as revenue of the applicable fund in the year in which they are received.

Grants received for specific purposes, for which there is no restricted fund established, are recognized when the grant specifications have been met.

Interest and investment income gain (loss) includes interest income, realized gains (losses) and the net change in unrealized gains (losses) for the year.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2009

1. Significant accounting policies (continued):

(c) Cash and cash equivalents:

Ontario SPCA considers deposits in banks, certificates of deposit and short-term investments with original maturities of three months or less as cash and cash equivalents.

(d) Financial Instruments:

Cash and cash equivalents and investments are classified as held-for-trading and stated at fair value. Accounts receivable are classified as loans and receivables, which are measured at amortized cost. Accounts payable and accrued liabilities and the bank loan are classified as other financial liabilities, which are measured at amortized cost.

In determining fair values for investments, adjustments have not been made for transaction costs as they are not considered significant. The unrealized gain or loss on investments, being the difference between book value and fair value, is included in interest and investment income gain (loss) in the statement of operations and changes in fund balances.

Fair values of investments are determined as follows:

- (i) Pooled fund investments represent Ontario SPCA's proportionate share of the underlying net assets of the Toronto Community Foundation Fund, at fair values determined using closing market prices.
- (ii) Guaranteed investment certificates maturing within a year are stated at cost, which together with accrued interest income, approximate fair value given the short-term nature of these investments.

The fair values of investments are equal to the quoted market value, as disclosed in note 3. The fair values of other financial assets and liabilities, being cash and cash equivalents, accounts receivable and accounts payable and accrued liabilities, approximate their carrying values due to the relatively short-term nature of these financial instruments.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2009

1. Significant accounting policies (continued):

Ontario SPCA has adopted The Canadian Institute of Chartered Accountants' ("CICA") Handbook Section 3861, Financial Instruments - Disclosure and Presentation. In accordance with the Accounting Standards Board's decision to exempt not-for-profit organizations from the disclosure requirements with respect to financial instruments contained within Section 3862, Financial Instruments - Disclosures, and Section 3863, Financial Instruments - Presentation, Ontario SPCA has elected not to adopt these standards in its financial statements.

(e) Capital assets:

Purchased capital assets are stated at acquisition cost and are amortized over their useful lives. Amortization is provided using the following methods and annual rates:

Asset	Basis	Rate
Buildings	Declining balance	2%
Furniture and equipment	Declining balance	20%
Automotive equipment	Declining balance	30%
Computers	Straight line	33%
Leasehold improvements	Straight line	Over the term of the lease

Capital purchases under \$3,000 are expensed when incurred.

(f) Donations in kind:

Donated materials, services and capital assets are recorded at fair value in the period received when a fair value can be reasonably estimated, and, when the materials, services and capital assets would be paid for if not donated. A substantial number of volunteers have made significant contributions of their time to Ontario SPCA. Since these services are not normally purchased by Ontario SPCA, and, because of the difficulty of determining their fair value, donated services for volunteer activities are not recognized in the financial statements.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2009

1. Significant accounting policies (continued):

(g) Use of estimates:

The preparation of financial statements requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the year. Actual results could differ from those estimates.

2. Change in accounting policies:

(a) Capital disclosures:

Effective January 1, 2009, Ontario SPCA adopted the recommendations of CICA Handbook Section 1535, Capital Disclosures, which requires the disclosure of qualitative and quantitative information that enables users of the financial statements to evaluate Ontario SPCA's objectives, policies and processes for managing capital. The adoption of these recommendations only required additional disclosures, which are provided in note 12.

(b) Amendments to Section 4400, Accounting Standards That Apply To Not-For-Profit Organizations ("Section 4400"):

Effective January 1, 2009, Ontario SPCA adopted the CICA amendments to Section 4400. These amendments eliminate the requirement to show net assets invested in capital assets as a separate component of net assets, clarify the requirement for revenue and expenses to be presented on a gross basis when the not-for-profit organization is acting as principal and require a statement of cash flows. Adoption of these recommendations had no significant impact on the financial statements for the year ended December 31, 2009.

(c) Amendments to Section 1000, Financial Statement Concepts ("Section 1000"):

Effective January 1, 2009, Ontario SPCA adopted the CICA amendments to Section 1000. These amendments clarified the criteria for recognition of an asset or liability, removing the ability to recognize assets or liabilities solely on the basis of matching of revenue and expense items. Adoption of these recommendations had no effect on the financial statements for the year ended December 31, 2009.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2009

3. Long-term investments:

	2009		2008	
	Book value	Fair value	Book value	Fair value
Guaranteed investment certificate ("GIC")	\$ 1,311,103	\$ 1,408,783	\$ 1,311,102	\$ 1,345,542
Pooled fund investments with The Toronto Community Foundation	3,826,687	3,665,865	3,976,899	3,285,567
	\$ 5,137,790	\$ 5,074,648	\$ 5,288,001	\$ 4,631,109

The GIC produces a yield to maturity of 4.7% (2008 - 4.7%) and has a weighted average term to maturity of 3.4 years (2008 - 4.4 years).

Included in interest and investment income gain (loss) are net realized losses of \$223,032 (2008 - \$131,757) and net unrealized gain of \$593,750 (2008 - loss of \$656,891).

4. Capital assets:

	2009		2008	
	Cost	Accumulated amortization	Net book value	Net book value
Land and improvements	\$ 1,438,600	\$ -	\$ 1,438,600	\$ 1,438,600
Buildings	10,934,302	1,817,033	9,117,269	8,672,814
Furniture and equipment	1,720,030	1,208,562	511,468	453,342
Automotive equipment	445,807	211,117	234,690	122,519
Computers	387,179	197,112	190,067	15,152
Leasehold improvements	139,521	52,446	87,075	3,769
	\$ 15,065,439	\$ 3,486,270	\$ 11,579,169	\$ 10,706,196

5. Bank loan:

The loan bears interest at 4.4%, is due on demand and is secured by a GIC. Annual repayments, including principal and interest, amount to \$193,175.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2009

6. Deferred revenue:

Deferred revenue includes grants received for specific purposes for which there is no separate restricted fund established. This revenue will be taken into income when the grant specifications have been met. In 2008, a \$5,000,000 grant was received from the Ministry of Community Safety and Correction Services supporting Ontario SPCA's and affiliates' infrastructure renewal strategy. An amount of nil (2008 - \$2,754,190) relating to this grant was recorded in deferred revenue at year end.

7. Fund balances:

Fund balances comprise the following:

	2009					2008
	Invested in capital assets	Externally restricted	Endowment	Unrestricted	Total	Total
Provincial	\$ 6,876,948	\$ 2,820	\$ 6,619	\$ 19,153,725	\$ 26,040,112	\$ 17,090,265
Regional	3,813,976	502,491	55,156	(4,371,623)	-	-
	\$ 10,690,924	\$ 505,311	\$ 61,775	\$ 14,782,102	\$ 26,040,112	\$ 17,090,265

These endowment funds are included as part of the long-term investment balance.

During fiscal 2008, the Board of Directors approved a transfer from the Provincial Fund to eliminate any accumulated deficiency in the Regional Fund on a total basis. On an annual basis, any deficiency in the Regional Fund will be funded from the Provincial Fund.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2009

8. Commitments:

Ontario SPCA has lease commitments for buildings, office equipment and vehicles which expire at various dates. Future minimum lease commitments are as follows:

2010	\$ 244,000
2011	124,000
2012	67,000
2013	29,000
2014	9,000
	<hr/>
	\$ 473,000

Ontario SPCA has an outstanding letter of credit in the amount of \$14,665 relating to hydro services provided to the provincial office.

9. Related organizations:

Class A members, which are local societies in various communities across Ontario, are affiliated with Ontario SPCA. Each affiliate operates autonomously and is independently incorporated. Representatives from some affiliates are members of Ontario SPCA provincial Board of Directors.

During the year, \$1,354,203 (2008 - \$1,851,111) in grants to Ontario SPCA affiliates were recorded and paid in these financial statements. Ontario SPCA also paid \$19,595 (2008 - \$72,170) in legal fees on behalf of the affiliates.

Ontario SPCA provides safety equipment and investigations training to their affiliates free of charge. As such, no amounts are recorded in the financial statements for providing these services.

10. Other information:

The Regional Fund's revenue and expenses include animal food and supplies, as well as fundraising supplies/materials, computer equipment and miscellaneous furniture and supplies, which are donated and have a fair market value of \$78,418 (2008 - \$99,306).

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2009

11. Guarantees:

In the normal course of business, Ontario SPCA enters into agreements that meet the definition of guarantee.

- (a) Ontario SPCA has provided indemnities under lease agreements for the use of various operating facilities. Under the terms of these agreements, Ontario SPCA agrees to indemnify the counterparties for various items, including, but not limited to, all liabilities, loss, suits and damages arising during, on or after the term of the agreement. The maximum amount of any potential future payment cannot be reasonably estimated.
- (b) Ontario SPCA indemnifies all directors for various items, including, but not limited to, all costs to settle suits or actions due to services provided to Ontario SPCA, subject to certain restrictions. Ontario SPCA has purchased liability insurance to mitigate the cost of any potential future suits or actions. The amount of any potential future payment cannot be reasonably estimated.

The nature of these indemnification agreements prevents Ontario SPCA from making a reasonable estimate of the maximum exposure due to the difficulties in assessing the amount of liability which stems from the unpredictability of future events and the unlimited coverage offered to counterparties. Historically, Ontario SPCA has not made any significant payments under such or similar indemnification agreements and therefore, no amount has been accrued with respect to these agreements.

12. Management of capital:

Ontario SPCA defines its capital as the amounts included in its fund balances. Ontario SPCA's objective when managing its capital is to safeguard Ontario SPCA's ability to continue as a going concern so that it can continue to provide the appropriate level of benefits and services to the public.

A portion of Ontario SPCA's capital is restricted in that Ontario SPCA is required to meet certain requirements in order to utilize its externally restricted funds, as described in note 7. Ontario SPCA has internal control processes to ensure that the restrictions are met prior to the utilization of these resources and has been in compliance with these restrictions throughout the year.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2009

13. Financial instruments:

(a) Investment risk management:

Risk management relates to the understanding and active management of risks associated with all areas of the business and the associated operating environment. Investments are primarily exposed to interest rate and market risk.

Ontario SPCA mitigates these risks with an investment policy designed to limit exposure and concentration while achieving optimal return within reasonable risk tolerances.

(b) Credit risk:

Accounts receivable are subject to credit risk. Cash and cash equivalents are held in creditworthy financial institutions.

(c) Market and interest rate risk:

The risks associated with the investments are the risks associated with the securities in which the funds are invested. The value of securities will vary with developments within the specific companies or governments which issue the securities. The value of fixed income securities will generally rise if interest rates fall and fall if interest rates rise. The value of securities denominated in a currency other than Canadian dollars will be affected by changes in the value of the Canadian dollar in relation to the value of the currency in which the security is denominated.

14. Comparative figures:

Certain comparative figures have been reclassified to conform with the financial statement presentation adopted in the current year.

Financial Statements of

**ONTARIO SOCIETY FOR THE
PREVENTION OF CRUELTY
TO ANIMALS**

Year ended December 31, 2010



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INDEPENDENT AUDITORS' REPORT

To the Members of Ontario Society for the Prevention
of Cruelty to Animals

We have audited the accompanying financial statements of Ontario Society for the Prevention of Cruelty to Animals, which comprise the statement of financial position as at December 31, 2010, the statements of operations and changes in fund balances and cash flows for the year then ended, and notes, comprising a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian generally accepted accounting principles, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on our judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, we consider internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our qualified audit opinion.



Page 2

Basis for Qualified Opinion

In common with many charitable organizations, Ontario Society for the Prevention of Cruelty to Animals derives revenue from donations and fundraising, the completeness of which is not susceptible to satisfactory audit verification. Accordingly, our verification of these revenues was limited to the amounts recorded in the records of Ontario Society for the Prevention of Cruelty to Animals and we were not able to determine whether any adjustments might be necessary to contributions, excess (deficiency) of revenue over expenses, total assets and fund balances.

Qualified Opinion

In our opinion, except for the possible effects of the matter described in the Basis for Qualified Opinion paragraph, the financial statements present fairly, in all material respects, the financial position of Ontario Society for the Prevention of Cruelty to Animals as at December 31, 2010, and its results of operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

KPMG LLP

Chartered Accountants, Licensed Public Accountants

April 16, 2011
Toronto, Canada

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Statement of Financial Position

December 31, 2010, with comparative figures for 2009

	2010	2009
Assets		
Current assets:		
Cash and cash equivalents	\$ 6,787,570	\$ 11,738,982
Accounts receivable	649,338	520,392
Inventory	32,271	28,334
Prepaid expenses	17,062	84,107
	<u>7,486,241</u>	<u>12,371,815</u>
Long-term investments (note 2)	5,439,178	5,074,648
Capital assets (note 3)	12,099,493	11,579,169
	<u>\$ 25,024,912</u>	<u>\$ 29,025,632</u>


Liabilities and Fund Balances

Current liabilities:		
Accounts payable and accrued liabilities	\$ 1,697,002	\$ 2,095,275
Bank loan (note 4)	731,033	888,245
Deferred revenue	19,106	2,000
	<u>2,447,141</u>	<u>2,985,520</u>
Fund balances (note 5):		
Provincial	22,577,771	26,040,112
Regional	—	—
	<u>22,577,771</u>	<u>26,040,112</u>
Commitments (note 6)		
	<u>\$ 25,024,912</u>	<u>\$ 29,025,632</u>

See accompanying notes to financial statements.

On behalf of the Board:

 Director

 Director

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Statement of Operations and Changes in Fund Balances

Year ended December 31, 2010, with comparative figures for 2009

	2010		2009	
	Provincial Fund	Regional Fund	Total	Total
Revenue:				
Donations and fundraising	\$ 4,109,594	\$ 2,345,360	\$ 6,454,954	\$ 6,985,858
Provincial grants	501,308	24,386	525,694	537,939
Provincial grant - capital	—	397,216	397,216	2,754,190
Shelter and veterinary	565,514	1,717,922	2,283,436	2,448,255
Municipal contract fees	—	2,720,751	2,720,751	2,549,529
Other	161,578	23,485	185,063	245,859
Interest and investment income gain (note 2)	449,410	7,033	456,443	506,270
	5,787,404	7,236,153	13,023,557	16,027,900
Expenses:				
Animal care and protection	5,639,495	8,388,593	14,028,088	11,496,814
Fundraising	1,592,766	279,149	1,871,915	1,756,653
General	2,018,264	—	2,018,264	1,841,767
Communication and education services	458,597	24,330	482,927	753,887
Amortization	288,187	253,759	541,946	464,456
Interest and bank charges	147,837	12,917	160,754	265,998
	10,145,146	8,958,748	19,103,894	16,579,575
Distributions:				
Grants to Ontario Society for the Prevention of Cruelty to Animals affiliates	75,641	1,098,399	1,174,040	1,354,203
Deficiency of revenue over expenses and distributions before legacies	(4,433,383)	(2,820,994)	(7,254,377)	(1,905,878)
Legacies	1,678,709	1,988,399	3,667,108	10,855,725
Excess (deficiency) of revenue over expenses and distributions	(2,754,674)	(832,595)	(3,587,269)	8,949,847
Fund balances, beginning of year	26,040,112	—	26,040,112	17,090,265
Transfer out of the Brant branch capital assets	—	(125,072)	(125,072)	—
Donation of land	—	250,000	250,000	—
Transfer between funds (note 5)	(707,667)	707,667	—	—
Fund balances, end of year	\$ 22,577,771	\$ —	\$ 22,577,771	\$ 26,040,112

See accompanying notes to financial statements.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Statement of Cash Flows

Year ended December 31, 2010, with comparative figures for 2009

	2010	2009
Cash provided by (used in):		
Operating activities:		
Excess (deficiency) of revenue over expenses and distributions	\$ (3,587,269)	\$ 8,949,847
Items not involving cash:		
Amortization	541,946	464,456
Unrealized gain on investments	(151,654)	(593,750)
Gain on sale of capital assets	(7,325)	(2,699)
Change in non-cash operating working capital:		
Accounts receivable	(128,946)	(119,961)
Inventory	(3,937)	(9,596)
Prepaid expenses	67,045	(32,799)
Accounts payable and accrued liabilities	(398,273)	(317,034)
Deferred revenue	17,106	(2,804,093)
	(3,651,307)	5,534,371
Financing activities:		
Proceeds from sale of capital assets	23,360	5,898
Decrease in bank loan	(157,212)	(150,474)
	(133,852)	(144,576)
Investing activities:		
Additions to capital assets	(953,377)	(1,340,628)
Change in long-term investments	(212,876)	150,211
	(1,166,253)	(1,190,417)
Increase (decrease) in cash and cash equivalents	(4,951,412)	4,199,378
Cash and cash equivalents, beginning of year	11,738,982	7,539,604
Cash and cash equivalents, end of year	\$ 6,787,570	\$ 11,738,982
Subsequent cash flow information:		
Transfer out of the Brant branch capital assets	\$ (125,072)	\$ —
Donation of land	250,000	—

See accompanying notes to financial statements.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements

Year ended December 31, 2010

Ontario Society for the Prevention of Cruelty to Animals ("Ontario SPCA") was founded in 1873 and was incorporated under special legislation in 1919 within the OSPCA Act and as later amended.

The purpose of Ontario SPCA is to promote the prevention of cruelty to animals, based upon the principle that no one has the right to cause unnecessary pain or suffering to any animal, and to work within the law and in cooperation with the government and public, in order to improve conditions for animals, while maintaining a balanced sensitivity towards both animal and human needs.

Ontario SPCA is registered as a charitable organization under the Income Tax Act (Canada) (the "Act"). As such, Ontario SPCA is exempt from income taxes and is able to issue donation receipts for income tax purposes. In order to maintain its status as a registered charity under the Act, Ontario SPCA must meet certain requirements within the Act. In the opinion of management, these requirements have been met.

1. Significant accounting policies:

These financial statements include the accounts of the provincial office of Ontario SPCA and its regional branches. The financial statements do not include the accounts of affiliated societies (note 7).

The financial statements have been prepared in accordance with generally accepted accounting principles applied within the framework of the significant Canadian accounting policies summarized below:

(a) Fund accounting:

Ontario SPCA follows the restricted fund method of accounting for contributions.

(i) Provincial Fund:

The Provincial Fund accounts for provincial animal protection services, provincial wildlife services, the provincial animal centre, the provincial veterinary clinic(s), as well as provincial communication services (humane education, publication, etc.), provincial fundraising, administration and finance.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2010

1. Significant accounting policies (continued):

(ii) Regional Fund:

The Regional Fund accounts for Ontario SPCA branch fundraising activities (including thrift shops), regional animal protection services, regional humane education initiatives and regional animal facilities.

(b) Revenue recognition:

Ontario SPCA recognizes revenue from fundraising efforts, donations, legacies and from shelter and veterinary operations when funds are received.

Cash legacies are recorded when received. Legacies received in the form of marketable securities are recorded at their fair market value at the time of receipt. Residual legacies are not recorded until the life tenancies expire.

Revenue from various municipal contracts is recorded as amounts are earned through the provision of service.

Endowment contributions are recognized as revenue of the applicable fund in the year in which they are received.

Grants received for specific purposes, for which there is no restricted fund established, are recognized when the grant specifications have been met.

Interest and investment income gain (loss) includes interest income, realized gains (losses) and the net change in unrealized gains (losses) for the year.

(c) Cash and cash equivalents:

Ontario SPCA considers deposits in banks, certificates of deposit and short-term investments with original maturities of three months or less as cash and cash equivalents.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2010

1. Significant accounting policies (continued):

(d) Financial instruments:

Cash and cash equivalents and investments are classified as held-for-trading and stated at fair value. Accounts receivable are classified as loans and receivables, which are measured at amortized cost. Accounts payable and accrued liabilities and the bank loan are classified as other financial liabilities, which are measured at amortized cost.

In determining fair values for investments, adjustments have not been made for transaction costs as they are not considered significant. The unrealized gain or loss on investments, being the difference between book value and fair value, is included in interest and investment income gain in the statement of operations and changes in fund balances.

Fair values of investments are determined as follows:

- (i) Pooled fund investments represent Ontario SPCA's proportionate share of the underlying net assets of the Toronto Community Foundation Fund, at fair values determined using closing market prices.
- (ii) Guaranteed investment certificates maturing within a year are stated at cost, which together with accrued interest income, approximate fair value given the short-term nature of these investments.

The fair values of investments are equal to the quoted market value, as disclosed in note 2. The fair values of other financial assets and liabilities, being cash and cash equivalents, accounts receivable and accounts payable and accrued liabilities, approximate their carrying values due to the relatively short-term nature of these financial instruments.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2010

1. Significant accounting policies (continued):

Ontario SPCA has adopted The Canadian Institute of Chartered Accountants' Handbook Section 3861, Financial Instruments - Disclosure and Presentation. In accordance with the Accounting Standards Board's decision to exempt not-for-profit organizations from the disclosure requirements with respect to financial instruments contained within Section 3862, Financial Instruments - Disclosures, and Section 3863, Financial Instruments - Presentation, Ontario SPCA has elected not to adopt these standards in its financial statements.

(e) Capital assets:

Purchased capital assets are stated at acquisition cost and are amortized over their useful lives. Amortization is provided using the following methods and annual rates:

Asset	Basis	Rate
Buildings	Declining balance	2%
Furniture and equipment	Declining balance	20%
Automotive equipment	Declining balance	30%
Computers	Straight line	33%
Leasehold improvements	Straight line	Over term of lease

Capital purchases under \$1,000 are expensed when incurred.

(f) Donations in kind:

Donated materials, services and capital assets are recorded at fair value in the period received when a fair value can be reasonably estimated and when the materials, services and capital assets would be paid for if not donated. A substantial number of volunteers have made significant contributions of their time to Ontario SPCA. Since these services are not normally purchased by Ontario SPCA and because of the difficulty of determining their fair value, donated services for volunteer activities are not recognized in the financial statements.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2010

1. Significant accounting policies (continued):

(g) Use of estimates:

The preparation of financial statements requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the year. Actual results could differ from those estimates.

2. Long-term investments:

	2010		2009	
	Book value	Fair value	Book value	Fair value
Guaranteed investment certificate ("GIC")	\$ 1,311,103	\$ 1,474,996	\$ 1,311,103	\$ 1,408,783
Pooled fund investments with The Toronto Community Foundation	4,039,563	3,964,182	3,826,687	3,665,865
	\$ 5,350,666	\$ 5,439,178	\$ 5,137,790	\$ 5,074,648

The GIC produces a yield to maturity of 4.7% (2009 - 4.7%) and has a weighted average term to maturity of 2.4 years (2009 - 3.4 years).

Included in interest and investment income gain are net realized gains of \$145,190 (2009 - losses of \$223,032) and net unrealized gains of \$151,654 (2009 - \$593,750).

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2010

3. Capital assets:

			2010	2009
	Cost	Accumulated amortization	Net book value	Net book value
Land and improvements	\$ 1,682,736	\$ —	\$ 1,682,736	\$ 1,438,600
Buildings	11,477,890	1,961,958	9,515,932	9,117,269
Furniture and equipment	1,663,776	1,238,547	425,229	511,468
Automotive equipment	593,101	276,758	316,343	234,690
Computers	418,504	293,507	124,997	190,067
Leasehold improvements	139,520	105,264	34,256	87,075
	\$ 15,975,527	\$ 3,876,034	\$ 12,099,493	\$ 11,579,169

4. Bank loan:

The loan bears interest at 4.4%, is due on demand and is secured by a GIC. Annual repayments, including principal and interest, amount to \$193,158.

5. Fund balances:

Fund balances comprise the following:

					2010	2009
	Invested in capital assets	Externally restricted	Endowment	Unrestricted	Total	Total
Provincial	\$ 7,500,095	\$ 33,800	\$ 6,619	\$ 15,037,257	\$ 22,577,771	\$ 26,040,112
Regional	3,868,365	50,314	55,156	(3,973,835)	—	—
	\$ 11,368,460	\$ 84,114	\$ 61,775	\$ 11,063,422	\$ 22,577,771	\$ 26,040,112

These endowment funds are included as part of the long-term investment balance.

On an annual basis, any deficiency in the Regional Fund will be funded from the Provincial Fund.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2010

6. Commitments:

Ontario SPCA has lease commitments for buildings, office equipment and vehicles which expire at various dates. Future minimum lease commitments are as follows:

2011	\$ 186,000
2012	73,000
2013	29,000
2014	9,000
	<hr/>
	\$ 297,000

Ontario SPCA has letters of credit outstanding in the amount of \$24,025 (2009 - \$14,665) relating to hydro services provided to the provincial office and \$119,949 relating to Muskoka capital build for the City of Bracebridge.

7. Related organizations:

Class A members, which are local societies in various communities across Ontario, are affiliated with Ontario SPCA. Each affiliate operates autonomously and is independently incorporated. Representatives from some affiliates are members of Ontario SPCA provincial Board of Directors.

During the year, \$1,174,040 (2009 - \$1,354,203) in grants/disbursements of designated gifts to Ontario SPCA affiliates were recorded and paid in these financial statements. Ontario SPCA also paid \$15,305 (2009 - \$19,595) in legal fees on behalf of the affiliates.

Ontario SPCA provides safety equipment and investigations training to their affiliates free of charge. As such, no amounts are recorded in the financial statements for providing these services.

8. Other information:

The Regional Fund's revenue and expenses include animal food and supplies, as well as fundraising supplies/materials, computer equipment and miscellaneous furniture and supplies, which are donated and have a fair market value of \$87,296 (2009 - \$78,418).

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2010

9. Guarantees:

In the normal course of business, Ontario SPCA enters into agreements that meet the definition of guarantee.

- (a) Ontario SPCA has provided indemnities under lease agreements for the use of various operating facilities. Under the terms of these agreements, Ontario SPCA agrees to indemnify the counterparties for various items, including, but not limited to, all liabilities, loss, suits and damages arising during, on or after the term of the agreement. The maximum amount of any potential future payment cannot be reasonably estimated.
- (b) Ontario SPCA indemnifies all directors for various items, including, but not limited to, all costs to settle suits or actions due to services provided to Ontario SPCA, subject to certain restrictions. Ontario SPCA has purchased liability insurance to mitigate the cost of any potential future suits or actions. The amount of any potential future payment cannot be reasonably estimated.

The nature of these indemnification agreements prevents Ontario SPCA from making a reasonable estimate of the maximum exposure due to the difficulties in assessing the amount of liability which stems from the unpredictability of future events and the unlimited coverage offered to counterparties. Historically, Ontario SPCA has not made any significant payments under such or similar indemnification agreements and, therefore, no amount has been accrued with respect to these agreements.

10. Management of capital:

Ontario SPCA defines its capital as the amounts included in its fund balances. Ontario SPCA's objective when managing its capital is to safeguard Ontario SPCA's ability to continue as a going concern so that it can continue to provide the appropriate level of benefits and services to the public.

A portion of Ontario SPCA's capital is restricted in that Ontario SPCA is required to meet certain requirements in order to utilize its externally restricted funds, as described in note 5. Ontario SPCA has internal control processes to ensure that the restrictions are met prior to the utilization of these resources and has been in compliance with these restrictions throughout the year.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2010

11. Financial instruments:

(a) Investment risk management:

Risk management relates to the understanding and active management of risks associated with all areas of the business and the associated operating environment. Investments are primarily exposed to interest rate and market risk.

Ontario SPCA mitigates these risks with an investment policy designed to limit exposure and concentration while achieving optimal return within reasonable risk tolerances.

(b) Credit risk:

Accounts receivable are subject to credit risk. Cash and cash equivalents are held in creditworthy financial institutions.

(c) Market and interest rate risk:

The risks associated with the investments are the risks associated with the securities in which the funds are invested. The value of securities will vary with developments within the specific companies or governments which issue the securities. The value of fixed income securities will generally rise if interest rates fall and fall if interest rates rise. The value of securities denominated in a currency other than the Canadian dollar will be affected by changes in the value of the Canadian dollar in relation to the value of the currency in which the security is denominated.



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INDEPENDENT AUDITORS' REPORT

To the Members of Ontario Society for the Prevention
of Cruelty to Animals

We have audited the accompanying financial statements of Ontario Society for the Prevention of Cruelty to Animals, which comprise the statement of financial position as at December 31, 2011, the statements of operations and changes in fund balances and cash flows for the year then ended, and notes, comprising a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian generally accepted accounting principles, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on our judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, we consider internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our qualified audit opinion.



Page 2

Basis for Qualified Opinion

In common with many charitable organizations, Ontario Society for the Prevention of Cruelty to Animals derives revenue from donations and fundraising, the completeness of which is not susceptible to satisfactory audit verification. Accordingly, verification of these revenues was limited to the amounts recorded in the records of Ontario Society for the Prevention of Cruelty to Animals. Therefore, we were not able to determine whether, as at and for the years ended December 31, 2011 and December 31, 2010, any adjustments might be necessary to donations and fundraising, excess (deficiency) of revenue over expenses and distributions, total assets and fund balances. This caused us to qualify our audit opinion on the financial statements as at and for the year ended December 31, 2010.

Qualified Opinion

In our opinion, except for the possible effects of the matter described in the Basis for Qualified Opinion paragraph, the financial statements present fairly, in all material respects, the financial position of Ontario Society for the Prevention of Cruelty to Animals as at December 31, 2011, and its results of operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

KPMG LLP

Chartered Accountants, Licensed Public Accountants

April 5, 2012
Toronto, Canada

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Statement of Financial Position

December 31, 2011, with comparative figures for 2010

	2011	2010
Assets		
Current assets:		
Cash and cash equivalents	\$ 5,888,316	\$ 6,787,570
Accounts receivable	595,358	649,338
Inventory	68,142	32,271
Prepaid expenses	50,347	17,062
	<u>6,602,163</u>	<u>7,486,241</u>
Long-term investments (note 2)	6,415,834	5,439,178
Capital assets (note 3)	13,467,328	12,099,493
	<u>\$ 26,485,325</u>	<u>\$ 25,024,912</u>

Liabilities and Fund Balances

Current liabilities:		
Accounts payable and accrued liabilities	\$ 1,662,747	\$ 1,697,002
Bank loan (note 4)	566,858	731,033
Deferred revenue	17,525	19,106
	<u>2,247,130</u>	<u>2,447,141</u>
Fund balances (note 5):		
Provincial	24,238,195	22,577,771
Regional	—	—
	<u>24,238,195</u>	<u>22,577,771</u>
Commitments (note 6)		
Guarantees (note 9)		
	<u>\$ 26,485,325</u>	<u>\$ 25,024,912</u>

See accompanying notes to financial statements.

On behalf of the Board:



Director



Director

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Statement of Operations and Changes in Fund Balances

Year ended December 31, 2011, with comparative figures for 2010

			2011	2010
	Provincial Fund	Regional Fund	Total	Total
Revenue:				
Donations and fundraising	\$ 3,965,892	\$ 2,263,610	\$ 6,229,502	\$ 6,454,954
Provincial grants	616,970	12,204	629,174	525,694
Provincial grant - capital	—	796,165	796,165	397,216
Shelter and veterinary	982,614	1,496,232	2,478,846	2,035,148
Municipal contract fees	—	2,413,560	2,413,560	2,720,751
Other	172,495	250,972	423,467	433,351
Interest and investment income gain (note 2)	74,288	—	74,288	456,443
	5,812,259	7,232,743	13,045,002	13,023,557
Expenses:				
Animal care and protection	2,395,251	7,980,831	10,376,082	13,758,320
Fundraising	1,248,452	167,905	1,416,357	1,621,778
General	2,734,498	—	2,734,498	2,507,472
Communication and education services	547,481	62,255	609,736	482,927
Amortization	294,316	253,812	548,128	541,946
Interest and bank charges	197,111	9,924	207,035	191,451
	7,417,109	8,474,727	15,891,836	19,103,894
Distributions:				
Grants to Ontario Society for the Prevention of Cruelty to Animals affiliates	95,046	—	95,046	1,174,040
Deficiency of revenue over expenses and distributions before legacies	(1,699,896)	(1,241,984)	(2,941,880)	(7,254,377)
Legacies	3,522,328	1,079,976	4,602,304	3,667,108
Excess (deficiency) of revenue over expenses and distributions	1,822,432	(162,008)	1,660,424	(3,587,269)
Fund balances, beginning of year	22,577,771	—	22,577,771	26,040,112
Transfer out of the Brant branch capital assets	—	—	—	(125,072)
Donation of land	—	—	—	250,000
Transfer between funds (note 5)	(162,008)	162,008	—	—
Fund balances, end of year	\$ 24,238,195	\$ —	\$ 24,238,195	\$ 22,577,771

See accompanying notes to financial statements.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Statement of Cash Flows

Year ended December 31, 2011, with comparative figures for 2010

	2011	2010
Cash provided by (used in):		
Operating activities:		
Excess (deficiency) of revenue over expenses and distributions	\$ 1,660,424	\$ (3,587,269)
Items not involving cash:		
Amortization	548,128	541,946
Net realized gain on sale of long-term investments	(68,753)	(145,190)
Unrealized loss (gain) on investments	256,856	(85,441)
Gain on sale of capital assets	(4,612)	(7,325)
Change in non-cash operating working capital:		
Accounts receivable	53,980	(128,946)
Inventory	(35,871)	(3,937)
Prepaid expenses	(33,285)	67,045
Accounts payable and accrued liabilities	(34,255)	(398,273)
Deferred revenue	(1,581)	17,106
	2,341,031	(3,730,284)
Financing activities:		
Decrease in bank loan	(164,175)	(157,212)
Investing activities:		
Change in long-term investments	(1,164,759)	(133,899)
Additions to capital assets	(2,005,888)	(953,377)
Proceeds from sale of capital assets	94,537	23,360
	(3,076,110)	(1,063,916)
Decrease in cash and cash equivalents	(899,254)	(4,951,412)
Cash and cash equivalents, beginning of year	6,787,570	11,738,982
Cash and cash equivalents, end of year	\$ 5,888,316	\$ 6,787,570
Subsequent cash flow information:		
Transfer out of the Brant branch capital assets	\$ —	\$ (125,072)
Donation of land	—	250,000

See accompanying notes to financial statements.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements

Year ended December 31, 2011

Ontario Society for the Prevention of Cruelty to Animals ("Ontario SPCA") was founded in 1873 and was incorporated under special legislation in 1919 within the OSPCA Act and as later amended.

The purpose of Ontario SPCA is to promote the prevention of cruelty to animals, based upon the principle that no one has the right to cause unnecessary pain or suffering to any animal, and to work within the law and in cooperation with the government and public, in order to improve conditions for animals, while maintaining a balanced sensitivity towards both animal and human needs.

Ontario SPCA is registered as a charitable organization under the Income Tax Act (Canada) (the "Act"). As such, Ontario SPCA is exempt from income taxes and is able to issue donation receipts for income tax purposes. In order to maintain its status as a registered charity under the Act, Ontario SPCA must meet certain requirements within the Act. In the opinion of management, these requirements have been met.

1. Significant accounting policies:

These financial statements include the accounts of the provincial office of Ontario SPCA and its regional branches. The financial statements do not include the accounts of affiliated societies (note 7).

The financial statements have been prepared in accordance with generally accepted accounting principles applied within the framework of the significant Canadian accounting policies summarized below:

(a) Fund accounting:

Ontario SPCA follows the restricted fund method of accounting for contributions.

(i) Provincial Fund:

The Provincial Fund accounts for provincial animal protection services, provincial wildlife services, the provincial animal centre, the provincial veterinary clinic(s), as well as provincial communication services (humane education, publication, etc.), provincial fundraising, administration and finance.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2011

1. Significant accounting policies (continued):

(ii) Regional Fund:

The Regional Fund accounts for Ontario SPCA branch fundraising activities (including thrift shops), regional animal protection services, regional humane education initiatives and regional animal facilities.

(b) Revenue recognition:

Ontario SPCA recognizes revenue from fundraising efforts, donations, legacies and from shelter and veterinary operations when funds are received.

Cash legacies are recorded when received. Legacies received in the form of marketable securities are recorded at their fair market value at the time of receipt. Residual legacies are not recorded until the life tenancies expire.

Revenue from various municipal contracts is recorded as amounts are earned through the provision of service.

Endowment contributions are recognized as revenue of the applicable fund in the year in which they are received.

Grants received for specific purposes, for which there is no restricted fund established, are recognized when the grant specifications have been met.

Interest and investment income gain (loss) includes interest income, realized gains (losses) and the net change in unrealized gains (losses) for the year.

(c) Cash and cash equivalents:

Ontario SPCA considers deposits in banks, certificates of deposit and short-term investments with original maturities of three months or less as cash and cash equivalents.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2011

1. Significant accounting policies (continued):

(d) Financial instruments:

Cash and cash equivalents and investments are classified as held-for-trading and stated at fair value. Accounts receivable are classified as loans and receivables, which are measured at amortized cost. Accounts payable and accrued liabilities and the bank loan are classified as other financial liabilities, which are measured at amortized cost.

In determining fair values for investments, adjustments have not been made for transaction costs as they are not considered significant. The unrealized gain or loss on investments, being the difference between book value and fair value, is included in interest and investment income gain in the statement of operations and changes in fund balances.

Fair values of investments are determined as follows:

- (i) Pooled fund investments represent Ontario SPCA's proportionate share of the underlying net assets of the Toronto Community Foundation Fund, at fair values determined using closing market prices.
- (ii) Guaranteed investment certificates maturing within a year are stated at cost, which together with accrued interest income, approximate fair value given the short-term nature of these investments.

The fair values of investments are equal to the quoted market value, as disclosed in note 2. The fair values of other financial assets and liabilities, being cash and cash equivalents, accounts receivable and accounts payable and accrued liabilities and bank loan, approximate their carrying values due to the relatively short-term nature of these financial instruments.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2011

1. Significant accounting policies (continued):

Ontario SPCA has adopted The Canadian Institute of Chartered Accountants' Handbook Section 3861, Financial Instruments - Disclosure and Presentation. In accordance with the Accounting Standards Board's decision to exempt not-for-profit organizations from the disclosure requirements with respect to financial instruments contained within Section 3862, Financial Instruments - Disclosures, and Section 3863, Financial Instruments - Presentation, Ontario SPCA has elected not to adopt these standards in its financial statements.

(e) Capital assets:

Purchased capital assets are stated at acquisition cost and are amortized over their useful lives. Amortization is provided using the following methods and annual rates:

Asset	Basis	Rate
Buildings	Declining balance	2%
Furniture and equipment	Declining balance	20%
Automotive equipment	Declining balance	30%
Computers	Straight line	33%
Leasehold improvements	Straight line	Over term of lease

Capital purchases under \$1,000 are expensed when incurred.

(f) Donations in kind:

Donated materials, services and capital assets are recorded at fair value in the period received when a fair value can be reasonably estimated and when the materials, services and capital assets would be paid for if not donated. A substantial number of volunteers have made significant contributions of their time to Ontario SPCA. Since these services are not normally purchased by Ontario SPCA and because of the difficulty of determining their fair value, donated services for volunteer activities are not recognized in the financial statements.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2011

1. Significant accounting policies (continued):

(g) Use of estimates:

The preparation of financial statements requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the year. Actual results could differ from those estimates.

2. Long-term investments:

	2011		2010	
	Book value	Fair value	Book value	Fair value
Guaranteed investment certificate ("GIC")	\$ 1,544,378	\$ 1,544,378	\$ 1,474,996	\$ 1,474,996
Pooled fund investments with The Toronto Community Foundation	5,203,693	4,871,456	4,039,563	3,964,182
	<u>\$ 6,748,071</u>	<u>\$ 6,415,834</u>	<u>\$ 5,514,559</u>	<u>\$ 5,439,178</u>

The GIC produces a yield to maturity of 4.7% (2010 - 4.7%) and matures on June 11, 2013.

Included in interest and investment income gain are net realized gains of \$68,753 (2010 - \$145,190) and net unrealized losses of (\$256,856) (2010 - gains of \$85,441).

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2011

3. Capital assets:

			2011	2010
	Cost	Accumulated amortization	Net book value	Net book value
Land and improvements	\$ 1,672,669	\$ –	\$ 1,672,669	\$ 1,682,736
Buildings	12,927,503	2,132,884	10,794,619	9,515,932
Furniture and equipment	1,802,937	1,326,114	476,823	425,229
Automotive equipment	754,230	395,771	358,459	316,343
Computers	545,706	391,851	153,855	124,997
Leasehold improvements	148,257	137,354	10,903	34,256
	\$ 17,851,302	\$ 4,383,974	\$ 13,467,328	\$ 12,099,493

4. Bank loan:

The loan bears interest at 4.4%, is due on demand and is secured by a GIC. Annual repayments, including principal and interest, amount to \$193,068.

5. Fund balances:

Fund balances comprise the following:

					2011	2010
	Invested in capital assets	Externally restricted	Endowment	Unrestricted	Total	Total
Provincial	\$ 6,962,089	\$ –	\$ 6,619	\$ 17,269,487	\$ 24,238,195	\$ 22,577,771
Regional	5,938,381	155,248	55,156	(6,148,785)	–	–
	\$ 12,900,470	\$ 155,248	\$ 61,775	\$ 11,120,702	\$ 24,238,195	\$ 22,577,771

These endowment funds are included as part of the long-term investment balance.

On an annual basis, any deficiency in the Regional Fund will be funded from the Provincial Fund.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2011

6. Commitments:

Ontario SPCA has lease commitments for buildings, office equipment and vehicles which expire at various dates. Future minimum lease commitments are as follows:

2012	\$ 141,000
2013	49,000
2014	29,000
2015	9,000
	<hr/>
	\$ 228,000

Ontario SPCA has letters of credit outstanding in the amount of \$24,025 (2010 - \$24,025) relating to hydro services provided to the provincial office.

7. Related organizations:

Class A members, which are local societies in various communities across Ontario, are affiliated with Ontario SPCA. Each affiliate operates autonomously and is independently incorporated. Representatives from some affiliates are members of Ontario SPCA provincial Board of Directors.

During the year, \$95,406 (2010 - \$1,174,040) in grants/disbursements of designated gifts to Ontario SPCA affiliates were recorded and paid in these financial statements. Ontario SPCA also paid \$27,680 (2010 - \$15,305) in legal fees on behalf of the affiliates.

Ontario SPCA provides safety equipment and investigations training to their affiliates free of charge. As such, no amounts are recorded in the financial statements for providing these services.

8. Other information:

The Regional Fund's revenue and expenses include animal food and supplies, as well as fundraising supplies/materials, computer equipment and miscellaneous furniture and supplies, which are donated and have a fair market value of \$80,236 (2010 - \$87,296).

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2011

9. Guarantees:

In the normal course of business, Ontario SPCA enters into agreements that meet the definition of guarantee.

- (a) Ontario SPCA has provided indemnities under lease agreements for the use of various operating facilities. Under the terms of these agreements, Ontario SPCA agrees to indemnify the counterparties for various items, including, but not limited to, all liabilities, loss, suits and damages arising during, on or after the term of the agreement. The maximum amount of any potential future payment cannot be reasonably estimated.
- (b) Ontario SPCA indemnifies all directors for various items, including, but not limited to, all costs to settle suits or actions due to services provided to Ontario SPCA, subject to certain restrictions. Ontario SPCA has purchased liability insurance to mitigate the cost of any potential future suits or actions. The amount of any potential future payment cannot be reasonably estimated.

The nature of these indemnification agreements prevents Ontario SPCA from making a reasonable estimate of the maximum exposure due to the difficulties in assessing the amount of liability which stems from the unpredictability of future events and the unlimited coverage offered to counterparties. Historically, Ontario SPCA has not made any significant payments under such or similar indemnification agreements and, therefore, no amount has been accrued with respect to these agreements.

10. Management of capital:

Ontario SPCA defines its capital as the amounts included in its fund balances. Ontario SPCA's objective when managing its capital is to safeguard Ontario SPCA's ability to continue as a going concern so that it can continue to provide the appropriate level of benefits and services to the public.

A portion of Ontario SPCA's capital is restricted in that Ontario SPCA is required to meet certain requirements in order to utilize its externally restricted funds, as described in note 5. Ontario SPCA has internal control processes to ensure that the restrictions are met prior to the utilization of these resources and has been in compliance with these restrictions throughout the year.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Year ended December 31, 2011

11. Financial instruments:

(a) Investment risk management:

Risk management relates to the understanding and active management of risks associated with all areas of the business and the associated operating environment. Investments are primarily exposed to interest rate and market risk.

Ontario SPCA mitigates these risks with an investment policy designed to limit exposure and concentration while achieving optimal return within reasonable risk tolerances.

(b) Credit risk:

Accounts receivable are subject to credit risk. Cash and cash equivalents are held in creditworthy financial institutions.

(c) Market and interest rate risk:

The risks associated with the investments are the risks associated with the securities in which the funds are invested. The value of securities will vary with developments within the specific companies or governments which issue the securities. The value of fixed income securities will generally rise if interest rates fall and fall if interest rates rise. The value of securities denominated in a currency other than the Canadian dollar will be affected by changes in the value of the Canadian dollar in relation to the value of the currency in which the security is denominated.

12. Comparative figures:

Certain comparative figures have been reclassified to conform with the financial statement presentation adopted in the current year.

Financial Statements of

**ONTARIO SOCIETY FOR THE
PREVENTION OF CRUELTY
TO ANIMALS**

Years ended December 31, 2012 and 2011



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INDEPENDENT AUDITORS' REPORT

To the Members of Ontario Society for the Prevention
of Cruelty to Animals

We have audited the accompanying financial statements of Ontario Society for the Prevention of Cruelty to Animals, which comprise the statements of financial position as at December 31, 2012, December 31, 2011 and January 1, 2011, the statements of operations and changes in fund balances and cash flows for the years ended December 31, 2012 and December 31, 2011, and notes, comprising a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian accounting standards for not-for-profit organizations, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on our judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, we consider internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained in our audits is sufficient and appropriate to provide a basis for our qualified audit opinion.



Page 2

Basis for Qualified Opinion

In common with many not-for-profit organizations, Ontario Society for the Prevention of Cruelty to Animals derives revenue from donations and fundraising, the completeness of which is not susceptible to satisfactory audit verification. Accordingly, verification of these revenues was limited to the amounts recorded in the records of Ontario Society for the Prevention of Cruelty to Animals.

Therefore, we were not able to determine whether, as at December 31, 2012, December 31, 2011, and January 1, 2011, and for the years ended December 31, 2012 and December 31, 2011, any adjustments might be necessary to donations and fundraising and excess (deficiency) of revenue over expenses and distributions reported in the statements of operations, excess (deficiency) of revenue over expenses and distributions reported in the statements of cash flows and current assets and fund balances reported in the statements of financial position.

Qualified Opinion

In our opinion, except for the possible effects of the matter described in the Basis for Qualified Opinion paragraph, the financial statements present fairly, in all material respects, the financial position of Ontario Society for the Prevention of Cruelty to Animals as at December 31, 2012, December 31, 2011 and January 1, 2011, and its results of operations and its cash flows for the years ended December 31, 2012 and December 31, 2011 in accordance with Canadian accounting standards for not-for-profit organizations.

KPMG LLP

Chartered Accountants, Licensed Public Accountants

April 13, 2013
Toronto, Canada

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

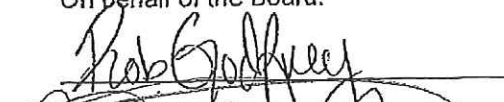
Statements of Financial Position

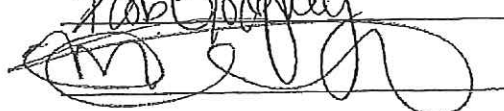
December 31, 2012, December 31, 2011 and January 1, 2011

	December 31, 2012	December 31, 2011	January 1, 2011
Assets			
Current assets:			
Cash and cash equivalents	\$ 6,914,097	\$ 5,888,316	\$ 6,787,570
Accounts receivable (note 2)	1,164,297	595,358	649,338
Inventory	102,526	68,142	32,271
Prepaid expenses	43,763	50,347	17,062
	<u>8,224,683</u>	<u>6,602,163</u>	<u>7,486,241</u>
Investments (note 3)	3,728,368	6,415,834	5,439,178
Capital assets (note 4)	13,081,045	13,467,328	12,099,493
	<u>\$ 25,034,096</u>	<u>\$ 26,485,325</u>	<u>\$ 25,024,912</u>
Liabilities and Fund Balances			
Current liabilities:			
Accounts payable and accrued liabilities (note 5)	\$ 1,628,024	\$ 1,662,747	\$ 1,697,002
Bank loan (note 6)	—	566,858	731,033
Deferred revenue	28,184	17,525	19,106
	<u>1,656,208</u>	<u>2,247,130</u>	<u>2,447,141</u>
Fund balances (note 7):			
Provincial	23,377,888	24,238,195	22,577,771
Commitments (note 8)			
Guarantees (note 11)			
Contingencies (note 12)			
	<u>\$ 25,034,096</u>	<u>\$ 26,485,325</u>	<u>\$ 25,024,912</u>

See accompanying notes to financial statements.

On behalf of the Board:

 Director

 Director

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Statements of Operations and Changes in Fund Balances

Years ended December 31, 2012 and 2011

2012	Provincial Fund	Regional Fund	Total
Revenue:			
Donations and fundraising	\$ 4,037,551	\$ 2,049,781	\$ 6,087,332
Provincial grants	603,000	26,061	629,061
Shelter and veterinary	1,006,812	1,432,769	2,439,581
Municipal contract fees	—	2,418,748	2,418,748
Other	119,970	346,953	466,923
Investment (note 3)	589,579	—	589,579
	6,356,912	6,274,312	12,631,224
Expenses:			
Animal care and protection	2,682,996	8,527,798	11,210,794
Fundraising	1,758,897	138,811	1,897,708
General	2,491,461	—	2,491,461
Communication and education services	633,625	36,001	669,626
Amortization	294,228	271,137	565,365
Interest and bank charges	179,747	8,517	188,264
	8,040,954	8,982,264	17,023,218
Distributions:			
Grants to Ontario Society for the Prevention of Cruelty to Animals affiliates and Humane Societies in other provinces (note 9)	68,005	—	68,005
Deficiency of revenue over expenses and distributions before legacies	(1,752,047)	(2,707,952)	(4,459,999)
Legacies	3,037,004	834,249	3,871,253
Excess (deficiency) of revenue over expenses and distributions	1,284,957	(1,873,703)	(588,746)
Fund balances, beginning of year	24,238,195	—	24,238,195
Transfer out of the branch capital assets	—	(271,561)	(271,561)
Transfer between funds (note 7)	(2,145,264)	2,145,264	—
Fund balances, end of year	\$ 23,377,888	\$ —	\$ 23,377,888

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Statements of Operations and Changes in Fund Balances (continued)

Years ended December 31, 2012 and 2011

2011	Provincial Fund	Regional Fund	Total
Revenue:			
Donations and fundraising	\$ 3,965,892	\$ 2,263,610	\$ 6,229,502
Provincial grants	616,970	12,204	629,174
Provincial grant - capital	—	796,165	796,165
Shelter and veterinary	982,614	1,496,232	2,478,846
Municipal contract fees	—	2,413,560	2,413,560
Other	172,495	250,972	423,467
Investment (note 3)	74,288	—	74,288
	5,812,259	7,232,743	13,045,002
Expenses:			
Animal care and protection	2,395,251	7,980,831	10,376,082
Fundraising	1,248,452	167,905	1,416,357
General	2,734,498	—	2,734,498
Communication and education services	547,481	62,255	609,736
Amortization	294,316	253,812	548,128
Interest and bank charges	197,111	9,924	207,035
	7,417,109	8,474,727	15,891,836
Distributions:			
Grants to Ontario Society for the Prevention of Cruelty to Animals affiliates and Humane Societies in other provinces (note 9)	95,046	—	95,046
Deficiency of revenue over expenses and distributions before legacies	(1,699,896)	(1,241,984)	(2,941,880)
Legacies	3,522,328	1,079,976	4,602,304
Excess (deficiency) of revenue over expenses and distributions	1,822,432	(162,008)	1,660,424
Fund balances, beginning of year	22,577,771	—	22,577,771
Transfer between funds (note 7)	(162,008)	162,008	—
Fund balances, end of year	\$ 24,238,195	\$ —	\$ 24,238,195

See accompanying notes to financial statements.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Statements of Cash Flows

Years ended December 31, 2012 and 2011

	2012	2011
Cash provided by (used in):		
Operating activities:		
Excess (deficiency) of revenue over expenses and distributions	\$ (588,746)	\$ 1,660,424
Items not involving cash:		
Amortization	565,365	548,128
Net realized gain on sale of investments	(221,166)	(68,753)
Unrealized loss (gain) on investments	(110,396)	256,856
Gain on sale of capital assets	(186)	(4,612)
Change in non-cash operating working capital:		
Accounts receivable	(568,939)	53,980
Inventory	(34,384)	(35,871)
Prepaid expenses	6,584	(33,285)
Accounts payable and accrued liabilities	(34,723)	(34,255)
Deferred revenue	10,659	(1,581)
	(975,932)	2,341,031
Financing activities:		
Decrease in bank loan	(566,858)	(164,175)
Investing activities:		
Change in investments	3,019,028	(1,164,759)
Additions to capital assets	(451,757)	(2,005,888)
Proceeds from sale of capital assets	1,300	94,537
	2,568,571	(3,076,110)
Increase (decrease) in cash and cash equivalents	1,025,781	(899,254)
Cash and cash equivalents, beginning of year	5,888,316	6,787,570
Cash and cash equivalents, end of year	\$ 6,914,097	\$ 5,888,316
Supplemental cash flow information:		
Transfer out of the branch capital assets	\$ (271,561)	\$ -

See accompanying notes to financial statements.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements

Years ended December 31, 2012 and 2011

Ontario Society for the Prevention of Cruelty to Animals ("Ontario SPCA") was founded in 1873 and was incorporated under special legislation in 1919 within the OSPCA Act and as later amended.

The purpose of Ontario SPCA is to promote the prevention of cruelty to animals, based upon the principle that no one has the right to cause unnecessary pain or suffering to any animal, and to work within the law and in cooperation with the government and public, in order to improve conditions for animals, while maintaining a balanced sensitivity towards both animal and human needs.

Ontario SPCA is registered as a charitable organization under the Income Tax Act (Canada) (the "Act"). As such, Ontario SPCA is exempt from income taxes and is able to issue donation receipts for income tax purposes. In order to maintain its status as a registered charity under the Act, Ontario SPCA must meet certain requirements within the Act. In the opinion of management, these requirements have been met.

On January 1, 2012, Ontario SPCA adopted Canadian Accounting Standards for Not-For-Profit Organizations ("ASNPO") in Part III of The Canadian Institute of Chartered Accountants' ("CICA") Handbook. These are the first financial statements prepared in accordance with ASNPO.

In accordance with the transitional provisions in ASNPO, Ontario SPCA has adopted the changes retrospectively, subject to certain exemptions allowed under these standards. All comparative information provided has been presented by applying ASNPO.

There were no adjustments to fund balances as at January 1, 2011 or excess of revenue (deficiency) over expenses and distributions for the year ended December 31, 2011 as a result of the transition to ASNPO.

1. Significant accounting policies:

These financial statements include the accounts of the provincial office of Ontario SPCA and its regional branches. The financial statements do not include the accounts of affiliated societies (note 9).

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Years ended December 31, 2012 and 2011

1. Significant accounting policies (continued):

The financial statements have been prepared by management in accordance with ASNPO in Part III of the CICA Handbook:

(a) Fund accounting:

Ontario SPCA follows the restricted fund method of accounting for contributions.

(i) Provincial Fund:

The Provincial Fund accounts for provincial animal care and protection services, the provincial spay/neuter veterinary clinic(s), as well as provincial communication services (humane education, publication, etc.), provincial fundraising, human resources, finance and information technology.

(ii) Regional Fund:

The Regional Fund accounts for Ontario SPCA branch fundraising activities (including thrift shops), regional animal protection services, regional humane education initiatives and regional animal facilities.

(b) Revenue recognition:

Ontario SPCA recognizes revenue from fundraising efforts, donations, legacies and from shelter and veterinary operations when funds are received.

Cash legacies are recorded when received. Legacies received in the form of marketable securities are recorded at their fair market value at the time of receipt. Residual legacies are not recorded until the life tenancies expire.

Revenue from various municipal contracts is recorded as amounts are earned through the provision of service.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Years ended December 31, 2012 and 2011

1. Significant accounting policies (continued):

Endowment contributions are recognized as revenue of the applicable fund in the year in which they are received.

Grants received for specific purposes, for which there is no restricted fund established, are recognized when the grant specifications have been met.

Investment revenue includes interest income, realized gains (losses) and the net change in unrealized gains (losses) for the year.

(c) Cash and cash equivalents:

Ontario SPCA considers deposits in banks, certificates of deposit and short-term investments with original maturities of three months or less as cash and cash equivalents.

(d) Financial instruments:

Financial instruments are recorded at fair value on initial recognition. Freestanding derivative instruments that are not in a qualifying hedging relationship and equity instruments that are quoted in an active market are subsequently measured at fair value. All other financial instruments are subsequently recorded at cost or amortized cost, unless management has elected to carry the instruments at fair value. Ontario SPCA has elected to carry its pooled fund investments at fair value.

Transaction costs incurred on the acquisition of financial instruments measured subsequently at fair value are expensed as incurred. All other financial instruments are adjusted by transaction costs incurred on acquisition and financing costs, which are amortized using the straight-line method.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Years ended December 31, 2012 and 2011

1. Significant accounting policies (continued):

Financial assets are assessed for impairment on an annual basis at the end of the fiscal year if there are indicators of impairment. If there is an indicator of impairment, Ontario SPCA determines if there is a significant adverse change in the expected amount or timing of future cash flows from the financial asset. If there is a significant adverse change in the expected cash flows, the carrying value of the financial asset is reduced to the highest of the present value of the expected cash flows, the amount that could be realized from selling the financial asset or the amount Ontario SPCA expects to realize by exercising its right to any collateral. If events and circumstances reverse in a future period, an impairment loss will be reversed to the extent of the improvement, not exceeding the initial carrying value.

The unrealized gain or loss on investments, being the difference between book value and carrying value, is included in investment revenue in the statements of operations and changes in fund balances.

Fair values of investments are determined as follows:

- (i) Pooled fund investments represent Ontario SPCA's proportionate share of the underlying net assets of the Toronto Community Foundation Fund, at fair values determined using closing market prices.
- (ii) Guaranteed investment certificates ("GICs") maturing within a year are stated at amortized cost, which together with accrued interest income, approximate fair value given the short-term nature of these investments.

The fair values of other financial assets and liabilities, being cash and cash equivalents, accounts receivable, accounts payable and accrued liabilities and bank loan, approximate their carrying values due to the relatively short-term nature of these financial instruments.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Years ended December 31, 2012 and 2011

1. Significant accounting policies (continued):

(e) Capital assets:

Purchased capital assets are stated at acquisition cost and are amortized over their useful lives. Amortization is provided using the following methods and annual rates:

Asset	Basis	Rate
Buildings	Declining balance	2%
Furniture and equipment	Declining balance	20%
Automotive equipment	Declining balance	30%
Computers	Straight line	33%
Leasehold improvements	Straight line	Over term of lease

Capital purchases under \$1,000 are expensed when incurred.

(f) Donations in kind:

Donated materials, services and capital assets are recorded at fair value in the period received when a fair value can be reasonably estimated and when the materials, services and capital assets would be paid for if not donated. A substantial number of volunteers have made significant contributions of their time to Ontario SPCA. Since these services are not normally purchased by Ontario SPCA and because of the difficulty of determining their fair value, donated services for volunteer activities are not recognized in the financial statements.

(g) Use of estimates:

The preparation of financial statements requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the dates of the financial statements and the reported amounts of revenue and expenses during the years. Significant items subject to such estimates and assumptions include allowance for doubtful accounts, the carrying amount of capital assets, accounts payable and accrued liabilities, and disclosure of contingencies. Actual results could differ from those estimates.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Years ended December 31, 2012 and 2011

2. Accounts receivable:

	December 31, 2012	December 31, 2011	January 1, 2011
Accounts receivable	\$ 296,599	\$ 278,883	\$ 439,826
Harmonized sales tax	175,621	166,232	216,007
Other	729,936	166,309	—
	1,202,156	611,424	655,833
Less allowance for doubtful accounts	37,859	16,066	6,495
	\$ 1,164,297	\$ 595,358	\$ 649,338

3. Investments:

	December 31, 2012	December 31, 2011	January 1, 2011
GIC, measured at amortized cost	\$ 1,623,850	\$ 1,544,378	\$ 1,474,996
Pooled fund investments with the Toronto Community Foundation, measured at fair value	2,104,518	4,871,456	3,964,182
	\$ 3,728,368	\$ 6,415,834	\$ 5,439,178

The GIC produces a yield to maturity of 4.7% (December 31, 2011 - 4.7%; January 1, 2011 - 4.7%) and matures on June 11, 2013.

Included in investment revenue are net realized gains of \$221,166 (December 31, 2011 - \$68,753; January 1, 2011 - \$145,190) and net unrealized gains of \$110,396 (December 31, 2011 - losses of \$256,856; January 1, 2011 - gains of \$85,441).

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Years ended December 31, 2012 and 2011

4. Capital assets:

December 31, 2012	Cost	Accumulated amortization	Net book value
Land and improvements	\$ 1,641,566	\$ —	\$ 1,641,566
Buildings	12,673,625	2,268,517	10,405,108
Furniture and equipment	1,854,171	1,403,593	450,578
Automotive equipment	962,401	521,217	441,184
Computers	626,217	483,608	142,609
Leasehold improvements	144,689	144,689	—
	<u>\$ 17,902,669</u>	<u>\$ 4,821,624</u>	<u>\$ 13,081,045</u>

December 31, 2011	Cost	Accumulated amortization	Net book value
Land and improvements	\$ 1,672,669	\$ —	\$ 1,672,669
Buildings	12,927,503	2,132,884	10,794,619
Furniture and equipment	1,802,937	1,326,114	476,823
Automotive equipment	754,230	395,771	358,459
Computers	545,706	391,851	153,855
Leasehold improvements	148,257	137,354	10,903
	<u>\$ 17,851,302</u>	<u>\$ 4,383,974</u>	<u>\$ 13,467,328</u>

January 1, 2011	Cost	Accumulated amortization	Net book value
Land and improvements	\$ 1,682,736	\$ —	\$ 1,682,736
Buildings	11,477,890	1,961,958	9,515,932
Furniture and equipment	1,663,776	1,238,547	425,229
Automotive equipment	593,101	276,758	316,343
Computers	418,504	293,507	124,997
Leasehold improvements	139,520	105,264	34,256
	<u>\$ 15,975,527</u>	<u>\$ 3,876,034</u>	<u>\$ 12,099,493</u>

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Years ended December 31, 2012 and 2011

5. Accounts payable and accrued liabilities:

Included in accounts payable and accrued liabilities are government remittances payable of \$32,218 (December 31, 2011 - \$31,088, January 1, 2011 - \$32,137), which includes amounts payable for harmonized sales tax and payroll related taxes.

6. Bank loan:

The loan was retired in 2012 and bore an interest rate of 4.4%, and was due on demand and secured by a GIC.

7. Fund balances:

Fund balances comprise the following:

December 31, 2012	Invested in capital assets	Externally restricted	Endowment	Unrestricted	Total
Provincial	\$ 6,937,645	\$ 6,765	\$ 6,619	\$ 16,426,859	\$ 23,377,888
Regional	6,143,400	182,033	55,156	(6,380,589)	-
	\$ 13,081,045	\$ 188,798	\$ 61,775	\$ 10,046,270	\$ 23,377,888

December 31, 2011	Invested in capital assets	Externally restricted	Endowment	Unrestricted	Total
Provincial	\$ 6,962,089	\$ -	\$ 6,619	\$ 17,269,487	\$ 24,238,195
Regional	5,938,381	155,248	55,156	(6,148,785)	-
	\$ 12,900,470	\$ 155,248	\$ 61,775	\$ 11,120,702	\$ 24,238,195

January 1, 2011	Invested in capital assets	Externally restricted	Endowment	Unrestricted	Total
Provincial	\$ 7,500,095	\$ 33,800	\$ 6,619	\$ 15,037,257	\$ 22,577,771
Regional	3,868,365	50,314	55,156	(3,973,835)	-
	\$ 11,368,460	\$ 84,114	\$ 61,775	\$ 11,063,422	\$ 22,577,771

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Years ended December 31, 2012 and 2011

7. Fund balances (continued):

These endowment funds are included as part of the investment balance.

On an annual basis, any deficiency in the Regional Fund will be funded from the Provincial Fund.

8. Commitments:

Ontario SPCA has lease commitments for buildings, office equipment and vehicles which expire at various dates. Future minimum lease commitments are as follows:

2013	\$ 90,656
2014	31,789
2015	8,607
	<u>\$ 131,052</u>

Ontario SPCA has letters of credit outstanding in the amounts of nil (December 31, 2011 - \$24,025; January 1, 2011 - \$24,025) relating to hydro services provided to the provincial office and \$5,485 (December 31, 2011 - \$22,409; January 1, 2011 - \$22,409) relating to construction holdbacks to the City of Bracebridge.

9. Related organizations:

Class A members, which are local societies in various communities across Ontario, are affiliated with Ontario SPCA. Each affiliate operates autonomously and is independently incorporated. Representatives from some affiliates are members of Ontario SPCA provincial Board of Directors.

During the year, \$34,598 (December 31, 2011 - \$50,702; January 1, 2011 - \$1,173,417) in grants/disbursements of designated gifts to Ontario SPCA affiliates were recorded and paid in these financial statements. Ontario SPCA also paid \$40,106 (December 31, 2011 - \$27,680; January 1, 2011 - \$15,305) in legal fees on behalf of the affiliates.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Years ended December 31, 2012 and 2011

9. Related organizations (continued):

Ontario SPCA provides safety equipment and investigations training to their affiliates free of charge. As such, no amounts are recorded in the financial statements for providing these services.

10. Other information:

The Regional Fund's revenue and expenses include animal food and supplies, as well as fundraising supplies/materials, computer equipment and miscellaneous furniture and supplies, which are donated and have a fair market value of \$70,937 (December 31, 2011 - \$80,236; January 1, 2011 - \$87,296).

11. Guarantees:

In the normal course of business, Ontario SPCA enters into agreements that meet the definition of guarantees.

- (a) Ontario SPCA has provided indemnities under lease agreements for the use of various operating facilities. Under the terms of these agreements, Ontario SPCA agrees to indemnify the counterparties for various items, including, but not limited to, all liabilities, loss, suits and damages arising during, on or after the term of the agreement. The maximum amount of any potential future payment cannot be reasonably estimated.
- (b) Ontario SPCA indemnifies all directors for various items, including, but not limited to, all costs to settle suits or actions due to services provided to Ontario SPCA, subject to certain restrictions. Ontario SPCA has purchased liability insurance to mitigate the cost of any potential future suits or actions. The amount of any potential future payment cannot be reasonably estimated.

The nature of these indemnification agreements prevents Ontario SPCA from making a reasonable estimate of the maximum exposure due to the difficulties in assessing the amount of liability which stems from the unpredictability of future events and the unlimited coverage offered to counterparties. Historically, Ontario SPCA has not made any significant payments under such or similar indemnification agreements and, therefore, no amount has been accrued with respect to these agreements.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Years ended December 31, 2012 and 2011

12. Contingencies:

Ontario SPCA has been named as the defendant in certain legal actions, in which damages have been sought. The outcome of these actions are not determinable as at December 31, 2012 and, accordingly, no provision has been made in these financial statements for any liability which may result. In the event of a loss, all claims would be covered by Ontario SPCA insurance coverage.

Ontario SPCA is involved in various legal actions that are within the normal course of operations. In the opinion of management, any resulting liabilities are not expected to have a material adverse effect on the financial position or net operations.

13. Financial risks and concentration of credit risk:

Financial risk management relates to the understanding and active management of risks associated with all areas of the business and the associated operating environment. Investments are primarily exposed to liquidity, other price and interest rate risk. Ontario SPCA mitigates these risks with an investment policy designed to limit exposure and concentration while achieving optimal return within reasonable risk tolerances. There has been no change in risk exposure from the prior year.

(a) Credit risk:

Credit risk refers to the risk that a counterparty may default on its contractual obligations resulting in a financial loss. Accounts receivable are subject to credit risk. Ontario SPCA assesses, on a continuous basis, accounts receivable and provides for any amounts that are not collectible in the allowance for doubtful accounts. Cash and cash equivalents are held in creditworthy financial institutions.

(b) Liquidity risk:

Liquidity risk is the risk that Ontario SPCA will be unable to fulfill its obligations on a timely basis or at a reasonable cost. Ontario SPCA manages its liquidity risk by monitoring its operating requirements. Ontario SPCA prepares budget and cash forecasts to ensure it has sufficient funds to fulfill its obligations.

ONTARIO SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Notes to Financial Statements (continued)

Years ended December 31, 2012 and 2011

13. Financial risks and concentration of credit risk (continued):

(c) Other price and interest rate risk:

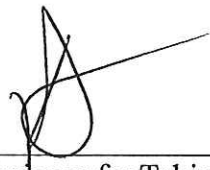
The risks associated with the investments are the risks associated with the securities in which the funds are invested. The value of securities will vary with developments within the specific companies or governments which issue the securities. The value of fixed income securities will generally rise if interest rates fall and fall if interest rates rise. The value of securities denominated in a currency other than the Canadian dollar will be affected by changes in the value of the Canadian dollar in relation to the value of the currency in which the security is denominated.

Financial Statements of

**ONTARIO SOCIETY FOR THE
PREVENTION OF CRUELTY
TO ANIMALS**

Year ended December 31, 2011

This is Exhibit "O" referred to in the
Affidavit of Jeffrey Bogaerts
sworn before me, this 31st day of July, 2014.

A handwritten signature in black ink, consisting of a stylized 'J' or 'B' shape with a long horizontal stroke extending to the right.

Commissioner for Taking Oaths

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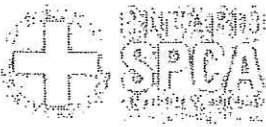
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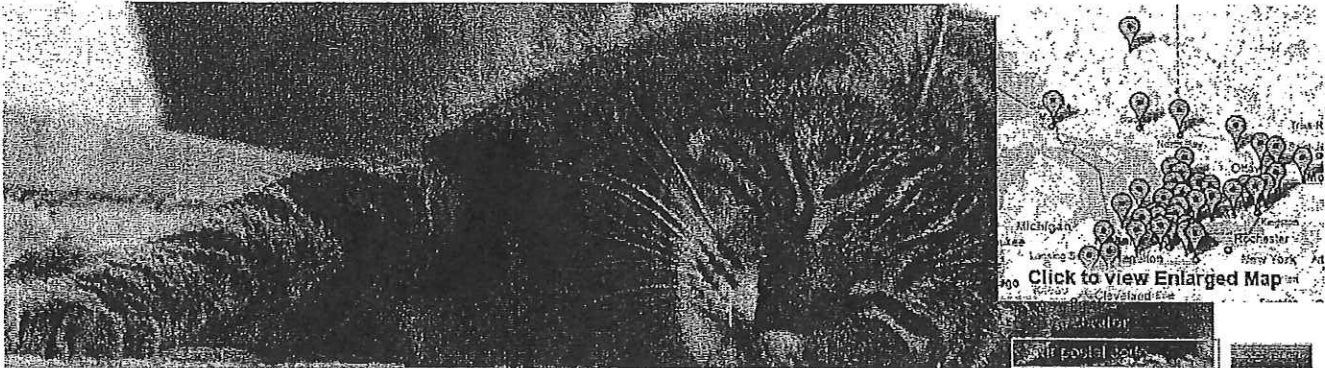


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Welcome to the Ontario SPCA Media Centre. This section contains current and archived media releases, an Ontario SPCA backgrounder and fact sheet and contacts for media interested in speaking with Ontario SPCA spokespeople.


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Cornwall Woman Pleads Guilty to Three Counts of Animal Cruelty under the Ontario SPCA Act

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Wednesday, 30 July 2014 17:41

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Man and woman charged under Ontario SPCA Act after leaving dog in hot car in Algonquin Provincial Park

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Tuesday, 22 July 2014 15:41

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Two Orillia Men Pleaded Guilty Under the Ontario SPCA Act After a Puppy Was Found With a Broken Leg

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Wednesday, 16 July 2014 13:05

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Who to call to report animal cruelty

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The Humane Society of Durham Region (HSDR) is undertaking an extensive project

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Monday, 14 July 2014 18:11

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Welland & District Humane Society opens a high-volume spay/neuter clinic

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Thursday, 10 July 2014 14:08

[Read more...](#)**WOMAN CHARGED AFTER LEAVING A DOG IN A HOT CAR IN VAUGHAN**

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Tuesday, 08 July 2014 16:03

[Read more...](#)**The Peterborough Humane Society is pleased to announce the search for our Executive Director is over.**

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Tuesday, 08 July 2014 14:59

[Read more...](#)**11 Charges Laid Under the Ontario SPCA Act, in Hybrid Turkey Case**

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Thursday, 03 July 2014 13:25

[Read more...](#)**Memorandum of Agreement signed between OVA and OSPCA**

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Wednesday, 25 June 2014 16:03

[Read more...](#)**TWO ANIMALS BEING SOUGHT IN MARKHAM AFTER BITING INCIDENTS**

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Wednesday, 25 June 2014 14:25

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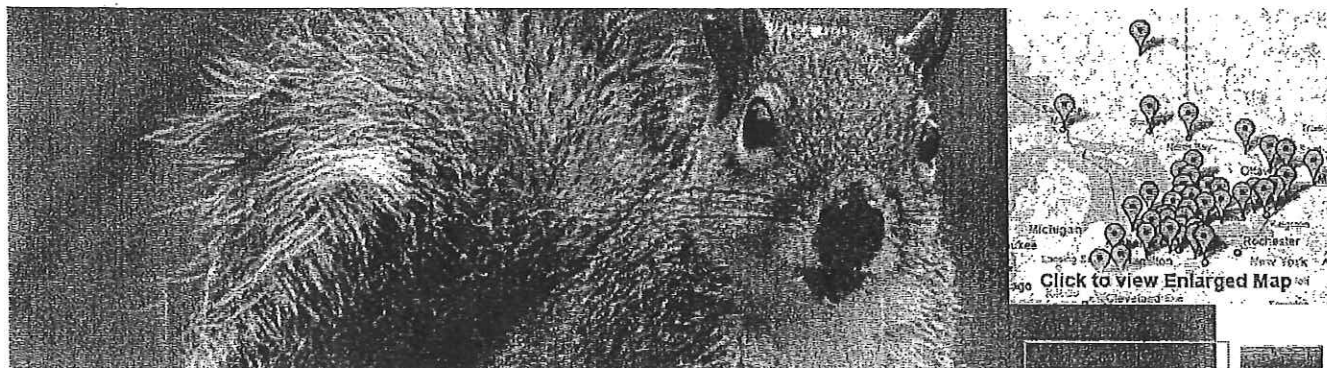
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Bill 37

Written by Administrator

Wednesday, 07 March 2012 14:17

Last Updated on Wednesday, 07 March 2012 14:22

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73 Dogs removed from one property under the authority of the Ontario SPCA Act

Written by Administrator

Tuesday, 06 March 2012 16:44

Last Updated on Tuesday, 06 March 2012 17:07

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Updated Statement

Written by Administrator

Monday, 27 February 2012 18:25

Last Updated on Tuesday, 28 February 2012 14:25

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Ontario SPCA Launches Animal Cruelty Investigation in Ontario

Written by Administrator

Monday, 27 February 2012 15:18

Last Updated on Monday, 27 February 2012 15:35

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Ontario SPCA commends Township of Brock

Written by Administrator

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Jennifer H. B.

Vanya

Wilbur

Wednesday, 01 February 2012 19:38

Last Updated on Wednesday, 01 February 2012 19:45

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Letter to the editor, National Post –RE: Humane Society delays move to accept strays directly

Monday, 09 January 2012 00:00

[Read more...](#)

Ontario SPCA Thanks The Public For Overwhelming Response

Thursday, 08 December 2011 00:00

A recent plea for help went out across the province, and you responded.

[Read more...](#)

Support our Rescue and Relief Team

Thursday, 01 December 2011 00:00

Over 160 animals removed across the province in one day.

[Read more...](#)

ONTARIO SPCA MUSKOKA CELEBRATES OPENING OF NEW BRACEBRIDGE FACILITY

Saturday, 12 November 2011 00:00

BRACEBRIDGE, ONTARIO– Government representatives joined supporters and staff from the Ontario Society for the Prevention of Cruelty to Animals (Ontario SPCA) today to celebrate the completion of a new Muskoka Animal Centre in Bracebridge.

[Read more...](#)

MEDIA ADVISORY Important infrastructure event with the Honourable Tony Clement, Member of Parliament for Parry Sound–Muskoka

Thursday, 10 November 2011 00:00

Bracebridge, Ontario, November 10, 2011 – Members of the media are invited to attend an important infrastructure event with the Honourable Tony Clement, Member of Parliament for Parry Sound–Muskoka, President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, and Kate MacDonald, Chief Executive Officer of the Ontario SPCA.

[Read more...](#)

Thanksgiving Weekend is Upon Us- Pet Safety Reminders The Ontario SPCA offers tips for a safe holiday

Friday, 07 October 2011 00:00

NEWMARKET, ON (October 7, 2011) - The Ontario SPCA wants to remind everyone about the need to keep your pets safe over the Thanksgiving weekend.

[Read more...](#)

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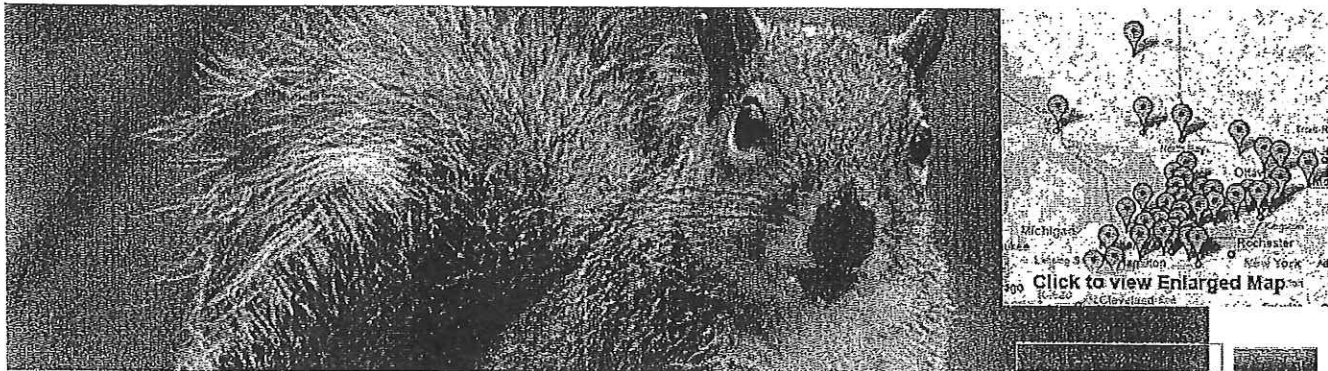
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Ontario SPCA Commends Jail Sentence in Cruelty Case Ottawa Humane Society case sees first sentencing of its kind!

Wednesday, 05 October 2011 00:00

NEWMARKET, ON (05 October, 2011) —The Ontario SPCA is pleased to announce the first-ever jail sentence for charges of animal cruelty under the Ontario SPCA Act for a case of animal cruelty handled by the Ottawa Humane Society.

[Read more...](#)

International renowned artist headlines a talented all Canadian line-up for animal welfare! Steven Page teams up with Ontario SPCA for a life saving concert

Thursday, 29 September 2011 00:00

Newmarket, ON (September 29, 2011) - The Ontario SPCA is pleased to announce STEVEN PAGE AND FRIENDS LIVE & UNLEASHED, an evening in support of the [Ontario SPCA](#). Hosted by comedian Colin Mochrie and actress Debra McGrath and presented by Iams, this award winning line up will not only entertain audiences but support the lifesaving work of the Ontario SPCA.

[Read more...](#)

Another Milestone for Animal Welfare The Ontario SPCA congratulates the Lincoln County Humane Society

Wednesday, 07 September 2011 00:00

NEWMARKET, ON (September 7, 2011) – The Ontario SPCA would like to congratulate our affiliate, the Lincoln County Humane Society (LCHS), on the opening of their new Spay/Neuter Clinic and the renovation of their current facility.

[Read more...](#)

Manitoulin Island man charged with 26 counts of animal cruelty Ontario SPCA save over 200 rabbits

Monday, 15 August 2011 00:00

Sudbury, ON (August 15, 2011) – The Ontario SPCA has charged Hendrick Reckman of Billings Township, with 26 counts of animal cruelty under the Ontario SPCA Act, after over 400 rabbits were found in his care.

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Cat found bound in garbage can Ontario SPCA is reaching out for information from the public

Tuesday, 26 July 2011 00:00

NEWMARKET, ON (July 26, 2011) – The Ontario SPCA and the Etobicoke Humane Society, are reaching out to the public for any information they may have on a cat found in an Etobicoke park garbage can on Sunday afternoon.

[Read more...](#)

Another milestone for Animal Welfare, Congratulations to the Ottawa Humane Society

Wednesday, 06 July 2011 00:00

The Ontario SPCA would like to congratulate the Ottawa Humane Society (OHS) and all its supporters on the opening of their new facility located on Hunt Club road in Ottawa.

[Read more...](#)

Fireworks can spook your pet! The Ontario SPCA reminds you to practice pet safety

Thursday, 30 June 2011 00:00

Newmarket, ON (June 30, 2011) – Canada Day is almost here and the Ontario SPCA wants to help make it a happy celebration for everyone, including our pets.

Loud noises such as fireworks or seasonal thunderstorms can easily spook your animal. Every year the Ontario SPCA finds, or hears reports of, lost animals, simply because they ran away due to the sound of roaring thunder or breaking fireworks. The Ontario SPCA suggests the following tips to help keep your pet safe over the long weekend.

[Read more...](#)

Letter to the Editor – Farmers Forum Newspaper

Wednesday, 29 June 2011 00:00

Patrick Meagher, Editor
Eastern Ontario Farmers Forum

June 29, 2011

Re: Farm faces \$720,000 in animal cruelty charges. By Ian Cumming

Dear Patrick,

The Ontario SPCA would like to thank you for allowing us the opportunity to address some misinformation that was written in the article *Farm faces \$720,000 in animal cruelty charges*, by Ian Cumming, and to clarify the role of the Ontario SPCA.

[Read more...](#)

Over 200 bunnies need new homes!

Friday, 24 June 2011 00:00

Over 200 bunnies need new homes!

The Ontario SPCA Communities and local rescue groups need your help!

[Read more...](#)

Letter to the Editor

Monday, 13 June 2011 00:00

RE: Dog taken, euthanized without owner's knowledge by Johnny Keogh

[Read more...](#)

OSPCA Presents Findings of the Independent Review of the York Region Branch and Ensures Public that the Recommendations Are Being Implemented

Friday, 03 June 2011 00:00

June 3, 2011 (TORONTO) – The Ontario Society for the Prevention of Cruelty to Animals (Ontario SPCA) today presented the findings of its York Region branch external review and announced that implementation of the report's recommendations has already begun.

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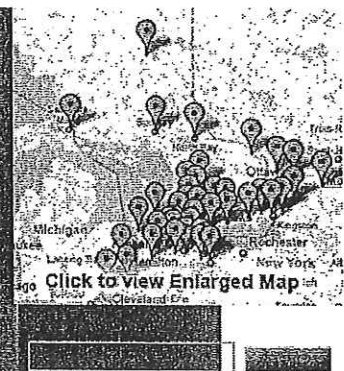
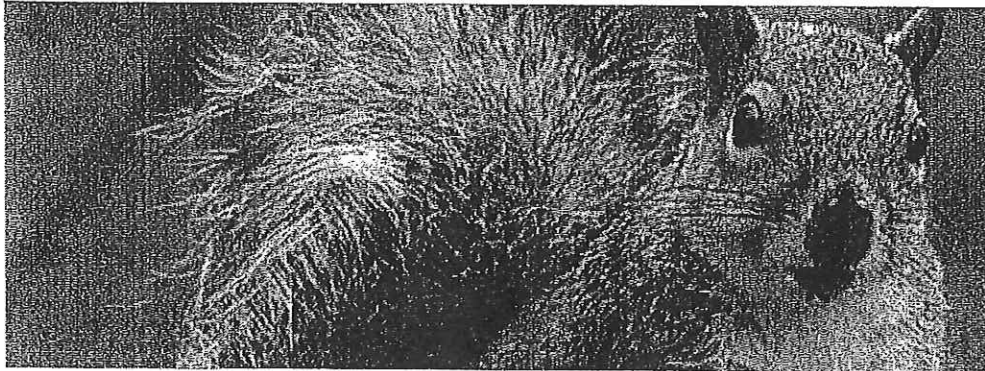


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Manitoulin Island man charged with 26 counts of animal cruelty Ontario SPCA save over 200 rabbits

Monday, 15 August 2011 00:00

Sudbury, ON (August 15, 2011) – The Ontario SPCA has charged Hendrick Reckman of Billings Township, with 26 counts of animal cruelty under the Ontario SPCA Act, after over 400 rabbits were found in his care.

The rabbits were removed from the Manitoulin Island area property in late May of this year. Many of the rabbits were found in poor body condition, lacking adequate basic care, living in poor sanitary conditions and requiring medical treatment. Each animal was examined by a Veterinarian and the over 200 surviving rabbits were later transferred to Ontario SPCA Communities or rabbit rescues across the province and placed up for adoption. Sadly over 200 rabbits were euthanized, by veterinarian recommendation, due to the condition they were found in.

"Animal hoarding is a serious issue and is not taken lightly," Says Connie Mallory, Chief Inspector Ontario SPCA. "Regardless of how many animals you own, it is your responsibility to provide the proper care for each and every animal. The Ontario SPCA is always available as a resource if you are concerned for caring for your pets."

Reckman will make his first court appearance on September 1st in the Gore Bay courthouse.

The following are the list of charges under the Ontario SPCA Act.

- Five counts of Permitting animals to be in distress (11.2(1))
- Five counts of Failure to provide care necessary for general welfare (11.1(1)/18.1(1)(b))
- Four counts of Failure to provide adequate and appropriate sanitary conditions (11.1(1)/18.1(1)(b))
- Four counts of Failure to provide adequate and appropriate ventilation (11.1(1)/18.1(1)(b))
- Four counts of Failure to provide adequate and appropriate pen or other enclosed structure or area, or any surfaces, structures and materials in a state of good repair (11.1(1)/18.1(1)(b))
- Three counts of Failure to provide adequate and appropriate medical attention (11.1(1)/18.1(1)(b))
- One count of Failure to comply that every animal that is to be killed must be killed by a method that is humane and minimized the pain and distress to the animals such that an animal's pain and distress are deemed to be minimized if it is killed by a method that produces rapid, irreversible unconsciousness and prompt subsequent death (11.1(1)/18.1(1)(b))

##

Provincial Media Contact:

Allison Cross

Manager, Communications

across@ospca.on.ca

905-853-2108 (mobile)

The Ontario Society for the Prevention of Cruelty to Animals (Ontario SPCA): Protecting animals since 1873, the Ontario SPCA is a registered charity comprised of over 50 Communities relying primarily on donations to fund animal protection, care and rehabilitation; advocacy; and humane education. The Ontario SPCA Act mandates the Society to enforce animal cruelty laws and provides Society investigators with police powers to do so – making the Ontario SPCA unique among animal welfare organizations in the province. The Ontario SPCA is affiliated with the Royal Society for the Prevention of Cruelty to Animals.

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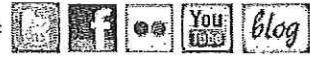
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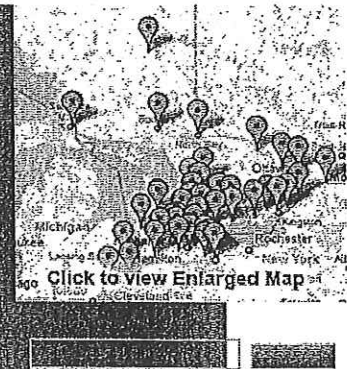
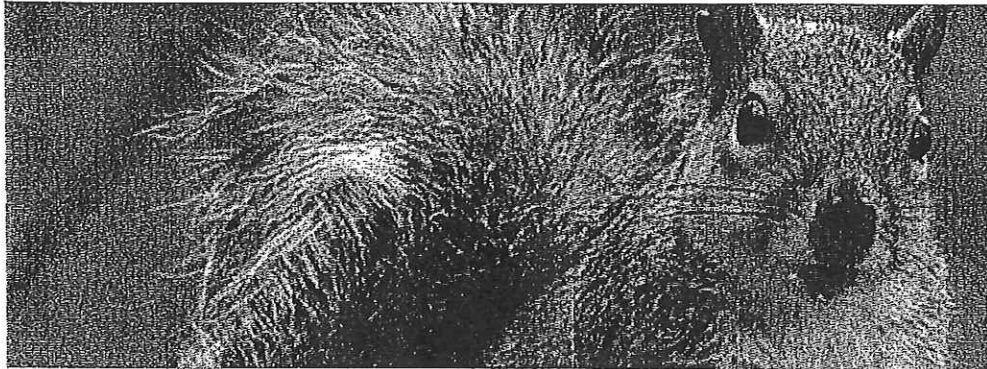


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Ontario SPCA Commends Jail Sentence in Cruelty Case Ottawa Humane Society case sees first sentencing of its kind!

Wednesday, 05 October 2011 00:00

NEWMARKET, ON (05 October, 2011) —The Ontario SPCA is pleased to announce the first-ever jail sentence for charges of animal cruelty under the Ontario SPCA Act for a case of animal cruelty handled by the Ottawa Humane Society. On October 3, an Ottawa woman, Madeleine Girard, was sentenced in Provincial court to 10 months in jail, as well as a lifetime ban from owning or having custody or care of any animal. She was also ordered to pay \$500 restitution to the Ottawa Humane Society and must allow unannounced inspections of her residence to ensure she is in compliance with the court order. Prosecutor Mathew Collins sought a sentence of six months in jail and \$220 restitution; however, the judge believed the offence supported a more severe sentence.

On April 21, 2011, the Ottawa Humane Society Rescue and Investigation Service officers found the decomposing body of a black and white, pointer-type dog inside the front door of Girard's Heatherington Avenue apartment unit. Girard was charged under the Ontario SPCA Act with permitting distress to an animal and failing to provide adequate and suitable food and water, resulting in its death.

A necropsy showed the dog was emaciated with ribs, vertebrae and hip bones jutting out

The Ontario Society for the Prevention of Cruelty to Animals congratulates the diligent work of the Ottawa Humane Society for the very successful outcome to this case.

"We are pleased to see this strict sentence, it really shows that animal cruelty is not tolerated in the eyes of the law", says Connie Mallory, Chief Inspector, Ontario SPCA.

The Ontario SPCA wants to remind everyone that no animal should ever go without having the necessities of life, and that there are consequences for allowing it to happen. There are alternatives and by contacting your local Ontario SPCA or humane society they can assist you with the available services.

##

Provincial Media Contact
Agent Brad Dewar
Investigations & Communications Officer
Ontario SPCA, Provincial Office
289-383-3503

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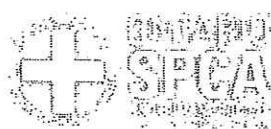
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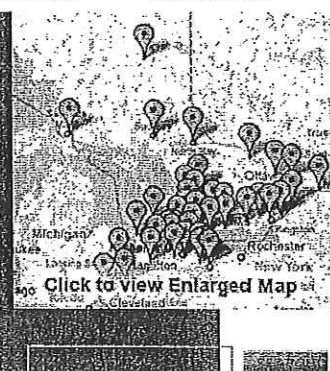
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Support our Rescue and Relief Team

Thursday, 01 December 2011 00:00

Over 160 animals removed across the province in one day.

Dear Friend,

I write to you today to share three emergency rescue and relief removals our Inspectorate participated in, in the last few days.

Ontario SPCA Officers worked in three different areas of the province despite difficult weather conditions to save over 160 animals in urgent need of care and attention.

In Oxford County, 42 dogs from an alleged puppy mill operation were removed, immediately examined by veterinarians and treated accordingly. In the Grey and Bruce Counties, 48 Mastiff type dogs including more than 10 puppies were removed from a home and brought urgently to an Ontario SPCA facility to be treated and cared for.

Concluding the rescues, over 60 rabbits were removed from a Manitoulin Island property after an investigation revealed the owner was not providing proper care for the animals.

In each of these cases charges are pending as the three investigations continue. The animals will remain in the care of the Ontario SPCA, as our staff members continue to work day in and day out, round the clock to ensure these scared mistreated animals are receiving the medical treatment and basic care they desperately deserve and need.



Photo from the Sentinel Review

Sadly, days like these are not unusual for the Ontario SPCA. This is why we need your support today! Our Rescue and Relief teams are able to help respond to cruelty cases and care for animals in need because of your generous donations. Caring for this many animals at once, strains are already depleted end of year resources. 2011 has been one of our most resource draining in recent memory!

To support our Rescue and Relief efforts, please visit www.ontariosPCA.ca/rescue or call us toll-free at 1-888-668-7722 ex 321 today!

We will keep you updated on these rescued animals as the investigations continue. As always our underlining goal is to ensure the animals are getting the care they require and deserve.

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Sincerely,

Connie Mallory
Chief Inspector
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Ontario SPCA Thanks The Public For Overwhelming Response

Thursday, 08 December 2011 00:00

A recent plea for help went out across the province, and you responded.

Letter to the editor

The Ontario SPCA wishes to thank members of the public for their overwhelming support by way of donations. Donations make it possible for our officers to be able to do their job in relieving animals from distress and providing the necessary housing and care for them, and we wish to thank everyone for their help and support. The Ontario SPCA is a not for profit organization that does not receive government funding to enforce animal welfare legislation. We responded to 13,000 calls of animal cruelty last year.

In the past week the Ontario SPCA has been involved in 3 large removals from across the province involving 1 case of 68 rabbits, 1 case of 48 large breed dogs and 1 case of 42 dogs.

The support we receive is either by financial donations, items purchased or donated, food being supplied and even gift cards. This type of assistance helps to house the animals, feed them, care for their medical needs, and cover the cost of the removal and the cost of the court proceedings. It can easily cost 100,000 dollars for cases like the 3 from last week. When a plea for help goes out it's with the goal that everything being donated will assist the organization across the province with cases just like these ones. This is nothing new for the Ontario SPCA however as the numbers of removals are increasing so does the financial burden on the organization and that's where we need the help of our communities.

Our request for help comes from our offices throughout the province and we sincerely appreciate the generosity of all those who have responded to this plea for assistance. Special thanks to Woodstock and the surrounding communities, the local Fire Departments and Police Services.

If you wish to make a donation please visit our website www.ontariospca.ca/rescue or by phone 1-888-668-7722.

If you have a concern of animal abuse or neglect please call 1-888-668-7722.

#

Provincial Media Contact

Agent Brad Dewar

Investigation & Communications Officer

Ontario SPCA, Provincial Office

289-383-3503

The Ontario Society for the Prevention of Cruelty to Animals (Ontario SPCA): Protecting animals since 1873, the Ontario SPCA is a registered charity comprised of over 50 Communities relying primarily on donations to fund animal protection, care and rehabilitation; advocacy; and humane education. The Ontario SPCA Act mandates the Society to enforce animal cruelty laws and provides Society Investigators with police powers to do so – making the Ontario SPCA unique among animal welfare organizations in the province. The Ontario SPCA is an affiliated with the Royal Society for the Prevention of Cruelty to Animals.

Ontario SPCA

Ontario SPCA Provincial Office
16586 Woodbine Avenue, RR 3

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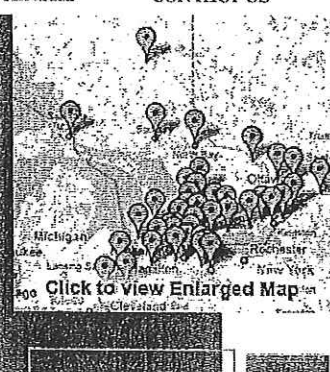
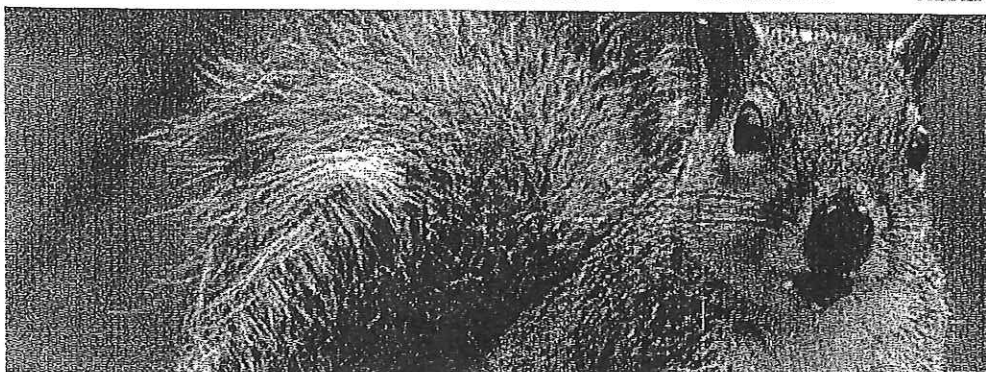
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Ontario SPCA Launches Animal Cruelty Investigation in Ontario

Written by Administrator

Monday, 27 February 2012 15:18

Lucknow, ON, February 27, 2012 – The Ontario SPCA (Ontario Society for the Prevention of Cruelty to Animals) executed 16 warrants today following an investigation into multiple animal cruelty complaints in Southwestern Ontario. Ontario SPCA holds the authority for investigation and enforcement of animal cruelty legislation in Ontario.

Ontario SPCA will provide further detail on this investigation throughout the day.

About Ontario SPCA and Humane Society:

Protecting animals since 1873, Ontario SPCA is Ontario's Animal Welfare organization. A registered charity comprised of over 50 Communities, Ontario SPCA relies on donations to fund animal protection, care and rehabilitation; veterinary services; community outreach; advocacy; and humane education.

Ontario SPCA is mandated under the Ontario SPCA Act to enforce animal welfare legislation and the Act provides Ontario SPCA Agents and Inspectors with police powers to do so.

Ontario SPCA provides leadership in animal welfare innovations including introducing high-volume spay/neuter services to Ontario and opening the Provincial Education and Animal Centre.

For more information about Ontario SPCA Rescue and Relief efforts go to: www.ospcarescue.ca

For more information please contact:

Alison Cross

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Agent Brad Dewar

Investigations & Communications Officer

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289-383-3503

Last Updated on Monday, 27 February 2012 15:35

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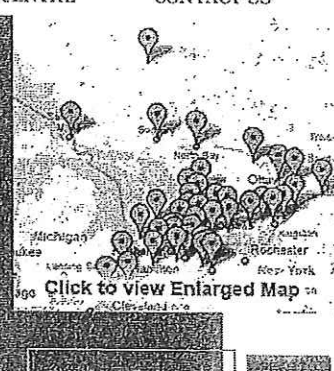
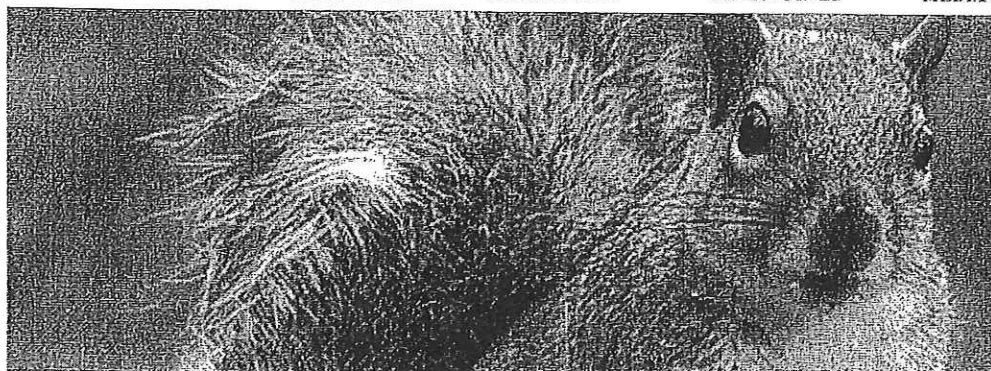
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Updated Statement

Written by Administrator

Monday, 27 February 2012 18:25

The Ontario SPCA (Ontario Society for the Prevention of Cruelty to Animals) executed 16 warrants this morning following an investigation into multiple animal cruelty complaints. Onsite investigations resulted in orders being issued related to animal housing and some medical treatment involving ears, eyes, teeth and skin. The owners are working together with the Ontario SPCA to ensure optimal care standards are met and maintained. Ontario SPCA will follow up accordingly to ensure all compliance requirements are met. No charges have been laid at this time.

Ontario SPCA is obligated to address all animal cruelty complaints and there is a formal investigation process. As one of the largest, most responsive animal welfare organizations in the country, we provide care and shelter for tens of thousands of animals and respond to thousands of animal cruelty complaints each year. For more information about our investigation process please visit our website at ospcarecue.ca.

Last Updated on Tuesday, 28 February 2012 14:25

Ontario SPCA

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Jan



Patricia



Jane



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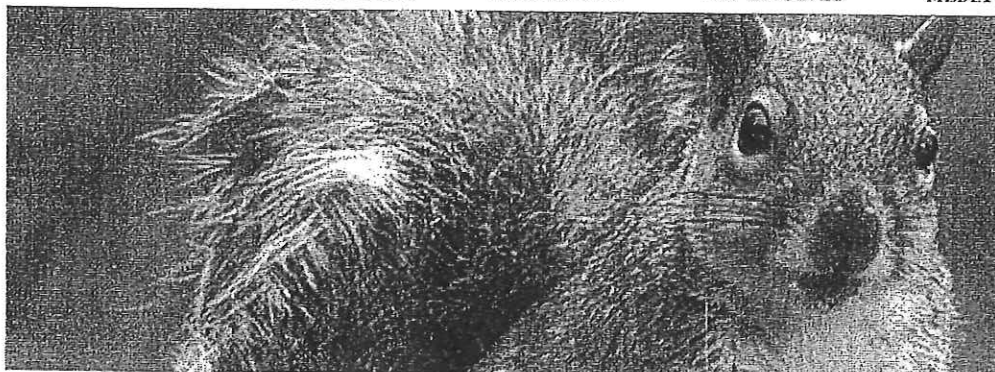
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73 Dogs removed from one property under the authority of the Ontario SPCA Act

Written by Administrator

Tuesday, 06 March 2012 16:44

Lucknow, ON (March 6, 2012) – On February 27, 2012, the Ontario SPCA executed 16 warrants following an investigation into multiple animal cruelty complaints. Onsite investigations resulted in orders being issued related to animal housing and some medical treatment involving ears, eyes, teeth and skin.

Ontario SPCA Peace Officers returned to some of the properties yesterday morning, as mandatory follow up to ensure orders were being met and standards of care as defined by the Ontario SPCA Act were provided and maintained. In some cases, orders have been met with compliance. In other cases, where compliance was not achieved, animals have been removed.

The Ontario SPCA removed 73 dogs today from one property, as recommended by a veterinarian, and the authority of the Ontario SPCA Act due to the owners' failure to comply with the orders issued. The dogs were small to medium sized animals and a variety of breeds such as, Shar Peis, Basset Hounds, Pugs, Bulldogs, Beagles and Boston Terrier type dogs. The dogs will remain in the care of the Ontario SPCA while the investigation continues.

The investigation is ongoing. The Ontario SPCA will update the public as more information is available to share.

Ontario SPCA is obligated to address all animal cruelty complaints and there is a formal investigation process. As one of the largest, most responsive animal welfare organizations in the country, we provide care and shelter for tens of thousands of animals and respond to thousands of animal cruelty complaints each year. For more information about our investigation process please visit our website at ospcarescue.ca.

FAQ

When can the Ontario SPCA remove an animal?

Under the authority of the Ontario SPCA Act section 14.(1) the only grounds to remove an animal are under the following circumstances:

- A veterinarian has examined the animal and has advised the inspector in writing that the animal's health and well being necessitates its removal
- An inspector or agent has inspected the animal and has reasonable grounds for believing the animal is in immediate distress and the owner can't be found
- An Order regarding the animal has been issued to the owner and has not been complied with

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When would you consider an animal to be in immediate distress?

Animals considered to be in immediate distress are ones that require immediate attention to preserve life and require medical attention to address severe health needs that cannot be provided for onsite. During our investigation process, we often reach out to expert veterinarians to examine the animals and identify ones in immediate distress.

What does it mean to issue orders?

Where an Ontario SPCA Officer has reasonable grounds for believing that an animal is in distress and the owner or custodian of the animal is present or may be found promptly, the Officer may order the owner or custodian to take the necessary action to relieve the animal of its distress; or have the animal examined and treated by a veterinarian at the expense of the owner or custodian. An order is issued in writing and will specify the time within which the action is required to be performed. Once an order is issued, an Ontario SPCA Officer may return with or without a warrant, depending on the circumstances, to inspect the animal and the property for the purpose of determining compliance with the order.

For more information please contact:

Alison Cross
Senior Manager, Marketing & Communications
across@ospca.on.ca
905-853-2108

Agent Brad Dewar
Investigations & Communications Officer
bdewar@ospca.on.ca
289-383-3503

About Ontario SPCA and Humane Society:

Protecting animals since 1873, Ontario SPCA is Ontario's Animal Welfare organization. A registered charity comprised of over 50 Communities, Ontario SPCA relies on donations to fund animal protection, care and rehabilitation; veterinary services; community outreach; advocacy; and humane education.

Ontario SPCA is mandated under the Ontario SPCA Act to enforce animal welfare legislation and the Act provides Ontario SPCA Agents and Inspectors with police powers to do so.

Ontario SPCA provides leadership in animal welfare innovations including introducing high-volume spay/neuter services to Ontario and opening the Provincial Education and Animal Centre.

Last Updated on Tuesday, 06 March 2012 17:07

Ontario SPCA

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This is Exhibit 'P' referred to in the
Affidavit of Jeffrey Bogaerts
sworn before me, this 31st day of July, 2014.

A handwritten signature in black ink, consisting of a large loop and a long, sweeping horizontal stroke extending to the right.

Commissioner for Taking Oaths

NEWS RELEASE

OSPCA - New market, ON, March 02nd-2009

PROCLAMATION OF PAW (the “new” OSPCA Act)

So then ,....HOW did this all happen?

The Ontario SPCA is pleased with the Ontario government's proclamation of Bill 50 to amend the Ontario SPCA Act. Bill 50 was tabled in the Legislature by the Ministry of Community Safety and Correctional Services in April, 2008 and is the most comprehensive amendment adopted since the provincial animal welfare legislation's inception in 1919.

The new Provincial Animal Welfare (PAW) Act toughens and modernizes the Ontario SPCA Act; creating new provincial offenses and imposing stiffer penalties for those convicted of animal abuse.

Key changes in the amended Ontario SPCA Act or Provincial Animal Welfare (PAW) Act include:

- Establishing new provincial offences against animal cruelty, including causing or permitting distress.
- Providing judges with greater flexibility to impose stiffer penalties, including jail time, fines up to \$60,000 and a potential lifetime ban on animal ownership.
- Providing inspection powers to the Ontario SPCA; allowing investigators to inspect premises where animals are kept for the purposes of exhibit, entertainment, boarding, sale or hire.
- Permitting the Society to apply for custody of an animal victim while a case is still before the courts.
- Expanding the standards of care to be applicable to all animals, not just dogs and cats.
- Requiring veterinarians to report suspected animal abuse or neglect with protection under the law.
- Making it an offense to train an animal to fight with another animal or to own animal fighting equipment.

WHY has it changed ?

WHAT is the purpose of LAW?

JEFFREY BOGAERTS
Applicant

-and-

ATTORNEY GENERAL OF ONTARIO
Respondent

Court File No. 749/13

ONTARIO
SUPERIOR COURT OF JUSTICE

**PROCEEDING COMMENCED AT
PERTH, ONTARIO**

AFFIDAVIT OF JEFFREY BOGAERTS
(sworn July 31, 2014)

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Lawyers for the Applicant

Jeffrey Bogaerts

- and -

Court of Appeal File No.: C66542
Superior Court File No.: 749/13
Attorney General of Ontario

Applicant (Respondents in Appeal)

Respondents (Appellants in Appeal)

Proceeding commenced at Perth
COURT OF APPEAL FOR ONTARIO

**EXHIBIT BOOK OF THE RESPONDENT
(APPELLANT IN APPEAL)
THE ATTORNEY GENERAL OF ONTARIO**
VOLUME I

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